

## MANAGEMENT BOARD | DRAFT AGENDA

Date: 26 March 2024

Time: 10.00 – 12.00

Location: Zoom

### DECISION ITEMS [10.00 – 10.50]

#### 1. Apologies for absence

2.1 To note any apologies received.

#### 2. Minutes of the previous meeting and matters arising

3.1 To approve draft minutes of the meeting held on 9 January 2024 (Appendix 3.1).

3.2 To note email summary of informal meeting held on 12 February (Appendix 3.2)

*(If members have comments on the accuracy of the draft minutes or notes, please contact [nalccommittees@nalc.gov.uk](mailto:nalccommittees@nalc.gov.uk) before the meeting)*

#### 3. County Officer Forum – Thriving together

3.1. To agree the approach set out in this note from the meeting of County Officers' Forum held on 31 January 2024.

*“Thriving Together Working Group (CaS, DM, KRO, LW, and NW) met on 30 January 2024 with Jonathan Owen (CEO) and Keith Stevens (Chair) of NALC at The Bloomsbury Building in London.*

*The purpose of the meeting was to explore and obtain NALC support for the proposed Thriving Together summit planned for spring 2024.*

*The meeting covered much ground but essentially concluded with NALC support for a summit, subject to:*

- It being held in March 2025 (noting that spring 2024 is too early, and autumn 2024 is likely to be focused on the general election).*
- That the summit is focused on “Futureproofing the sector”*
- That the summit is organised with and through NALC National Assembly Representatives.*
- That work is done in advance to gather information and evidence.”*

- 3.2 To agree a request from the County Officers Forum for NALC to fund training sessions for county officers on procurement and communications up to £2,000.

#### **4. Smaller Authorities' Audit Appointments**

- 4.1 To consider how best to respond to the SAAA. (Appendix 4.1).  
(Confidential item)
- 4.2 To agree Charlotte Eisenhart, head of member services, replaces Jonathan Owen, chief executive, as NALC's Member Director on SAAA from 1 April 2024.

#### **5. Parliamentary reception/Star Councils Awards 2024/25**

- 5.1. To consider changing the timing of the Parliamentary reception/Star Councils Awards 2024/25 due to likely General Election in the Autumn. (Appendix 5.1)

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#### **BREAK [10.50- 11.00]**

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#### **DISCUSSION ITEMS**

##### **6. External speaker or discussion item [11.00 – 11.30]**

- 6.1. Either external speaker on local government finance (LGA or LGiU) or deep dive into Communications KPIs.

##### **7. Forward work programme for National Assembly, committees and Management Board [11.30 – 11.50]**

- 7.1. To consider proposals for the forward work programmes of National Assembly, committees and the Management Board and associated issues identified at the development session held on 15 February 2024. (Appendix 7.1)

##### **8. NALC 1994 Ltd**

- 8.1. To consider the future of NALC 1994 Ltd. (Appendix 8.1).

#### **INFORMATION ITEMS (for noting 11.50 – 12.00)**

##### **9. NALC HR Handbook** (Appendix 9.1).

##### **10. Website (update on amended launch timeline)**

##### **11. Key Performance Indicators schedule** (Appendix 11.1).)

**12. Management Board special responsibilities/champions (to report to National Assembly) (Appendix 12.1).**

**13. Cash flow position (Appendix 13.1). (Confidential item)**

**14. Date and time of next meeting**

To note the next meeting will be held in person on 18 June 2024 at CCLA.

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## MANAGEMENT BOARD | DRAFT MINUTES

Date: 9 January 2024

Venue: Zoom

**Present:** Cllr Sue Baxter, Cllr Bob Blezzard, Cllr Mike Drew, Cllr Peter Davey (vice-chair finance), Cllr David Francis (vice-chair member services), Cllr Paul Harvey, Cllr Loraine Rappé, Cllr Keith Stevens (chair), Cllr Luke Trevaskis, Cllr Peter Allison.

Jonathan Owen chief executive, Justin Griggs head of policy and communications, Charlotte Eisenhart, head of member services and Steve Walker, head of finance and administration.

Apologies were received from Cllr Bob Blezzard.

Cllr Stevens noted that Farhana Miah would be leaving NALC for a new post with the YMCA and thanked her for her work and wished her well in her new role.

### 1. Committee induction

The board considered their role profiles and terms of reference as part of the new induction process. Issues for further action included:

- The importance of resolving membership issues if the finance and scrutiny committee functions were split.
- The need to have appropriate grievance procedures.
- JRO to circulate HR handbook and key performance indicators schedule.
- Arrange separate induction briefing for LT.

### Decision Items

#### 2. Minutes of previous meetings

The minutes of the meeting of the Management Board held on 21 November were agreed and e-mail note of the informal meeting on 11 December received.

It was reported that the chair and chief executive would be meeting county officers to discuss their recent proposals to review sector support on 30 January.

#### 3. Calendar of meetings

The board agreed to meet with senior staff later in the year.



The calendar of meetings was agreed, and the face-to-face meeting would be held at CCLA on 18 June

#### **4. Advice to committees on co-option**

The board agreed amendments to a note of guidance for committees when considering making co-options.

#### **Discussion items**

#### **5. Sector risk register**

The board discussed the development of a sector risk register setting out barriers to achieving the sector's and NALC's ambitions; and mitigating actions taken or required to address them. A revised paper would be circulated to a future meeting.

#### **6. Board work programme**

The following issues were identified for the board's work programme.

- Sector survey and data.
- Workforce issues and strategy (with IDB).
- Governance – review of finance and scrutiny, year 1. Consider options for member services year 2.
- On-going modernisation of NALC.
- Day-to-day issues including recommending affiliation fees.
- Oversight and development of committee work programmes.
- Communications and engagement with county associations and councils.
- Young people.
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#### **7. Board special responsibilities/ portfolios**

In line with previous discussions the board identified the following leads for specific issues. The chief executive and chair would provide further guidance on these roles for consideration.

- Mike Drew - website
- Loraine Rappé - communications
- Bob Blezzard - workforce
- Paul Harvey - AI and data
- Luke Trevaskis - Young people
- Sue Baxter - Diversity

## **Information items**

### **8. Update on model contract of employment.**

CE reported that following discussions with SLCC a new model contract and template contract had been published. Next steps included briefings for county officers and guidance on pay and hours worked. The former – “job evaluation and pay grades” was identified as a priority.

### **9. NALC work programme and publication schedule**

These were welcomed and noted. Consideration to be given to how to communicate the extent of work NALC conducted to members.

### **10. Date of next meeting –**

26 March via zoom

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**From:** Jonathan Owen <[Jonathan.Owen@nalc.gov.uk](mailto:Jonathan.Owen@nalc.gov.uk)>  
**Sent:** Thursday, February 15, 2024 8:52:37 AM  
**To:** Jonathan Owen <[Jonathan.Owen@nalc.gov.uk](mailto:Jonathan.Owen@nalc.gov.uk)>  
**Cc:** Charlotte Eisenhart <[Charlotte.Eisenhart@nalc.gov.uk](mailto:Charlotte.Eisenhart@nalc.gov.uk)>; Justin Griggs <[justin.griggs@nalc.gov.uk](mailto:justin.griggs@nalc.gov.uk)>; Steve Walker <[steve.walker@nalc.gov.uk](mailto:steve.walker@nalc.gov.uk)>; Claire FitzGerald <[claire.fitzgerald@nalc.gov.uk](mailto:claire.fitzgerald@nalc.gov.uk)>  
**Subject:** Notes from Informal management board 12/2 11.00-11.45

To management board colleagues  
Thanks for a useful catch up on Monday.  
We had apologies from Sue and Paul.  
Key points  
On big help out, Justin will ensure marketing material for councils are circulated.  
On SAAA reserves, detected general support for supporting better financial governance and understanding data of the sector. Important too to link saaa, Jpag and financial regulations more effectively. Noted saaa funding for Jpag post may help.  
Thriving together with county officers. Recent meeting agreed in principal an event later in the year t.b.c. Focussing on future of sector.  
Communications with CALCs and councils flagged as an issue and on KPIs, agreed to look into comms stats in more detail at a formal meeting. JG also agreed to share a bit more on the new councils stats again at a formal meeting.  
I circulated a spec for the management board special responsibilities and would welcome your thoughts by 22/2  
David asked for briefing on one voice wales  
Let me know if I've missed anything .  
Regards  
Jonathan  
Jonathan Owen  
Chief executive  
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**nalc**

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**From:** Jonathan Owen  
**Sent:** Friday, February 9, 2024 11:48:05 AM  
**To:** Jonathan Owen <[Jonathan.Owen@nalc.gov.uk](mailto:Jonathan.Owen@nalc.gov.uk)>  
**Cc:** Charlotte Eisenhart <[Charlotte.Eisenhart@nalc.gov.uk](mailto:Charlotte.Eisenhart@nalc.gov.uk)>; Justin Griggs <[justin.griggs@nalc.gov.uk](mailto:justin.griggs@nalc.gov.uk)>; Steve Walker <[steve.walker@nalc.gov.uk](mailto:steve.walker@nalc.gov.uk)>; Claire FitzGerald <[claire.fitzgerald@nalc.gov.uk](mailto:claire.fitzgerald@nalc.gov.uk)>; Jonathan Owen <[Jonathan.Owen@nalc.gov.uk](mailto:Jonathan.Owen@nalc.gov.uk)>  
**Subject:** Informal management board 12/2 11.00-11.45

Dear management board

We have an informal session on Monday, see separate diary invite for zoom details.

I spoke to Keith yesterday and we thought it might be helpful to flag up and update you on the following, but do let me know if there's anything you'd like to add

- Big help out <https://www.nalc.gov.uk/news/entry/2427-nalc-attends-the-big-help-out-launch?format=amp>
- Discussion with SAAA re reserves and funding for JPAG
- Thriving together meeting with county officers
- BBC news story re abuse of councillors  
<https://www.nalc.gov.uk/news/entry/2793-nalc-responds-to-bbc-investigation-on-abuse-towards-councillors-and-staff?format=amp>
- MB special responsibilities – I've drafted an initial spec for what their role may be attached.
- Worknest and one voice wales.

I have also attached various things I promised at the last formal meeting – our HR handbook, KPIs (plus worknest),

Regards

Jonathan

## **Parliamentary reception and Star Councils Awards 2024/25**

### **Purpose of report**

For direction.

### **Summary and recommendation**

This report sets out a proposal for NALC's parliamentary reception including Star Council Awards (SCA) presentations 2024/25 to be held in February 2025. Management Board are asked to agree the proposal.

### **Financial implications**

Event organisation and costs can be met from the within existing staffing resources and sponsorship.

### **Background**

In October 2023, the Management Board agreed NALC's events programme for 2024/25. This included continuing to amalgamate the parliamentary reception and SCA presentations.

NALC's longstanding SCA are the only awards in England that recognise and celebrate the contribution of the sector to communities, with categories for council, councillor, young councillor, clerk, and county association.

In 2022, the reception was held in June in the House of Lords with around 60 attendees, with the SCA presentations held online in November.

Last year in 2023, it was held in November on the same day as National Assembly with around 160 attendees and incorporating the SCA.

For 2024, we envisaged again holding the reception including SCA in November.

However, a General Election must take place before January 2025 and is looking increasingly likely to take place in Autumn 2024.

As this may adversely impact the event such as room bookings and attendance, it is proposed to move the event from November 2024 to February 2025.

Our proposed events programme in 2025 would then comprise:

- in-person reception in Q1 (February).
- in-person conference in Q2 (May/June and subject to feasibility).
- online Annual General Meeting in Q4 (October).

A summary of proposed changes and improvements for this year's reception/SCA are set out below:

- move reception from November 2024 to February 2025.
- extend time duration of reception.
- discontinue public vote for SCA Council of the Year and panel decides.
- new SCA category of climate change/Net Zero (sponsorship already secured) including new panel of judges.

Key timescales and milestones are set out below:

- End of May 2024 – launch SCA.
- Early September 2024 – deadline for SCA entries.
- September to November – scoring and judging panels.
- November/December 2024 – announce finalists.
- February 2025 – parliamentary reception.
- February 2025 onwards – promotion of winners and finalists.

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## **Appendix 7.1 Forward work programme for National Assembly and committees**

### **Purpose of report**

For direction.

### **Summary and recommendation**

This report summarises proposed work programmes for National Assembly and committees for 2024/25. Management Board are asked to consider and finalise the work programmes, and agree officers develop costed proposals regarding new activity on data, lobbying and communications.

### **Financial implications**

Business as usual and most identified activities can be met from the within existing staffing resources and budgets. Additional resources are required to take forward identified priorities of membership survey/data, lobbying the new government, and communications and engagement with county associations.

### **Background**

In November 2023, National Assembly agreed proposals to develop a two-year work programme for 2024/25 comprising:

- current themes and campaigns of climate change, health and wellbeing, young people, make a change, and planning, with a focused piece of work identified for each.
- a new theme of community safety.
- other areas of sector financial resilience, workforce issues and strategy, sector risk register, NALC manifesto, artificial intelligence, data and a membership survey.

All NALC committees were tasked to reflect these themes in their own work programmes in the Quarter 1 meeting cycle and report to Management Board which would provide co-ordination and oversight of the overall work programme.

Committee draft work programmes, which include business as usual activities to meet agreed themes, are shown in Appendix 7.1.1, with their priorities set out below:

- Policy Committee: engaging with the government/Parliament; new big theme of community safety; effective climate change network; secure new planning expertise to NALC.

- Smaller Councils Committee: financial resilience; climate change; community safety; health and well-being; new micro councils network.
- Larger Councils Committee: piloting extension of Local Government and Social Care Ombudsman; effective Super Councils Network; case studies/data gathering; events including study tour; direct funding campaign.
- Management Board: modernising NALC; co-ordination of work programmes; establishment of portfolio/champions for young people, workforce, communications with county associations, and AI/data; sector risk register.
- Finance and Scrutiny Committee: financial reporting; scrutiny role (initial consideration is set out in Appendix 7.1.2).
- Improvement and Development Board: review of criteria for Local Council Award Scheme; establish taskforces on civility and respect, peer support and intervention, and workforce; job evaluation scheme and pay levels.

A development session for the chairs and vice chairs of NALC and the committees was held in February. The programme included: an informal 'getting to know each other' activity; briefing and discussion on the role of committees, chairs, committee support and how committees can support each other; chairs aspirations for committees and emerging work programmes; training and support; General Election and vision for the future. Summary notes of the session are in Appendix 7.1.3).

Discussions at the session and since then have highlighted the need for additional resources/funding to take forward identified priorities of membership survey/data, lobbying the new government, and communications and engagement with county associations.

This funding could be through a one-off additional affiliation fee, use of the building surplus or bidding for funds from government or other sources.

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## COMMITTEES DRAFT WORK PLANS FEBRUARY 2024

National Assembly theme	MB	F&SC	PC	LCC	SCC	IDB
Modernising NALC	<ul style="list-style-type: none"> <li>Management board: Governance – review of finance and scrutiny, year 1. Consider options for member services committee year 2. On-going modernisation of NALC in light of office move, new website/CRM etc</li> <li>Finance and scrutiny: Clarify scrutiny role. New accounts summary for NA. Advise MB on banking and investment strategy. Scrutiny TFGs.</li> </ul>					
Climate change			<ul style="list-style-type: none"> <li>NNN: Climate emergency.</li> <li>Updating Climate emergency webpage.</li> <li>Develop new Net Zero sub-group (already held its first roundtable).</li> <li>Ongoing promotion of policy positions.</li> </ul>	<ul style="list-style-type: none"> <li>NNN: Super councils.</li> <li>Online event – July 2024.</li> </ul>	<ul style="list-style-type: none"> <li>NNN: Climate emergency – encourage smaller council to join.</li> <li>Check climate change webpage has appropriate advice/guidance for smaller councils.</li> </ul>	
Health & well being			<ul style="list-style-type: none"> <li>Updating Health and wellbeing webpage.</li> <li>Future online event on health and wellbeing.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Check health and wellbeing webpage contains appropriate advice/guidance for smaller councils.</li> </ul>	
Young people	Board member with responsibility		<ul style="list-style-type: none"> <li>Updating young people web page.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Check young people webpage has appropriate</li> </ul>	

	for young people appointed		<ul style="list-style-type: none"> <li>•Online event on young people</li> <li>•Study visit to Yate Town Council</li> </ul>		advice/guidance for smaller councils. <ul style="list-style-type: none"> <li>•</li> </ul>	
Planning			<ul style="list-style-type: none"> <li>•Updating Planning webpage.</li> <li>•Online event on planning/neighbourhood planning –</li> <li>•Continuing to make the case for neighbourhood planning support programme.</li> <li>•Develop proposals and commission external planning advice/expertise.</li> <li>•Working with CPRE to update planning guides.</li> </ul>	•	<ul style="list-style-type: none"> <li>•Check planning web page has appropriate advice/guidance for smaller councils.</li> <li>•Identify barriers to planning for smaller councils/where support for smaller councils is required.</li> </ul>	
Make A Change			<ul style="list-style-type: none"> <li>•Updating Make a Change webpage.</li> <li>•Two new Councillor Stories.</li> <li>•Joint work with LGA Be a Cllr campaign (further</li> </ul>	•	<ul style="list-style-type: none"> <li>•Ensure smaller council voice and current/emerging data/lobbying positions affecting smaller councils on elections</li> </ul>	

			joint online event if funded).		factored into any updates made to Make A Change web page.	
Community safety			<ul style="list-style-type: none"> <li>•Martyn's Law steering group.</li> <li>•New dedicated webpage.</li> <li>•Case studies publication.</li> <li>•Engage with government and relevant stakeholders.</li> <li>•Identify policy issues to lobby on.</li> <li>•Online event on community resilience</li> </ul>	<ul style="list-style-type: none"> <li>• Martyn's Law steering group – continue committee representation on that group in 2024.</li> <li>• Inclusion of larger and Super council case studies in new case studies publication for community safety web page to be developed.</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•Martyn's Law Steering Group – Smaller Councils Committee seat on this group to be continued</li> <li>•New dedicated webpage – ensure smaller council perspective factored in.</li> <li>•Inclusion of case studies from smaller councils in new case study publication.</li> <li>•Online event on emergency planning – October 2024 – invite smaller council speaker to participate.</li> </ul>	
Workforce	Board member with responsibility for workforce		<ul style="list-style-type: none"> <li>•Work with Improvement and Development</li> </ul>	<ul style="list-style-type: none"> <li>• Be an open door for the committee to</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	Workforce is one of the IDBs priority workstreams.

	Workforce issues and strategy (with IDB).		Board and Member Services team to lobby on changes to employment law.	feed its views direct to Member Services on impact of workforce issues and strategy on larger and Super councils.		<ul style="list-style-type: none"> <li>Draft mission - Develop a scheme to assist local councils set appropriate and fair levels of pay for their staff.</li> </ul>
Sector financial resilience	<p>Development of SAAA, potential to use to support data and intervention project (with IDB)</p> <p>Secure resources for JPAG</p>		<ul style="list-style-type: none"> <li>Continue to make the case for local councils to have flexible and diverse funding.</li> <li>Online event – April 2024.</li> </ul>	<ul style="list-style-type: none"> <li>Continue to make the case for larger and Super councils to have flexible and diverse funding.</li> <li>Future of local government finance online event – April 2024.</li> </ul>	<ul style="list-style-type: none"> <li>Feedback from Smaller Councils Committee on upcoming change to the Practitioners' Guide.</li> <li>Support for smaller councils with AGAR form moving online.</li> </ul>	<p>Peer support and Intervention is a priority workstream.</p> <ul style="list-style-type: none"> <li>Draft mission - Develop a sustainable and consistent model for providing peer assistance to councils, locally and nationally (through improvement boards?) for councils who are under serious distress.</li> </ul>
Sector risk register	Management board draft and oversight		<ul style="list-style-type: none"> <li>To develop this liaising with relevant other</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Ensure inclusion of risks affecting smaller councils</li> </ul>	

			committees and sector stakeholders.		included on sector risk register.	
NALC manifesto/ preparation for new Government	Consider how best to resource lobbying activity with new government		<ul style="list-style-type: none"> <li>• Promote the NALC manifesto to all political parties.</li> <li>• Online briefing sessions for PPCs.</li> <li>• Prioritise policy objective to promote civility and respect in public life.</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to ensure lobbying on and inclusion of policy positions (in)-directly affecting smaller councils in NALC manifesto.</li> </ul>	
Artificial Intelligence	Board member with responsibility for AI and data		<ul style="list-style-type: none"> <li>• Identify policy issues to lobby on.</li> <li>• Online event on Decoding the future of artificial intelligence in local governance – July 2024.</li> </ul>	<ul style="list-style-type: none"> <li>• NNN: Super councils.</li> <li>• Online event – July 2024.</li> <li>• Gauge impact of AI on larger councils (use of predictive analytics+) and whether / when any of them using it.</li> <li>• Continue extended offer of pilot scheme for Super councils of advice and</li> </ul>	<ul style="list-style-type: none"> <li>• AI online event – July 2024 – potential invitation to smaller council speaker.</li> <li>• Ensure smaller council angle factored into any meaningful policy, lobbying or other sector discussions on AI.</li> </ul>	

				guidance on cyber security from the National Cyber Security Centre.		
Data	Oversight and engagement with SAAA		<ul style="list-style-type: none"> <li>• Engage with Government, OFLOG and other bodies.</li> <li>• Continue to make the case for extension of OFLOG remit to cover local councils.</li> <li>• Develop suite of themes for data metrics on local councils.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to make the case for extension of OFLOG remit to cover local councils, suggested initial pilot to cover Super councils in medium term.</li> <li>• Develop suite of themes for data metrics on local (including larger and Super) councils.</li> </ul>	<ul style="list-style-type: none"> <li>• Input to NALC's work engaging with Government, OFLOG and other bodies.</li> </ul>	Part of above
Membership survey	<p>Oversight and resourcing.</p> <p>Communications and engagement with county associations and councils.</p>		<ul style="list-style-type: none"> <li>• Work with Member Services team on development of membership survey.</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure questions relevant to smaller councils are included in any co-produced NALC membership survey.</li> </ul>	

	Board member with responsibility for communications.					
Creation of new councils			<ul style="list-style-type: none"> <li>• Engage with government on update to guidance on community governance reviews.</li> <li>• Continue to provide support and advice to county associations and community campaigns.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to promote the creation of new local (larger and Super councils) via triggering of community governance reviews in all un-parished areas of England.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to lobby the government to promote community governance reviews in all currently un-parished areas and the creation of new local (including smaller) councils in these areas.</li> </ul>	
Civility and respect			<ul style="list-style-type: none"> <li>• Lobby for implementation of CoSIPL recommendations inc sanctions</li> </ul>			Civility and respect <ul style="list-style-type: none"> <li>• Draft mission – Define the next steps for the pledge and existing resources to maximise the impact and legacy of the project.</li> </ul>

						<ul style="list-style-type: none"><li>• Membership – existing C&amp;R PAB stakeholders plus LGA</li></ul>
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### **Appendix 7.1.2 - The development of NALC's scrutiny function**

The finance and scrutiny committee has given consideration to how NALC could develop its scrutiny role at an informal face to face session on 30 January and a formal session on 12 March.

The committee has not arrived at a clear consensus yet. Its preference is to remain a finance and scrutiny committee. It recognizes merit in having a wider scrutiny role but the priority at present appears to be financial scrutiny.

The following sets out an approach which has been broadly supported but there are challenges with making it work, especially within existing resources.

Vision – Demonstrating to members that NALC is well-run, has sound corporate governance and transparent financial arrangements, and is moving forward in the right direction, learning from past experience and good practice.
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Finance and scrutiny committee. All elements of NALC have a role to play in scrutiny and organizational development. The committee will act as a critical friend and supporter. Promoting transparency. Monitoring and examining systems and delivery of objectives. Reporting to management board and national assembly. In line with its terms of reference it can report direct to the national assembly where necessary.
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Its three on-going workstreams will focus on financial scrutiny, oversight of corporate governance and organizational development.
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The committee will generally meet quarterly and smaller task and finish groups (potentially with other representatives) conducting “deep dives” in line with NALC’s two-year work programme.
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The following sets out a process which could be followed to arrive at a deliverable work programme but was not agreed by the committee on 12 March 2024

Indicative work programme Red = financial scrutiny Green = corporate governance issues Blue = organizational development				
	Annual issue	Quarterly issue	E.G. 2024 TFG	E.G. 2025 TFG
Q1 (J-M)	Advise MB/NA on budget	HR stats NALC quarterly progress report and workplan	Financial reporting	2025 – tender for external audit
Q2 (A-J)	Consider schedule of corporate policies and identify one for review	Income/exp review	2024 -review banking policy	2025 – TFG HR policy
Q3 (J-S)	Sign off annual accounts inc identifying any year end issues and advise on budget. Consider key performance indicators, work plan, project register and identify one for review by TFG	Corporate governance policy review		
Q4 (O-D)	Consider schedule of HR policies (from HR handbook and identify one for review by TFG)	Income/exp review	2024 organisational development TFG	2025 TFG member survey

Jonathan Owen

12 March 2024

## **Appendix 7.1.3 - Notes of development session of NALC and committee chairs/vice chairs**

### **Training and support**

- Earlier induction for committee members after committee elections
- Contact details of committee members shared
- Ensuring remote/Zoom meetings work effectively
- Committee inductions should explain pre-existing work eg Policy Committee role as the selector under the Sustainable Communities Act

### **Chairs aspirations for committees and their work programme**

#### Larger Councils Committee

- Getting to know everyone
- Making use of skills and experience
- Listening!
- Making effective use of online and physical meetings (networking/social aspect)
- Focus on delivery not just a talking shop

#### Smaller Councils Committee

- First meeting of year in person in future to help gel as a unit
- Climate change
- Chair and vice chair both new
- Ensuring continuity eg delivering new micro councils network

#### Finance and Scrutiny Committee

- Range experiences/backgrounds
- Ways of working to ensure transparency should be collective not individual communication to chair
- Induction sessions with for new members with head of finance and administration worked well
- Task of separating finance role from scrutiny role
- Ensure NALC is in the most robust financial position

#### Management Board

- Good group, some new members, collective vision and purpose
- Informal meetings working well
- Introducing special responsibilities/portfolios/champions
- Modernising NALC

#### Policy Committee

- Balancing proactive and reactive role
- Delivering outcomes

- Demonstrating activity and impact eg on policy register of motions from county associations
- Championing success and the work of the sector

#### **Group discussions on emerging work programmes**

- Workplans are ambitious
- Need to identify resources/timescales
- Financial resilience of sector is a weakness
- Martyn's Law is a single issue but needs resourcing and flexibility to respond and do properly
- Outsource/commission for things
- Skill set in staff team eg data, using AI, will help save time
- Deliver low bearing fruit/outcomes, be able to quantify outcomes
- Devolution not National Assembly theme but is on Larger Councils Committee workplan
- Need county associations to share more up and across eg on themes like health and well being
- Ensuring join-up between county associations work and NALC work
- Using county association expertise and learning
- Officers job to prioritise workplan not councillors.
- Allocation of sharing good practice across committees.
- Diverse work plan, weakness on priorities/what gives
- Builds on previous work
- Member survey big thing
- Draw on networks/expertise more but comes with risks
- Policy Committee workplan picks up most themes
- Planning a weakness area, will be a major issue over next few years, need to improve our capability/capacity with more expertise
- Data is challenging area, challenge of local election project includes county association resources, existing data, gaps and new data
- Engaging with county associations given variability of staff resources and demands, number of councils
- Need more resources/funding for above to deliver step change
- Good to have all down on paper, needs timelines
- Process of putting workplans together by officers not committee, is that right way round?
- Committee needs prioritise and link with other committees to avoid duplication
- General Election and could be a change of government, expectation engagement with new government will be a priority
- Contingency for what crops up/can't plan for
- Attract more young people, need definition of young people and young councillors
- Find more funding
- New projects need a prioritisation process through Management Board

- Should we have a contingency fund for one-off projects/priorities eg engaging with new government, Martyn's Law
- Some long-term commitments will need resource and time eg membership survey
- Need to invest in growth eg creation of new councils
- Committees should identify 3-5 key priorities.
- Once priorities are set can only make a change with a good reason and what drops out to make space
- We are not going to deliver on all these priorities with the current resources with have!

<p>Charlotte Eisenhart</p> <p><b>Team building</b>  Work together as a team for the better of NALC  Cant all be pulling in different direction  See the bigger picture rather than parochial  All are working to the same aim  Be able to have easy communication to gel as a unit</p>	<p>Charlotte Eisenhart</p> <p><b>Chairing</b>  Strong  Flexible  Consistent  Listen  Turn into positive and find a way forward  Heated/contentious item - steering it to a constructive conclusion or finding common round  Civil and respectful debate  Inclusivity - draw in quieter or more diverse views  Preparation is key  Ask for questions to be raised in advance  Limiting time on red herrings eg commenting</p>	<p>Charlotte Eisenhart</p> <p><b>Ability to work positively with others</b>  Interaction with National Assembly (documentation, making those as accessible as possible)  How draft responses to consultation (staff vs officer roles) - and ensure focussing on the key/important issues  Bring the agenda to life / bring energy</p>
<p>Charlotte Eisenhart</p> <p><b>Leadership</b>  Gain respect of committee and National Assembly  Consistency and trust  Enthuse and motivate  Balanced with setting boundaries or parking some issues  Raising awareness of the committees work to National Assembly - consider how best use the allotted time in the agenda to report back (eg pick a key issue vs summary of everything)</p>	<p>Charlotte Eisenhart</p> <p><b>Communications</b>  You say it as it is  Being able to communicate outside the normal run of meetings eg special or informal meetings  Ability to see and understand all other committees work  programmes/agendas - or summarising key messages/exec summary</p>	<p>Charlotte Eisenhart</p> <p><b>Credibility</b>  Transparency  Relationship between chair credibility and staff/NALC credibility  You get credibility by the work you do and what your team does  Importance of training</p>



## **Appendix 8.1 - NALC (1994) CONSIDERATIONS**

### **Summary**

The company NALC 1994 Ltd was formed in 1994 to create an entity to hold title to the property then being bought, 109 Great Russell Street. The point to consider is whether it should be maintained having sold the property. It has always been dormant with NALC as the guarantor and beneficiary.

### **Benefits of keeping the existing company**

NALC is a non-profit making body with no legal status. It can become quite difficult when dealing with organizations who do not understand this. The presence of the company seems to give them some peace of mind, despite it being dormant, when agreeing contracts.

If NALC should decide to take on another property either freehold or by lease, there would again need to be such an entity for the purpose. With just some changes to the Articles to define the new purpose. Otherwise, it would be necessary to form a new company with the same changes being made to standard Articles anyway which would be less cost effective and potentially delay implementation.

### **Disadvantages of keeping the existing company**

There is an annual requirement to file Dormant accounts, these are prepared and filed by the auditors for £100.

There is a requirement for annual online filing of the confirmation statement. This confirms the registry details and costs £13. Reminder is received by email and the statement is done online, time about 15 minutes including payment.

Requires senior members to agree to be directors.

The Memorandum and Articles are currently specific to the purpose and may need changing. This would be necessary in the case of a new lease/freehold anyway and would also be required if a new company were to be formed in that event.

### **Advantages of dissolving the existing company**

No admin required.

No need to involve members.

### **Disadvantages of dissolving the existing company**

Would lose the corporate identity, from which some organizations seem to gain confidence for contracts.

May need a new company in future with additional cost.



May need outside professional advice for process. Likely not expensive but some cost. Including “final” accounts and filing.

Process required for agreeing dissolving is not clear. Is it National assembly decision?

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# **NALC Staff Handbook**

**UPDATED JANUARY 2022**

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## **SECTION 1 - ABSENCE FROM WORK**

### **1 Leave**

#### **Annual Leave**

Your paid leave entitlement is set out in your individual contract of employment.

The annual leave entitlement is equivalent to 29 days per annum (excluding Statutory / Public Holidays).

The leave year runs from 1<sup>st</sup> January to 31<sup>st</sup> December and your annual entitlement accrues proportionately through the year.

Annual Leave calculations for part-time workers

Part time employees will receive an entitlement that is pro-rated according to their hours of work.

#### **Statutory / Public Holidays**

There are normally 8 public and bank holidays per year. Part time employees will receive an entitlement that is pro-rated according to their hours of work.

#### **Working Part Time**

If your entitlement exceeds the number of Statutory/Public Holidays that fall on your normal working days, (typically because you don't work on Mondays) you will be able to take the excess as holiday. If your entitlement is less than the number of Bank Holidays that fall on your normal working days, (typically because your normal working days include Mondays) then you make up the difference by using your holiday entitlement.

#### **Christmas close down**

NALC closes down between Christmas and the New Year and you are entitled to an additional three working days for the closedown if you normally work on the days when the office is closed.

#### **Carrying Over Leave**

Where it has not been possible to take all your leave in the current leave year, and only with prior consent, by the Administration Manager you will be permitted to carry forward up to 5 days leave. This must be taken within the first three months of the new leave year. In exceptional circumstances more than five days may be carried forward, if approved by the Chief Executive.

## **Requesting Leave**

You should request leave from your manager, usually with at least one month's notice if you wish to take annual leave of a week or more. This will allow your manager to plan. Before granting leave your manager will consider:

- The team's workload
- The need for office or team cover
- Whether other staff have or are likely to ask for the same time off (e.g. a popular holiday time)

Your manager will be expected to balance your needs against the needs of the team before agreeing to leave. If you take holiday without such permission, it will be treated as unauthorised absence and dealt with under the Disciplinary Procedure. Please ensure that your leave card is approved by your manager before making any commitments and your leave correctly entered into the shared diary facility,

## **Sickness during leave**

If you become ill during a requested period of paid leave, you must comply with the requirements of the sickness reporting and certification procedure, if you wish to have this sickness period discounted from the period of paid leave taken.

## **Payment in Lieu**

If you leave during the course of a leave year, and cannot take any outstanding accrued holiday before leaving, you will usually receive a payment in lieu of any outstanding accrued holiday. In such a case, a calculation will be made of the amount of paid leave due to you, on a pro rata basis, for that part of the leave year up to the date of termination of the contract. Holiday pay is calculated on the basis of your current rate of pay. You may be asked to take some or all of your outstanding leave in your notice period.

If you have taken more paid leave than is due by this calculation, then a deduction will be made from your salary payments for an amount at your basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

## **2 Sickness Absence Policy**

### **Introduction**

This policy applies to all NALC staff. The aim of the policy is to assist a return to work. The policy sets out how NALC deals with sickness absence including how it expects you to report and record sickness absence.

### **Principles**

The principles of the NALC policy are that:-

- NALC will deal sympathetically with all staff who are off-sick.

- NALC has a responsibility to manage absence fairly, to ensure consistency and to maintain compliance with the Equality Act 2010, the Data Protection Act 1998 and the Access to Medical Records Act 1988
- every employee has a personal responsibility for achieving and maintaining good attendance
- sickness absence can have a significant effect on NALC operations in terms of work not done, requiring absence cover or placing additional workload on colleagues.

## **Notification of absence**

If you are absent from work because of sickness, you must telephone your manager by 10am on the first day of absence. If you do not, your manager may attempt to contact you. You will be asked to give as much information as possible including:

- the nature of your illness - If you do not feel able to discuss the reason for sickness absence with your manager, NALC will suggest an alternative manager e.g. you may prefer to discuss health problems with someone of the same sex;
- the estimated period of absence;
- any steps you are taking e.g. GP appointment;
- any outstanding/urgent work.

If the absence continues to a third consecutive day, you must telephone your manager. You should tell your manager whether you will return to work the following day. If you are unable to notify personally due to the nature of the illness, someone else may make contact on your behalf. It is your responsibility to ensure your manager is notified.

All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.

## **Certification**

Every employee is responsible for following the correct absence certification procedure. For absences of between one and seven consecutive calendar days you must complete and sign a [self-certification form](#) on return to work.

## **The fit note**

For absences of more than seven calendar days, a “fit note” (Form Med3) is required to cover the eighth day onwards. You must obtain a fit note from your GP and send it to your manager not later than the eighth calendar day of absence to be eligible to receive pay under the NALC sick pay scheme and Statutory Sick Pay (SSP) for absences exceeding seven calendar days. Any period of absence not covered by a fit note will not be eligible to receive NALC sick pay or SSP. NALC will pay any fee that you are charged for the fit note.

Fit notes are intended to provide greater flexibility in helping people to get back to work than the medical certificate (“sick note”) that they replaced. Fit notes advise that

employees are either:

- unfit for work; or
- may be fit for work

The GP uses “may be fit for work” if he/she thinks that the employee may return if work adjustments are made. The GP can also provide general advice on the effects of the employee’s condition

If your GP has advised that you “may be fit for work”, NALC will discuss the GP’s advice with you. NALC hopes that a fit note can be used to agree an acceptable return to work. This might mean talking about a phased return to work or amended duties.

However, it may not be possible for NALC to provide the support for you to return to work or you may feel unable to return. In these circumstances, the fit note will be applied as if you were “not fit for work”.

### **Occupational health referral**

In appropriate cases, NALC may refer you to an Occupational Health Adviser for advice on the nature of your illness, your fitness for work, a likely date of return and on whether a rehabilitation programme could contribute to a return to work. Under legislation you have the right to decline a request to attend an OH referral but where you consent to do so NALC will pay the cost of any such examination and all information given in connection with it and any report upon it shall be fully disclosed to NALC. You will have the right of access to the report in accordance with the Access to Medical Reports Act 1988.

Further to the receipt of the medical report, a meeting will be arranged between you and your manager. The purpose of this meeting is to discuss the findings of the report and for all parties to consider options available to you.

### **The return to work**

Immediately following your return, your manager will meet you to discuss:

- that you are fit to return to work
- the reason/cause of your absence
- any work developments during your absence

Managers will use the [‘Return to Work from Sickness Form’](#)

### **Pregnancy-related sickness**

Pregnancy-related sickness absence will be recorded separately. Please refer to the Maternity Policy for full details.

### **Sickness at work**

If you become ill at work, you must obtain permission from your manager to go home. Absence for part of a working day is not recorded as sickness absence but a note will

be made of a part-day absence. This may be taken into account when looking at patterns of absence (see sickness absence procedure below).

### **Sickness during annual leave**

If you are sick on annual leave, normal absence reporting and certification arrangements apply (see above). Annual leave may be reclaimed for the days that you are certificated as sick by a fit note (or non-UK equivalent). Medical certificates issued abroad should be copied and sent to the manager. Originals must be provided on your return to work.

### **Absences due to Injuries caused by third parties**

Normal sick pay arrangements apply when an employee is injured. If the injury was caused by the negligence of a third party from whom you receive compensation for loss of earnings, it will be repayable to NALC.

### **Short term absence**

If you are absent because of sickness for six occasions in a rolling 12 month period or for three occasions that amount to more than 12 working days in a rolling 12 month period (pro-rata for part time staff), NALC may initiate the Disciplinary Procedure as part of the absence management process. The purpose of the procedure is to review your attendance record, to discuss any concerns that you or NALC may have and to decide if any further action is required, e.g. targets for improvement or management support or work adjustments. When setting targets for improvement NALC will consider any medical advice received and any workplace adjustments that can help you to improve your attendance.

You are not ordinarily required to submit a fit note until you have been off-sick for more than seven days. However, if you have had repeated short-term absences NALC may require that you submit a fit note that covers the whole period of absence.

### **Long-term sickness absence**

If you are off-sick for more than two weeks, you must update your manager regularly on your likely date of return. NALC may contact you to see how you are if we have not heard from you. When you return to work, your manager will hold a return to work interview. At this meeting, any advice given by the Occupational Health Adviser to facilitate a return to work may be discussed.

If the absence persists, NALC may invoke the Performance Improvement Procedure and may eventually consider ending your employment. However, no employee will be dismissed on grounds of sickness absence without due warning and without the appropriate procedure having been followed. In addition, NALC will, in consultation with you, thoroughly explore all possible and appropriate alternatives to dismissal.

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act (formerly the Disability Discrimination Act 1995).



## **Statutory Sick Pay (SSP)**

During periods of absence resulting from ill health, you may be entitled to Statutory Sick Pay, which is subject to the usual deduction for PAYE, National Insurance etc. Statutory Sick Pay is currently paid after 4 days absence from work. The Qualifying Days for SSP purposes will be your normal working days as laid down in the contract. Staff earning below the lower earnings limit of will not qualify for SSP.

## **NALC sick pay scheme**

The NALC scheme is intended to supplement SSP to maintain normal pay during defined periods of sickness absence. You are entitled to receive sick pay for the following periods:

<b>Length of service</b>	<b>Entitlement</b>
0 – 4 months' service	1 month's full pay
5 months' – 1 years' service	1 month's full pay and 2 months' half pay
During 2nd year of service	2 months' full pay and 2 months' half pay
During 3rd year of service	4 months' full pay and 4 months' half pay
During 4th and 5th year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

NALC has discretion to extend the period of sick pay in exceptional cases.

The period during which sick pay is paid, and the rate of sick pay in respect of any period of absence is calculated by deducting from your entitlement on the first day of absence, the aggregate of periods of paid absence during the 12 months immediately preceding the first day of absence.

For full pay periods, sick pay is an amount which when added to SSP and any other benefits receivable because of the employee's sickness, provides the equivalent of normal pay.

For half pay periods, sick pay is an amount equal to half normal earnings which when added to SSP and any other benefits receivable because of the employee's sickness does not exceed normal pay. Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

The social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied so far as is possible:

- i. the conditions for the reporting of sickness as required by NALC;
- ii. the claiming of benefits
- iii. the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

If you are prevented from attending work because of contact with an infectious disease, accident or assault arising out of or in the discharge of your duties, you shall be entitled to receive normal pay. The period of absence will not be reckoned against your entitlement under the NALC scheme.

Sick pay may be suspended if you abuse the NALC sickness scheme or are absent on account of

- sickness due to, attributable to, or otherwise exacerbated by deliberate conduct prejudicial to recovery
- your own misconduct or neglect or active participation in professional sport
- injury while working in your own time on your own account for private gain or for another employer

If NALC considers that there are grounds for suspension of NALC sick pay we will inform you of this and you will have a right of appeal. If NALC decides that the grounds were justified then you will forfeit the right to any further payment in respect of that period of absence.

### **Medical/Health Appointments**

Wherever possible, medical/health appointments should be arranged outside of normal working hours. Where this is not possible, reasonable time off may be taken, preferably at either end of the working day to minimise disruption. You must notify your line manager in writing, giving as much notice as possible. Medical appointments or treatment that require an entire day or more will be recorded as sick leave.

### **Special Leave**

NALC recognises that there may be times when employees need time off to cope with unforeseen and/or urgent circumstances. The areas covered by this policy are:

- Carers Leave (also known as Emergency Leave)
- Compassionate Leave
- Personal/Domestic Leave

Should there be grounds for considering that any period of special leave has been misused, an investigation will be carried out under NALC's Disciplinary Procedure.

## **Carers Leave**

Carers leave is applicable to employees with responsibilities for looking after dependants.

Dependants include parents, husband, wife, partner, children or an individual who depend on an employee for care eg elderly neighbour.

Carers leave for dependents is designed to provide carers with the opportunity to make alternative arrangements for the care of dependants. It is not normally granted to allow carers to look after dependants.

It is impossible to provide a complete list of circumstances that are covered under the policy, however, the most common circumstances are as follows: -

- to deal with a sudden or unforeseen emergency situation involving children or other dependants (e.g. dealing with a breakdown or disruption in existing care arrangements until alternative arrangements are made)
- Sickness, illness or accident affecting dependants
- Unexpected events affecting dependants that demand urgent attention, e.g. accidents or illness involving dependent children at school

For other circumstances that do not fall within the above categories, the request may also be considered for paid and unpaid time off. When considering applications, account will be taken of the particular circumstances of the case.

A maximum of five days paid carers/emergency domestic leave may be granted in an annual leave year.

As soon as is reasonably practicable, contact your manager to explain the circumstances.

## **Compassionate Leave**

The primary purpose of compassionate leave is to help employees to come to terms with the death of a loved one and allow time off to attend a funeral.

In the event of the death of a member of the employee's immediate family, you should contact your line manager to request compassionate leave as reasonably practicable. The amount of leave granted will depend on the individual's circumstances. Your manager will take into account matters such as your relationship with the deceased, domestic responsibilities and travel requirements, but will not normally grant more than five days' paid leave.

## **Domestic/Personal Leave**

In cases where an employee has to deal with a domestic emergency which does not fall within the caring or compassionate category, line managers may grant unpaid leave or in limited circumstances (e.g. burglary/flood etc) paid leave. Each case will be judged on its own merits.

A maximum of five days paid carers/emergency domestic leave may be granted in an annual leave year.

### **3 Public Duties: Jury Service, court appearances and other public duties**

#### **Jury Service**

NALC will grant employees time off to complete jury service. If you are called for jury service you must inform your line manager as soon as possible.

If jury service lasts less than half a day you must return to work for the remainder of the day, wherever practicable. You should keep your line manager regularly informed about how long you are likely to be away from work.

Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties (see below). Where an allowance is claimable for loss of earnings you must claim and pay the allowance to NALC. Before payments are authorised, you must provide Jury Summons (Form 5221) and the Certificate of Loss of Earnings (Form 5223).

#### **Court Appearances**

Members of staff who have been officially called as a witness (i.e. by court citation) to give evidence for a crime they have witnessed will be released from work in order that they can fulfil their public duty. As per jury service detailed above, paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to NALC.

#### **Other Public Duties**

NALC will also consider a 'reasonable' amount of time off for other public duties including the following.

- a magistrate (also known as a justice of the peace)
- a local councillor
- a school governor
- a member of any statutory tribunal (e.g. an employment tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a health authority
- a member of a school council
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
- a member of Scottish Water or a Water Customer Consultation Panel
- a trade union member (for trade union duties)

- elections roles e.g., poll clerks, counting assistants

The amount of time off should be agreed with your manager in advance. If you receive payment for public duties then the time off work will be without pay. However, NALC may pay you for some or all of the time spent on unpaid public duties at its complete discretion and consideration will be given to the overall amount of time requested for public duties in any one year and the likely impact on workloads. NALC may refuse time off the overall time requested is not considered reasonable.

#### **4 Unauthorised Absences**

This section covers any situation where an employee is absent from work without authorisation or prior notification. Examples include:

- taking sickness absence without proper notification to a line manager (i.e. uncertified sickness absence, leaving the workplace without authorisation)
- failure to return from work at the end of a period of annual leave or other authorised leave of absence
- taking holiday that has not been approved.

If you are absent but due to attend work, your line manager will telephone you on your mobile and home telephone number and other contact details you have provided. If we are unable to contact you we will try to contact your designated emergency contact number(s) (these are normally for spouse/partner or close relatives). The contact(s) will be asked to pass on your line manager's message. Other communication methods should be used, where contact details are available, e.g. email or text. Your manager will also write to you at your home address requesting you to make contact.

If we do not hear from you further attempts will be made to contact you using the emergency telephone numbers provided and electronic means available. The contact(s) will be asked to pass on your line manager's message urgently.

If we do not hear from you we may write to you to invite you to attend a disciplinary hearing for unauthorised absence. The meeting may be held in your absence.

## **SECTION 2 – FAMILY FRIENDLY POLICIES & WORK-LIFE BALANCE**

### **5 Introduction to family friendly policies**

We offer a range of support for working parents and this section is designed to help you navigate through the different policies and entitlements.

#### **Maternity Leave and pay**

A policy that sets out the leave, pay and benefits and eligibility criteria for pregnant employees of NALC. NALC offers enhanced maternity pay, subject to conditions.

#### **Paternity Leave and pay**

Ordinary Paternity leave provides the partner of the mother a period of 2 weeks leave around the time of the birth (or adoption). Ordinary Paternity Pay at NALC is enhanced so that qualifying partners receive 2 weeks full pay.

#### **Shared Parental Leave**

This policy sets out how the mother can share her maternity leave with their partner. It is relevant to both male and female employees.

#### **Adoption Leave and Pay**

This policy sets out the how the policy on adoption leave, pay, and arrangements surrounding returning to work after adoption leave. Adoption pay is enhanced in the same way as maternity pay and the primary adopter may return to work early and transfer unused adoption leave to their partner.

#### **Ordinary Parental Leave**

Ordinary parental leave provides for up to 18 weeks' unpaid leave for each child. If you have twins, you will be entitled to receive two lots of 18 week's unpaid leave.

#### **Flexible Working**

This policy explains the process which NALC will use to respond to requests to vary working hours, pattern or place of work. It applies to all eligible staff, regardless of whether you work full or part-time or have a temporary contract of employment.

### **6 Maternity Leave**

#### **Purpose and Scope**

This policy and procedure applies to all current employees, whether full or part-time, temporary or fixed-term.

The purpose of this policy and procedure is to provide managers and staff with clear information about our maternity provisions. This document sets out our policy on maternity leave, pay, and arrangements surrounding returning to work after maternity

leave. It also sets out the procedures which we need to follow at various stages, before, during and after maternity leave.

## **Policy**

### **Telling your manager that you are pregnant**

As soon as you know that you are pregnant, you are encouraged to tell your manager. This is in your own interests, and ensures that we can take any necessary steps to look after your health and safety and that of your baby. As soon as you tell us that you are pregnant, we will conduct an assessment of any health and safety risks to you or your baby. Early notice also allows us to let you know what your rights will be to maternity leave and pay. However, you must inform your line manager in writing at least 15 weeks before your baby is due:

- the date that your baby is due
- the date on which you expect to commence your maternity leave

Please use the [Notification of Maternity Leave Form](#). You will need to provide a certificate (MAT B1) from your doctor or midwife confirming your due date.

The earliest date that you can start your maternity leave is either 11 weeks before the week when your baby is due or when she/he is born. Within 28 days of receiving notification of the week when your baby is due, NALC will notify you in writing of the date that your maternity leave will end.

You can change your mind about when you want to start your maternity leave. You must give at least 28 days' written notice, unless this is not reasonably practicable because of pregnancy-related sickness or premature birth.

### **Ante-natal care**

You have the right to take paid time off to attend ante-natal appointments with your GP, midwife or hospital. You should let your manager know the dates and times of your appointments. Your manager may ask to see your appointment card. You will not be expected to make up the time.

### **Maternity Leave**

You are entitled to take up to 52 weeks' maternity leave. There are equivalent time off arrangements for adopters who should notify NALC within seven days of being matched with a child.

Your maternity leave is made up of 26 weeks of ordinary maternity leave (OML) plus 26 weeks' additional maternity leave (AML). You also have the right to return to work after the end of your OML or AML. This right applies to all female employees regardless of length of service or the number of hours worked per week.

You can choose when to start your maternity leave. This can be any date from the beginning of the 11<sup>th</sup> week before the week the baby is due. The law requires that an

employee take a minimum of two weeks maternity leave immediately following the birth.

### **Sick Pay**

If you are absent due to a pregnancy-related illness during the four week period prior to your due date you will generally be required to start your maternity leave, and will be entitled to maternity pay not sick pay. A few days of pregnancy-related illness during this period may be disregarded if you wish to defer the start of your maternity leave period and a risk assessment does not indicate that carrying out work will endanger you or your pregnancy.

If you are off sick due to a non-pregnancy related illness any time after the beginning of the fourth week before the start of the expected week of childbirth (EWC), it will be treated as sick leave in the usual way.

### **Statutory Maternity Pay (SMP)**

If you have been employed continuously for 26 weeks up to the beginning of the 15th week before the week that your baby is due, you will be entitled to 39 weeks' Statutory Maternity Pay (SMP).

SMP is payable whether or not you are intending to return to work. You must also satisfy the following:

- your average weekly earnings were not less than the lower earnings limit for National Insurance contributions ("LEL") in the eight weeks ending with the 15th week before the week your baby is due
- you have advised NALC of your pregnancy and given at least 28 days' notice of the date of your maternity leave
- you have provided medical evidence (Form Mat B1) of the date that your baby is due at least 28 days before the start of SMP.

SMP is fixed by law and subject to tax and National Insurance deductions:

90% of your average weekly earnings for the first six weeks of your maternity leave thereafter the standard flat rate of SMP (or 90% of your average weekly earnings if lower) for the next 33 weeks

If you do not satisfy the conditions for payment of SMP, the Head of Finance and Administration will provide you with a form (SMP1), which will explain why. You can use it to claim the Maternity Allowance (see below).

### **Shared Parental Leave (SPL)**

If you return to work before your 39 weeks' SMP entitlement has ended, the father of your child (or your partner or civil partner) may be entitled to take Shared Parental Leave. See the Shared Parental Leave Policy for more information.



## **Maternity Allowance**

Maternity Allowance is a state benefit that you may be able to claim if you are pregnant or if you have just had a baby and you are not entitled to SMP. The allowance can be paid for up to 39 weeks. It is only paid while you are not working.

Information on the Maternity Allowance is available from job centers or on-line at <https://www.gov.uk/maternity-allowance/overview>

## **Enhanced Maternity Pay**

If you have at least one year's continuous service at the 11th week before the week the baby is due, you will be contractually entitled to 18 weeks' enhanced maternity pay as follows:

- Weeks 1-6: You will receive 90% of a week's pay offset against SMP or MA payments.
- Weeks 7-18: You will receive 50% of a week's pay without offset of SMP or MA, except to the extent that the half pay plus SMP or MA exceeds full pay
- Weeks 19-39 You will receive 21 weeks' pay at the lower of 90% of your average weekly earnings or the standard rate of SMP or MA

A proportion of enhanced maternity pay will be repaid to NALC in the event that you do not return to work for a period of at least three months following maternity leave. Please see below.

## **Annual leave and Bank Holidays**

Your annual leave continues to accrue for the whole of your maternity leave. Where possible your full entitlement should be taken in the leave year to which it relates. If your return date is likely to be after the end of that leave year, you should take your full leave entitlement before starting your maternity leave. If you are unable to take your annual leave before the end of the leave year, you should contact your manager.

You are entitled to an additional day's leave for each bank holiday that falls during your maternity leave.

## **Local Government Pension Scheme**

As a member of the Local Government Pension Scheme, your pension contributions will automatically continue to be deducted from the pay you receive whilst you are on paid maternity leave. Contributions will be based on the actual pay you receive but pension rights will accrue in full even though you may be paying reduced contributions.

If you are not entitled to any pay during your maternity leave, pension rights will accrue in full for up to the first 26 weeks of absence at no cost.

For any period of unpaid maternity leave after the first 26 weeks of absence, you must decide whether or not you wish to pay pension contributions. Contributions will be

payable on the rate of pay you were receiving immediately before commencing the period of unpaid leave. An election to pay contributions must be made within 30 days of your return to work or, if you do not return, your last day of service.

For more information you should contact the Finance and Administration Team.

### **The Pension Trust**

As a member of the Pensions Trust Scheme (“the Scheme”), your pension contributions will automatically continue to be deducted from the pay that you receive whilst you are on paid maternity leave. Your contributions will be based on the actual pay that you receive. While you are receiving maternity pay, NALC’s contributions to the Scheme will ensure that total contributions (ie NALC’s and yours) remain the same as if you were receiving normal pay.

For any period of unpaid maternity leave, you must decide whether or not you wish to pay pension contributions. Contributions will be payable on the rate of pay you were receiving immediately before commencing the period of unpaid leave.

An election to pay contributions must be made within 30 days of your return to work or, if you do not return, your last day of service. NALC will not make any contribution to the Scheme during periods when you are not paid.

For more information you should contact the Finance and Administration Team.

### **Keeping in Touch (KIT) Days**

NALC considers that it is in its interest and the interests of its employees to maintain reasonable contact during maternity leave. We might want to update you on significant changes to the workplace or want to ask whether you wanted to take part in training or team events. We hope that by keeping in touch, it will make it easier for you to return to work after maternity leave.

You can work for up to 10 KIT days during your maternity leave without losing your SMP, MA or ending your maternity leave. However, you cannot work in the two weeks immediately following your child’s birth.

You will need to agree with your manager what work is to be done on KIT days and the pay that you will receive. If you do not want to work during your maternity leave, you do not have to.

### **Returning to Work**

It is assumed that you will take all of your maternity leave entitlement. You do not need to notify NALC if you intend to return to work at the end of your maternity leave. If you want to return before the end of your maternity leave, you must write to your manager giving at least 21 days’ notice if your start date of continuous service is before 1<sup>st</sup> October 2016 and at least 8 weeks’ notice if your continuous service starts on or after 1<sup>st</sup> October 2016. If you do not give the required notice, your manager may delay your return to work where s/he has good reason.

You do not have an automatic right to return to work part-time, but you have the right to request part-time working. Information about flexible working arrangements can be found in NALC's flexible working policy.

If you are unable to return to work following maternity leave because you are ill, you must provide a doctor's certificate (Form MED3 or "fit notes") the absence will be treated as sick leave.

If you do not return to work at the end of maternity leave, you are entitled to retain your Statutory Maternity Pay. However, you must provide the notice required under your contract and repay any enhanced maternity pay that you may have received as follows:

- If you do not return from maternity leave you must repay six weeks' pay (ie 12 weeks' half pay);
- if you leave after returning for one week, you must repay five and a half weeks' pay (11 weeks' half pay);
- if you leave after returning for two weeks, you must repay five weeks' pay (10 weeks' half pay);
- if you leave after returning for three weeks, you must repay four and a half weeks' pay (nine weeks' half pay);

Repayment is reduced by a half week's pay for each succeeding week until, if you leave in the 11<sup>th</sup> week after returning from maternity leave, you must repay half a week's pay.

## **7 Paternity Leave**

Ordinary Paternity Leave (OPL) is provided to a child's father, mother's spouse or partner, to allow them time away from work to look after a child following a birth. There are equivalent arrangements for the spouse/partner of adopters who should notify NALC within seven days of being matched with a child.

### **Ordinary Paternity Leave**

To be eligible for up to two weeks' OPL, you must have at least 26 weeks' continuous service as an employee by either the end of the 15th week before the baby is due. You must have responsibility for the child's upbringing and expect to look after the child during OPL. You must also continue to be employed by NALC up to the date of birth.

OPL can only be taken in a single block - either one week's leave or two consecutive weeks' leave. OPL cannot start before the child's birth and must be completed within eight weeks of the child's birth. Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

You must give a minimum of 15 weeks' notice of the date that the baby is due and you must give at least 28 days' notice of OPL. Please use the relevant HMRC form which confirms your eligibility and can be found at - <http://www.hmrc.gov.uk/forms/sc3.pdf>

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## **Ordinary paternity pay**

Statutory paternity leave is paid at the prevailing rate of SPP or 90% of average weekly earnings if this figure is less than SPP. NALC enhances statutory ordinary paternity payments so that eligible partners are paid their normal salary for up to two weeks, including the statutory payment.

You will accrue annual leave during OPL.

In the event of a stillbirth after the 24<sup>th</sup> week of pregnancy you will retain your entitlement to OPL.

## **Maternity Support Scheme (“MSS”)**

If you are not eligible to apply under paternity leave and pay arrangements, you can apply under the MSS scheme for up to five days’ paid leave if you are the nominated carer of an expectant mother. You must provide a signed statement from the expectant mother that you are the nominated carer and a copy of the MAT B1 certificate.

MSS can begin any time after the end of the 15th week before the expected week of birth. You must notify NALC in writing at least 28 days before the MSS start date. MSS can be taken until around the time of birth. It must be taken in a single block.

## **Ante-natal Appointments**

An expectant father or the partner (including same sex) of a pregnant woman is contractually entitled to take paid time off work to accompany the woman to up to 2 of her ante-natal appointments. The time off is capped at six and a half hours for each appointment. Should you need to take further time off to attend ante-natal appointment please refer to your manager.

## **List of Abbreviations**

- KIT: Keeping in touch days
- LEL: Lower earnings limit for National Insurance contribution
- MAT B1: the certificate given to pregnant employee by the doctor or midwife showing the expected date of birth
- MA: Maternity allowance
- MSS: Maternity support scheme
- OPL: Ordinary paternity leave
- SML: Statutory maternity leave
- SMP: Statutory maternity pay
- SPP: Statutory paternity pay

## **Shared Parental Leave**

### **Purpose and Scope**

This policy and procedure applies to all current employees, whether full or part-time, temporary or fixed-term. It does not apply to agency workers or to self-employed contractors.

The purpose of this policy and procedure is to provide managers and staff with clear information about our shared parental leave (SPL) provisions. This document sets out our policy on SPL, shared parental pay (ShPP) and arrangements surrounding returning to work after SPL. It also sets out the procedures which we need to follow at various stages, before, during and after SPL.

SPL also applies where a child is placed for adoption. The arrangements in relation to adoption are very similar to those that apply in relation to the birth of a child.

### **Policy**

Our policy is to comply with both the spirit and the letter of the law on SPL rights. To this end our aim is to inform you of your rights and provide clear procedures.

### **Summary of SPL**

Eligible employees are entitled to take up to 50 weeks' shared parental leave (SPL) in the year following the baby's birth or adoption of a child. They may also be entitled to shared parental pay (ShPP) and enhanced shared parental pay (ESPP) during SPL.

SPL can be shared between two people. It has replaced additional paternity leave which provided up to 26 weeks' leave for fathers and partners. It does not replace statutory maternity leave or statutory paternity leave (see NALC's Maternity Policy and Paternity Leave Policy). The leave can be shared so that it is taken at the same time as your partner or at different times.

SPL cannot begin unless the mother curtails her statutory maternity leave and cannot be before the end of the second week following birth. The outstanding statutory maternity leave (ie up to 50 weeks) will then be available as SPL.

#### **Example 1**

If a mother begins maternity leave six weeks before the birth and SPL begins in the 3<sup>rd</sup> week following the birth, then 44 weeks' SPL will be available.

#### **Example 2**

If a mother begins maternity leave 10 weeks before the birth and SPL begins in the 26<sup>th</sup> week following the birth then 17 weeks' SPL will be available.

Employees may request to take SPL in up to three separate blocks. Each of the two people can take as much or as little SPL as they want, provided that between them, the total leave taken does not exceed the available SPL.

In order for SPL to be taken the child's mother or main parent must meet the eligibility criteria and bring her/his entitlement to maternity leave or maternity pay or maternity allowance (MA) to an end. However, if you are the child's birth mother you must take the compulsory 2 weeks maternity leave following birth.

If you are the child's father or mother's partner, you must also meet eligibility criteria to take SPL. If the mother/primary adopter and you are not going to take SPL but stay with maternity or adoption leave you may still have an entitlement to statutory paternity leave and pay. The right to take additional paternity leave will no longer exist after 5<sup>th</sup> April 2015.

### **Eligibility Criteria**

- SPL can only be used by two people:
- The mother/main adopter, and,
- Either the father of the child, or, the spouse, civil partner or partner of the child's mother/adopter.

Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption. The eligibility criteria are outlined in the forms contained as appendices to this policy.

### **Evidence of entitlement**

NALC may, within 14 days of the SPL entitlement notification being given, request:

- the name and business address of your partner's employer (where your partner is no longer employed or is self-employed their contact details must be given instead);
- in the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth);
- in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

To be entitled to SPL, you must produce this information within 14 days of our request.

### **Forms which need to be completed**

#### **Mothers opting to take SPL**

Any mother who wants to take SPL will need to give us 3 notices/declarations:

#### **Leave curtailment notice ([click here](#))**

This gives us written notice that you will end your maternity leave in favour of taking SPL.

#### **Opt-in notice ([click here](#))**

This explains that you are entitled to take SPL and that you intend to take it.

### **Period of leave notice ([click here](#))**

This sets out the start and end dates of your SPL and if you intend to claim ShPP, if applicable.

NOTE: These notices can be given to us at different times but we must receive them at least 8 WEEKS BEFORE YOU INTEND TO TAKE SPL.

### **Fathers (or partners of mothers) opting to take SPL**

You must give us, no later than 8 weeks before you want the SPL to start:

- an opt-in notice; ([click here](#)) and
- a period of leave notice ([click here](#)).

### **Booking Shared Parental Leave**

SPL can only be taken in complete weeks but may begin on any day of the week. For example if a week of SPL began on a Tuesday it would finish on a Monday. If you return to work between periods of SPL, the next period of SPL can start on any day of the week.

SPL can be taken at any time until 12 months after the baby is born. It cannot start until 2 weeks after the birth. You can choose to take SPL at the same time as your partner or at different times to your partner. You can also choose to take a continuous block of time or you can ask to take it as discontinuous periods.

### **Continuous leave notifications (known as ‘notices’)**

A notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, 6 weeks in a row).

You have the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to you and NALC has been given at least 8 weeks’ notice. You may submit up to 3 separate notifications for continuous periods of leave.

### **Discontinuous leave notifications (‘notices’)**

A single notification may also contain a request for 2 or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where you return to work (for example, an arrangement where an employee will take 6 weeks of SPL by working every other week for a period of 3 months).

Where there is concern over accommodating the notification, you or NALC may request a meeting with a view to agreeing an arrangement that meets the needs of

both parties (see 'Discussions regarding SPL'). NALC will consider a discontinuous leave notification but has the right to refuse it. If the leave pattern is refused, you can either withdraw your request within 15 days of giving it, or you can take the leave in a single continuous block.

You have the right to submit up to 3 notices specifying leave periods you are intending to take. Remember that if you want to change your mind over a period of SPL and submit a variation notice, this will count as another of the 3 notices. If you withdraw a notice for discontinuous leave within 15 days of submitting it, it won't count as one of the 3 notices.

### **Maximum number of blocks of leave**

The total number of periods of leave which you will be able to take is 3.

### **Responding to a SPL notification**

Once we receive the leave booking notice, we will deal with it as soon as possible, but a response will be provided no later than the 14th day after the leave request was made. All eligible notices for continuous leave will be acknowledged in writing. All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to NALC against any adverse impact to the business.

If we believe that it will be difficult to accommodate a request for discontinuous leave you will be invited to discuss this at a formal meeting. At the meeting you may, if you wish, be accompanied by a workplace colleague or a trade union representative. The purpose of the meeting is to discuss:

- the leave proposed,
- what will happen while you are away from work,
- how the leave proposal could be agreed,
- whether a modified arrangement would be agreeable, and
- what the outcome may be if no agreement is reached.

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

You will be informed in writing of the decision as soon as is reasonably practicable, but no later than the 14th day after the leave notification was made. The request may be granted in full or in part: for example, NALC may propose a modified version of the request.

### **Variations to arranged SPL**

You have the right to vary or cancel an agreed and booked period of SPL, provided that you advise us in writing at least 8 weeks before the date of any variation. Any new start date cannot be sooner than 8 weeks from the date of the variation request.



A change as a result of a child being born early, or as a result of NALC requesting it be changed, and the employee being agreeable to the change, will not count as one of the 3 notifications. Any variation will be confirmed in writing by NALC.

### **Shared Parental Pay (ShPP)**

Statutory ShPP of up to 39 weeks (less any weeks of statutory maternity pay claimed by you or the other parent) may be available provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year. Go to [www.gov.uk](http://www.gov.uk) for latest rates applicable.

### **Enhanced Shared Parental Pay (ESPP)**

You will qualify for enhanced shared parental pay (ESPP) if you have at least one year's continuous service at the 11th week before the week the baby is due and earn in excess of the Lower Earnings Limits, you will be contractually entitled to 18 weeks' enhanced Shared Parental Pay as follows.

- Weeks 1-6: You will receive 90% of a week's pay offset against SMP or MA payments.
- Weeks 7-18: You will receive 50% of a week's pay without offset of SMP or MA, except to the extent that the half pay plus SMP or MA exceeds full pay
- Weeks 19-39: You will receive 21 weeks' pay at the lower of 90% of your average weekly earnings or the standard rate of SMP or MA

A proportion of enhanced maternity pay will be repaid to NALC in the event that you do not return to work for a period of at least three months following the leave. Please see below.

ESPP will not be payable after the end of the 12th week of SPL or may be paid for a shorter period or not at all (see previous paragraph). For the remainder of SPL (or until the aggregate of statutory maternity leave and SPL amount to 39 weeks) employees will be paid at the lower of 90% of average weekly earnings or the standard rate of ShPP

### **The Effect of SPL on Contractual Benefits**

Your terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

### **Annual Leave**

Annual leave entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

## **Pension**

### **Local Government Pension Scheme**

Members of the Local Government Pension Scheme automatically continue to have their pension contributions deducted from their pay during paid SPL. Contributions are based on actual pay received but pension rights accrue in full even though employees may be paying reduced contributions.

If employees are not entitled to any pay during SPL, pension rights accrue in full for up to the first 26 weeks of absence at no cost. This includes any period of statutory maternity leave that preceded SPL.

For any period of unpaid SPL after the first 26 weeks of absence (including any period of statutory maternity leave that preceded SPL), employees must decide whether or not they wish to pay pension contributions. Contributions will be payable on the rate of pay they were receiving immediately before commencing the period of unpaid SPL. An election to pay contributions must be made within 30 days of return to work from each period of SPL or, if they do not return, on their last day of service.

An election form can be found [here](#). For more information please contact the Finance Department.

### **The Pension Trust**

Members of the Pensions Trust Scheme (“the Scheme”) will automatically continue to have their pension contributions deducted from pay received during SPL. Contributions will be based on actual pay received. While employees are receiving SPL, NALC’s contributions to the Scheme will ensure that total contributions (ie NALC’s and individual employee’s) remain the same as if they were receiving normal pay.

For any period of unpaid SPL, employees must decide whether or not to pay pension contributions. Contributions will be payable on the rate of pay they were receiving immediately before commencing the period of unpaid SPL.

An election to pay contributions must be made within 30 days of the return to work from each period of SPL or, if employees do not return, by their last day of service. NALC will not make any contribution to the Scheme during periods when employees are not paid.

An election form can be found [here](#). For more information please contact the Finance Department.

### **Maintaining Contact during SPL**

Some people will choose to have little if any contact with work during their SPL while others want to maintain a high level of contact. Before you start your SPL, your manager will meet with you to discuss reasonable contact arrangements during your

SPL. Below is a list of the sorts of information you may want to be kept informed about:

- Notes of team and other important meetings
- Details of internal vacancies which arise
- Details of important announcements given in the team meeting
- Details of significant developments to working practices
- Details of changes to the team structure
- Details of any training courses which are offered to the team

There may be occasions when we need to contact you even if you have indicated that you do not wish to be contacted. In these circumstances contact will only be made when there is significant information which might affect you. For example where there are changes proposed to the job you are expected to return to.

### **Shared Parental Leave In Touch (SPLIT) Days**

NALC considers that it is in its interest and the interests of its employees to maintain reasonable contact during SPL. It may want to update employees on significant changes to the workplace or to ask whether they wanted to take part in training or team events. NALC hopes that by keeping in touch, it will make the return to work easier after SPL.

Employees can work for up to 20 Shared Parental Leave In Touch ("SPLIT") days during SPL without losing ShPP, maternity allowance or ending SPL. It is not affected if the mother has taken "Keep In Touch" days under NALC's maternity policy. SPLIT days are not compulsory and must be discussed and agreed with your line manager.

Employees will need to agree with their managers what work is to be done on SPLIT days and the pay that they will receive. Employees are not required to work during SPL.

### **Returning to work**

If you want to end a period of SPL early, you must give us 8 weeks' prior notice of the return date. It is helpful if you give this notice in writing. If you have already used your three notifications to book and/or vary leave then we do not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

If you want to extend your SPL you must submit a new Period of Leave Notice at least 8 weeks before the date you were due to return to work, assuming you still have SPL entitlement remaining and have not already submitted 3 periods of leave notices. If you are unable to request more SPL you may be able to request annual leave or ordinary parental leave, which will be subject to business need.

You will have been formally advised in writing by us of the end date of any period of SPL. You are expected to return on the next working day after this date, unless you notify us otherwise. If you are unable to attend work due to sickness or injury, the

normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

On returning to work after SPL, you are entitled to return to the same job if your aggregated total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less. The same job is the one you occupied immediately before commencing maternity/paternity/ adoption leave and the most recent period of SPL, on the same terms and conditions of employment as if you had not been absent.

If your maternity/paternity/adoption leave and SPL amounts to 26 weeks or more in aggregate, you are entitled to return to the same job you held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.

If you do not return to work at the end of SPL, you must provide the notice required under your contract and must repay all the ESPP that you received as follows:

- If you do not return from shared parental leave you must repay of all ESPP received;
- if you leave after returning for one week, you must repay 11/12ths five of all ESPP received;
- if you leave after returning for two weeks, you must repay 10/12ths five of all ESPP received;
- if you leave after returning for three weeks, you must repay 9/12ths five of all ESPP received;

Repayment is reduced by 1/12<sup>th</sup> of ESPP for each succeeding week until, if you leave in the 11<sup>th</sup> week after returning from shared parental leave, you must repay 1/12<sup>th</sup> of ESPP received.

## **Fraudulent claims**

Where there is a suspicion that fraudulent information may have been provided or where we have been informed by the HMRC that a fraudulent claim was made, we will investigate the matter further in accordance with the usual disciplinary procedures.

## **8 Adoption Leave**

### **Purpose and Scope**

This policy and procedure applies to all current employees, whether full or part-time, temporary or fixed-term.

The purpose of this policy and procedure is to provide managers and staff with clear information about NALC's adoption provisions. This document sets out NALC's policy on adoption leave, pay, and arrangements surrounding returning to work after adoption leave. It also sets out the procedures which NALC and employees need to follow at various stages, before, during and after adoption leave.

### **Policy**

NALC's policy is to comply with both the spirit and the letter of the law on adoption leave and pay rights. To this end its aim is to inform all employees of their adoption rights and to ensure those rights are understood.

### **Qualifying Criteria**

To qualify for adoption leave, you must be newly matched with a child for adoption by an adoption agency. There is no length of service requirement for adoption leave. Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.

### **Procedure**

#### **Telling your Manager that you are Adopting a Child**

You must inform your manager of your intention to take adoption leave within 7 days of being notified by your adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable. You need to tell your manager when the child is expected to be placed with you and when you want your adoption leave to start.

You can change your mind about the date on which you want your leave to start providing you tell your manager at least 28 days in advance (unless this is not reasonably practicable).

#### **Matching Certificate**

You must give your manager documentary evidence from your adoption agency as evidence of your entitlement to Statutory Adoption Pay. Employers can also ask for this as evidence of entitlement for adoption leave. You should ask your adoption agency for this documentary evidence, which may be provided in the form of a matching certificate which includes basic information on matching and expected placement dates.

### **Adoption Appointments**

The primary adopter is entitled to take paid time off to attend up to 5 pre-adoption appointments. The co-adopter will be entitled to take unpaid time off to attend up to 2 pre-adoption appointments. The time off is capped at six and a half hours' time off work on each occasion.

You should give your manager as much notice as possible of your appointments and, after the first one, should show them the appointment letter/card.

### **Entitlements**

Your entitlements to the following all mirror the rights and entitlements set out in the maternity policy which includes:

- adoption pay and enhanced contractual adoption pay as set out in the maternity policy
- the length of time that you can take as adoption leave
- the entitlement to pay awards
- the arrangements regarding keeping in touch with the office during your adoption leave
- the right to transfer some of your adoption leave, under the Shared Parental leave provisions
- the effect of adoption leave on contractual benefits
- your entitlement to annual leave

### **Shared Parental Leave (SPL)**

You may be entitled to curtail your adoption leave and pay and instead take SPL and pay in conjunction with the co-adopter, subject to meeting the eligibility criteria. SPL enables parents to choose how to share the care of their child during the first year of placement. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. See the Shared Parental Leave Policy for more information.

### **Returning to Work**

NALC will assume that you will take your full adoption leave entitlement and intend to return to work doing the same job, with the same hours, unless you notify NALC, in writing, or request otherwise.

If you want to return to work before the end of your adoption leave, you will need to notify your manager in writing giving at least eight weeks' notice of your intended return date. If you do not give at least eight weeks' notice, your manager may delay your return to work by up to a further eight weeks where s/he has good reason.

### **Requesting a Change to your Pattern of Work**

You have the right to request that NALC considers changing your pattern of work (subject to eligibility criteria). Please refer to the Requesting Flexible Working Policy in this Handbook.

## **Ordinary Parental Leave**

### **Purpose and Scope**

The purpose of this policy and procedure is to provide managers and staff with clear and comprehensive information on NALC's ordinary parental leave provisions. Ordinary Parental Leave is distinct from Shared Parental Leave and Paternity Leave.

### **Policy**

NALC's policy is to comply with both the spirit and the letter of the law on Parental leave rights. To this end our aim is to inform all employees of their ordinary parental leave rights and to ensure those rights are understood.

## **Qualifying Criteria**

To qualify for ordinary parental leave, you must;

- have parental responsibility for the child, and,
- have at least one year's continuous service with NALC by the time you want to take the leave, and,
- use the ordinary parental leave to look after the child, and,
- the child must be under the age of 18.

## **Amount of Ordinary Parental Leave**

If you are eligible for ordinary parental leave you will be entitled to receive up to 18 weeks' unpaid leave for each child. If you have twins, you will be entitled to receive two lots of 18 week's unpaid leave.

The amount of ordinary parental leave you are entitled to is taken with you if you move jobs. For example, if you are eligible for a total of 18 weeks ordinary parental leave and have already taken 5 weeks ordinary parental leave with a previous employer, you will need to work for NALC for a year before qualifying for the remaining 13 weeks.

You will be able to take leave in blocks of one week, subject to a maximum of four weeks at any one time and in any one year. If your child is disabled, you will be able to take odd days.

If you work part-time you will be able to take leave in proportion to the time worked, e.g. if you work two days a week as opposed to the usual five, you will have the right to 36 days' parental leave in all (5 days × 18 weeks × 2/5 of normal working time).

## **Requesting Ordinary Parental Leave**

If you would like to take a period of ordinary parental leave, you will need to advise your manager in writing at least 21 days before you wish to take the leave.

## **Postponing Leave**

In some circumstances, your manager will not be able to grant your request for leave, for example where your absence would substantially affect service delivery. If this is the case, your manager will write to you within 7 days of your request, explaining why, and postponing your leave for not more than six months, starting from the date on which you originally wished your leave to begin.

Your leave will not be postponed if you are taking ordinary parental leave immediately after the birth or adoption of a child.

## **Sickness during Ordinary Parental Leave**

If you fall sick during a period of Ordinary Parental Leave and follow the absence notification and reporting procedure, you will be entitled to receive pay under the

sickness scheme and this period shall not count towards their parental leave entitlement.

### **Ordinary Parental Leave and Maternity, Adoption, Paternity and Shared Parental Leave**

You can request to take ordinary parental leave at the end of a period of maternity, adoption, paternity or shared parental leave.

#### **If you do not qualify for Ordinary Parental Leave**

If you do not qualify for ordinary parental leave but need to take time off to care for your child or children please speak to your manager. Your manager will explore whether other options are available.

## **9 Flexible Working**

### **Purpose and Scope**

This policy explains the process which NALC will use to respond to requests to vary working hours, pattern or place of work. It applies to all eligible staff, regardless of whether they work full or part-time or have a temporary contract of employment. It does not apply to agency staff.

You have a statutory right to request a change to your contractual terms and conditions of employment to work flexibly provided you have been employed with NALC for at least 26 weeks at the date the application is made. Non-eligible employees can ask NALC if they can alter their working arrangements but do not have a statutory right to have their requests considered under this procedure.

### **Policy**

NALC's policy is to comply with both the spirit and the letter of the law on the right to request flexible working. To this end our aim is to inform all staff of the right to request flexible working and to ensure those rights are understood and that you feel confident any decisions regarding your request will be handled objectively, fairly, free from discrimination, and that you will not be treated detrimentally because you have asked for flexible working arrangements.

### **Making the Request**

To apply for flexible working, please write to your line manager using the [Request for Flexible Working Form](#), providing the following details:-

- the date of your application
- that you are making the application under the statutory right to request flexible working
- how you wish to work flexibly and when you want the new arrangements to start



- how you think that flexible working might affect the way that NALC operates and how this could be dealt with (e.g. if you wish to work three days instead of five, you must explain how you think NALC can deal with the two days when you will be absent)
- whether you have made a previous application, and when

You can only make one statutory request in any 12 month period.

### **Withdrawing an application**

If you wish to withdraw an application, you should notify your manager in writing, as soon as possible.

### **Responding to your Request**

Once we receive your written request, we will arrange a discussion with you as soon as possible, unless we agree immediately to your request. It may be that we need to ask you to supply further details before the meeting. If there is likely to be a delay in discussing your request we will inform you. An employee can bring a work colleague or a trade union representative to the meeting.

Your request will be fully discussed at the meeting. Your manager will carefully consider your request looking at the benefits of the requested changes on working conditions for you as an employee and the organisation and weighing these against any adverse business impact of implementing the changes.

Having considered the changes you are requesting and weighing up the advantages, possible costs and potential logistical implications of granting the request, your manager will write to you with the decision. The decision will be either:

- to accept the request and establish a start date, with or without a trial period and review date. Where the request is granted we will set out what changes will be made to your terms and conditions of employment, or
- to propose an alternative, which may require further discussion or
- to confirm a compromise agreed at the discussion or,
- to reject the request, setting out the clear business reasons, how these apply to the application and the appeal process.

Requests to work flexibly will be considered objectively, however we may not always be able to grant a request to work flexibly if it cannot be accommodated by the organisation. If we turn down your request, it will be because of one, or a combination of the following reasons, and we will explain why.

- the burden of additional costs is unacceptable to NALC
- NALC will not be able to provide an adequate service to its members
- the work cannot be reorganised among other staff
- NALC cannot recruit additional staff to do the work
- the employee's request will have an effect on work quality and performance
- there is insufficient work during the proposed working times

- NALC is planning changes to its workforce

If you are only looking for an informal change for a short period to your working hours or conditions, for instance to pursue a short course of study, we may consider allowing you to revert back to your previous conditions after a specified period, e.g. three months, or after the occurrence of a specific event, such as the end of a course of study.

You must be aware that if your request is approved you do not have a statutory right to make a further request for a period of 12 months, although you may still ask without the statutory right.

### **Timeframe for dealing with requests**

NALC will deal with requests in a timely manner although the law requires the consideration process to be complete within three months of first receiving a request, including any appeal. If the request cannot be dealt with within three months, NALC may ask to extend the consideration process, provided you agree to the extension.

### **Handling Requests in a Fair Way**

We may receive more than one request to work flexibly closely together from different employees and it may or may not be possible to accept all requests. Each case will be considered on its merits looking at the business case in the order they have been received. We may ask you if there is any room for adjustment or compromise before coming to a decision.

### **Appealing Against the Decision**

If we decline your request and you wish to appeal, you must do so, in writing, within 5 days of receiving the letter informing you of the outcome. We will then write to you to arrange a meeting to discuss your appeal. This meeting will be held as soon as reasonably possible and will normally be with the Chief Executive. You have the right to be accompanied at that meeting by a work colleague or a trade union representative to the appeal.

There may be circumstances when the Chief Executive is unable to meet within the required timeframes, in which case a meeting will be held as soon as is practically possible.

### **The Effect on your Contract of Employment**

Any change in your hours or pattern of work will normally be a permanent change to your contractual terms and conditions. This means that you will not automatically be able to revert back to the previous working pattern (unless otherwise agreed). So, for example, if your new flexible working pattern involves working reduced hours, you will not automatically be able to revert to working full time hours.

Changes to your working pattern may affect other terms and conditions of employment. For example, reducing your hours of work will mean that your pay and leave will be *pro-rated* accordingly. Your pension may also be affected.

Any changes to your terms and conditions as a result of a change to your working pattern will be confirmed in your decision letter, however if you have further queries about how a proposed change to your pattern of work might affect your terms and conditions please speak to your line manager.

## **10 TOIL Policy**

### **Introduction**

NALC recognises that staff will occasionally be required to work more than their contracted working hours, for example when NALC conferences are held outside London.

Time-off in lieu (“TOIL”) is time off for having worked a period outside normal working hours that has previously been approved by your line manager. This policy applies to all NALC employees.

However, NALC also acknowledges its duty to protect the health and safety of its employees by ensuring that they do not work excessive hours, and that any additional hours are agreed in advance and monitored appropriately. The TOIL for Events policy is a guideline for managers to assist them in planning and managing the working hours of staff who are asked to work additional hours when there is a specific NALC event.

The operation depends on mutual trust between NALC and an employee. Any suspected abuse of TOIL by a NALC employee may be treated as a disciplinary matter.

### **Claiming Toil**

You are able to claim for any ‘Event’ related work undertaken after 7.00 pm and for any work undertaken at NALC events away from the office outside of normal working hours, e.g. attending conferences, including overnight stays.

You may claim 1 day’s TOIL for a Saturday or Sunday worked plus ½ day for each night spent away at a NALC event.

You must obtain written approval from your line manager when you want to book time off in the same way as the holiday policy. Your line manager may not agree to the request in cases where this leave will conflict with the provision of an adequate service by the department. Where a line manager does not approve the requested TOIL, suitable alternative dates (earlier or later) should be identified and suggested.

### **Time Limit For Taking Toil**

TOIL must be taken as soon as possible with your line manager's consent and not more than 3 months from accrual. TOIL accrued and not redeemed as outlined will be considered lost and no monetary compensation will be offered.

Line managers should ensure that employees are given reasonable opportunities to take any accrued TOIL within the approved period.

## **11 Working from Home Policy**

### **Policy Statement**

NALC is committed to facilitating, wherever possible, flexible working practices for employees without compromising the delivery of high quality and responsive services to its members.

This working from home policy provides specific guidance on assessing the role, employee and home working environment to establish suitability for home working and the implementation of home working arrangements. This is necessary to ensure:

- Consistency in considering requests to work at home
- Arrangements at the home working site conform to NALC standards
- Preservation of the integrity, availability and confidentiality of NALC information
- The health, safety, welfare and security of the employee.

NALC is committed to the fair treatment of all employees. Any requests to work from home will be considered, seriously, reasonably, objectively and consistently across NALC. Please note that this policy specifically describes NALC's approach to requests to work from home. You should refer to the 'Requesting Flexible Working' policy if you want guidance on changing your working pattern.

### **Scope**

This policy and guidance applies to all employees who have a contract of employment with NALC. It does not apply to agency workers.

### **Definition of Working from Home**

For the purpose of this policy and guidance a home worker is defined as an employee whose contractual work location is NALC's office but may work from home, at the discretion and authorisation of their manager, as and when appropriate. Working from home is distinct from being a home-worker. A Home Worker will be permanently based from home.

### **Key Principles of Working from Home**

Working from home is not an employee right. Any employee requesting to work from home will be assessed for its impact on the business/service, the employee and the team.

A health and safety risk assessment of the home working environment must be completed before work starts and agreed and signed off by the manager. An employee will enter into any home working arrangement on a voluntary basis.

All NALC policies continue to apply to staff working from home, including data protection requirements and email/internet usage. From time-to-time the employee's line manager will discuss home working arrangement with you, including health and safety reviews. If you are due to work from home and fall ill, you must comply with NALC's Sickness Absence Policy.

Whilst working from home, staff must be fully accessible as if they are working in the office and should advise colleague of any appointments that meant they are not going to be available for part of the day. You should be able to be contacted by email, home phone or mobile whilst working from home. Please note that home numbers are for internal staff use only – your home number will not be given to third parties without your permission.

### **Data Protection**

Staff are not permitted to store any NALC information on a home PC or laptop whilst working from home. Access to information must be via VPN.

### **Insurance and liabilities**

Employees who work from home are advised to consult the relevant agencies with regard to the effect of working at home on their house and contents insurance; mortgage or tenancy agreement; and, council tax/business rates.

## **12 Retirement Policy & Procedure**

### **Purpose and Scope**

The purpose of this policy is to set out NALC's approach to the retirement of employees.

### **Policy**

NALC does not operate a compulsory retirement age for its employees. NALC is committed to equal opportunities for all its employees and recognises the contributions of a diverse workforce, including the skills and experience of older employees. It believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so. NALC operates a flexible retirement policy and employees may voluntarily retire at a time of their choosing.

### **Retirement Procedure**

If you have decided that you wish to retire, you should inform your line manager in writing as far in advance as possible and, in any event, in accordance with your notice period as set out in your contract of employment. This will assist NALC with its succession planning.

NALC will write to you acknowledging your notice to retire. Your manager will arrange a meeting with you to discuss arrangements for retirement, including the intended retirement date, succession and handover plans, pension details and phased retirement, if applicable.

You are advised to consider your pension provision and take independent financial advice before making any decision in relation to retirement.

### **Workplace Discussions**

NALC will invite all employees to regular workplace discussions with their line managers. These will take place once the year, when performance appraisals are carried out and at other formal review meetings. During those discussions, your line manager will discuss your performance, developmental or training needs and NALC's and your future plans and expectations in the short-, medium- and long-term. During those meetings, you may discuss your future plans or proposals for retirement.

A record of each workplace discussion will be kept as part of the appraisal and supervision paperwork and a copy will be given to you.

A discussion about possible retirement will not result in any assumptions about your commitment to NALC. NALC seeks to retain the best talent, including older employees. Workplace discussions are an opportunity for both you and NALC to plan jointly for the future.

### **Succession Planning**

An employee who is shortly to retire will often have considerable knowledge in relation to their role and responsibilities. NALC may require your assistance and cooperation for succession planning.

Prior to retirement, you should cooperate with NALC, if requested to do so, by:

- providing full written details of the status of work projects and future steps;
- developing a job description, including key competencies and skills required for the role;
- ensuring a smooth handover of work; and
- assisting in training any successor.

### **Phased Retirement**

If you have notified NALC that you wish to retire, NALC will consider and if appropriate discuss the option of phased retirement with you.

Alternatively, you may decide that you do not wish to retire in the near future but would benefit from alternative working arrangements in the short- or medium- term. You may make a request to NALC for a different pattern of work.

Phased retirement allows a change of working pattern so that you can reduce your hours gradually (for example, move to part-time working) prior to retirement. It may,

for example, involve changes to your responsibilities to help NALC with its succession planning, and help you adjust to, and prepare for, retirement.

NALC will fairly consider all requests by those employees for changes to their working patterns and will not make any changes to your working pattern without your written consent.

A reduction in working hours may result in a reduction in salary and pension contributions to your pension scheme. You should check their pension arrangements before making any decision on this.

You are under no obligation to participate in phased retirement.

### **13 Employee assistance programme**

NALC offers an employee assistance programme to all staff. This programme is designed to support staff who need additional support if you have work, family or personal issues. It is confidential and no information on any personal cases are fed back to NALC.

Topics that the EAP covers include, but are not limited to, the following:

- |                          |                           |
|--------------------------|---------------------------|
| ▪ Work-life balance      | ▪ Elder care information  |
| ▪ Relationships          | ▪ Life events             |
| ▪ Childcare information  | ▪ Immigration             |
| ▪ Health and well-being  | ▪ Anxiety and depression  |
| ▪ Debt                   | ▪ Family issues           |
| ▪ Disability and illness | ▪ Bullying and harassment |
| ▪ Careers                | ▪ Education               |
| ▪ Bereavement and loss   | ▪ Consumer rights         |
| ▪ Stress                 | ▪ Workplace pressure      |

Further details of the programme are available from the administration manager.

## **14 Use of IT and Social Media**

### **Purpose and Scope**

NALC provides information and communication technology systems that enable us all to work efficiently. We recognise that email communication plays an essential role in the conduct of our organisation and that the way in which we all communicate with people not only reflects on us as individuals but also on us as an organisation.

In addition, NALC provides access to the vast information resources of the internet to help us all do our job and be well informed. The facilities that we provide represent a considerable commitment of resources. This policy is designed to help you understand our expectations for the use of those resources and to ensure that you use those resources wisely.

This policy applies to all staff (whether full time, part time, casually employed or temporary workers), agency workers, and contractors working for or on behalf of NALC and anyone using NALC 's information and communication technology equipment.

The purpose of this policy is to set clear standards of behaviour and conduct in the use of IT and social media.

The policy covers all our communications and IT equipment which includes computers, internet access, remote access connections, email servers, file storage, webmail, personal digital assistants (Blackberry's, iPhones, iPads, Smart-Phones etc), telephones, mobile phones and computing and networking facilities owned and operated by NALC .

This policy also deals with the use of all forms of social media, including Facebook, MySpace, LinkedIn, Twitter, YouTube, Instagram, Tumblr, Snapchat, Pinterest, Wikipedia, all other social networking sites, and all other internet postings, including blogs.

It applies to the use of social media for both work and personal purposes, whether during office hours or otherwise. The policy applies regardless of whether the social



media is accessed using our IT facilities and equipment or equipment belonging to members of staff.

## **Policy Statement**

Information and communication technology systems are provided to enable us all to work efficiently. They provide a means for communicating both internally and externally and, a means for storing information, including personal or sensitive information. All staff and other users are therefore expected to use the systems provided in ways which:

- Comply with the law (e.g. on data protection, equality legislation, health and safety etc....)
- Enhance efficiency and productivity
- Enhances the reputation of NALC

We recognise that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, Twitter, blogs and wikis. However, inappropriate use of social media can pose risks to our confidential information, and reputation, and can jeopardise our compliance with legal obligations.

To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect everyone covered by this policy to adhere to it.

Breach of this policy may result in disciplinary action up to and including dismissal. In the case of agency workers, contractors or others not covered by the disciplinary policy, action can include summarily ending the contract.

Disciplinary action may be taken regardless of whether the breach is committed during working hours, and regardless of whether our equipment or facilities are used for the purpose of committing the breach. (For example if you release confidential information or make derogatory statements about NALC, our member councils or people working for either on social media). Any member of staff suspected of committing a breach of this policy will be required to co-operate with our investigation, which may involve handing over relevant passwords and login details.

You may be required to remove internet postings which are deemed to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

## **People responsible for implementing the policy**

The Administration Manager has overall responsibility for the effective operation of this policy. Responsibility for monitoring and reviewing the operation of this policy and making recommendations for change to minimise risks also lies with the Administration Manager.

All line managers have a specific responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.

All staff are responsible for the success of this policy and should ensure that they take the time to read and understand it. Any misuse of IT resources and social media should be reported to either your manager or the Administration Manager.

### **Compliance with related Policies and Agreements**

NALC's policies and procedures (e.g. Disciplinary Policy and Harassment Policy) apply equally to behaviour online as off line. The IT resources and social media should never be used in a way that breaches any of our other policies. If an internet post would breach any of our policies in another forum, it will also breach them in an online forum.

It is your responsibility to ensure that information and data that you hold on NALC's computer systems complies fully with the principles of the Data Protection Act. In brief, the Data Protection Act requires that anyone who inputs, stores or uses personal information must ensure that the information (e.g. names, addresses, other information kept on individuals) is;

- accurate and up to date,
- only kept for legitimate reasons,
- only kept for as long as is necessary,
- used for legitimate purposes,
- not passed on to third parties without the consent of the individual and,
- secure

A good way of understanding these requirements and your responsibilities is to think about how you would wish your bank to store and use, and not use, your own personal details.

You should never provide references for other individuals on social or professional networking sites, as such references, positive and negative, can be attributed to and create legal liability for both the author of the reference and NALC

### **Monitoring**

The contents of our IT resources and communications systems are our property. Therefore, staff should have no expectation of privacy in any message, files, data, document, telephone conversation, social media post conversation or message, or any other kind of information or communications transmitted to, received or printed from, stored or recorded on our IT and communications systems.

We reserve the right to monitor, intercept and review, without further notice, your activities using our IT resources and communications systems, including but not limited to social media postings and activities, to ensure that our rules are being complied with and for legitimate business purposes and you consent to such monitoring by your acknowledgement of this policy and your use of such resources

and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, messages, communications, postings, log-ins, recordings and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

We may store copies of such data or communications for a period of time after they are created, and may delete such copies from time to time without notice.

Do not use our IT resources and communications systems for any matter that you wish to be kept private or confidential from NALC.

While an email that is clearly private does not fall within the definition of a communication that is relevant to NALC's business, we maintain a right to monitor such a communication where there is a reasonable suspicion that the content breaches NALC policy, for example, by transmitting confidential information or pornography.

NALC exercises the right to intercept emails and internet access under the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 for the following reasons:

- to investigate or detect the unauthorised use of the systems, e.g. that this policy is being observed, that no discriminatory or offensive content appears in emails, etc
- to maintain an adequate level of security for our computer systems
- to detect any computer viruses
- to check mailboxes of absent employees.

To exercise our right under the Regulations, NALC must have made all reasonable efforts to inform every person who may use the system that interception may take place. We believe that the communication of this policy to all employees meets this requirement.

## **Passwords**

All systems require an authenticated User ID/password combination prior to gaining access

Passwords will be changed on a regular basis

You are not permitted to use another person's login ID (username/password). If you require access to another employee's computer system, a request must be submitted to the Administration Manager who will arrange for temporary access

In order to protect your information, you must set appropriate passwords on sensitive or confidential data and keep passwords safe

You are responsible for the security of your password and should not divulge it to anyone without your manager's prior permission. Giving another person your

username and password is not permitted, as you are held accountable for all actions under your username. Should you believe another person knows your password, you must advise the Administration Manager immediately.

### **Computer Usage**

Computers should be fully shut down and turned off at the end of each day. This includes turning off the screens.

To prevent unauthorised access to your files, please ensure that you log-out, or otherwise secure your computer if you are away from your desk.

The computer systems are backed up regularly, however you must ensure your work is adequately saved in a secure location that is accessible for backup.

### **E-mail Usage**

NALC's e-mail systems are provided for business use. Reasonable personal use is permitted, and is defined later on in this policy.

E-mail is not a secure method of communication. Once a message is sent you have no further control over who reads it.

E-mail is admissible in court and carries the same weight as a letter on company headed paper.

### **The Do's and Don'ts of E-mail Etiquette**

The following sections of the policy provide staff with common-sense guidelines and recommendations for using E-mail professionally, responsibly and safely.

#### **Do:**

- Use the same care when drafting an e-mail message as you would when writing a letter or memo on company headed paper.
- Make sure that your message is concise, relevant and sent only to the people that need to read it.
- Use the telephone or face to face conversation instead of e-mail where this is possible and appropriate.
- Use your 'Out of Office Assistant' to let people know when you are away.

#### **Don't:**

- Never open an attachment that you were not expecting. Even if you know the sender.
- Never click on a link within an e-mail message unless you know the sender and the purpose of the link.

- Never supply banking or payment details in response to an e-mail message. This is a well-known method of fraud. Your bank will never request security details by e-mail.
- Do not send or forward anything that may be offensive, defamatory (about individual or organisation) or is covered by copyright.
- Do not circulate non work-related material. This includes but is not limited to:-
  - Jokes
  - Chain letters
  - Virus warnings
  - Software
  - Music, pictures or video
  - Do not use automatic forwarding rules.

Do not disclose any information about a person that you would object to being disclosed about yourself.

Never use e-mail to rebuke, criticise or complain about somebody. You may say something that you regret, and the record will be permanent.

### **Mobile phone texting**

Texting member councils, suppliers or other external stakeholders should be avoided wherever possible. Texting can often involve an abbreviated use of language which not everyone is familiar with. If you must text another person keep any abbreviated language to a minimum, to ensure a full understanding of the message.

Text messages must be treated in the same way as emails, in the sense that they must not contain illegal, discriminatory, obscene, pornographic or otherwise abusive or threatening messages.

### **Internet**

The Internet may not be used in any way that violates NALC's policies, rules or administrative orders. Use of the Internet in a manner that is not consistent with the mission of NALC, misrepresents NALC or violates any NALC policy is prohibited.

You must not use NALC's systems to access pornographic, gaming, offensive, illegal or other improper material or make inappropriate use of the Internet.

Producing, downloading or distributing sexually explicit or offensive material in any form, electronic or otherwise (e-mail, blogging, picture, file, printed-output, etc), which may be considered abusive or derogatory to individuals on the basis of race, ethnicity, religion, gender, sexual orientation, gender re-assignment, disability, age etc. is a violation of our Equal Opportunities Policy Statement. Any such action will be considered as gross misconduct.

NALC does not have a filter to block access to inappropriate sites. If you find yourself connected accidentally to a site that contains sexually explicit, offensive or illegal

material, you must disconnect from that site immediately and notify the Administration Manager.

NALC prohibits internet use for mass unsolicited mailings, competitive commercial activity and access for non-employees to NALC resources or network facilities

You should not subscribe to chat rooms, dating agencies, messaging services, internet diary (known as blogging) or other on-line subscription Internet sites unless they pertain to work duties.

**The types of activities that are encouraged include:**

Communicating with fellow employees, County Associations, business partners of NALC and Councils (and like organisations) within the context of an individual's assigned responsibilities;

Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities; and

Participating in educational or professional development activities.

**15 Social Media**

We recognise that you occasionally may desire to use social media for personal activities at the office or by means of our computers, networks and other IT resources and communications systems. We authorise such occasional use so long as it does not involve unprofessional or inappropriate content and does not interfere with your employment responsibilities or productivity. While using social media at work, circulating chain letters or other spam is never permitted. Circulating or posting commercial, personal, religious or political solicitations, or promotion of outside organisations unrelated to NALC is also prohibited. You should comply with the guidance set out in the Code of Ethics Policy when using social media in reference to NALC.

If your duties require you to speak on behalf of NALC in a social media environment, you must still seek approval for such communication from your manager, who may require you to undergo training before you do so and impose certain requirements and restrictions with regard to your activities.

Likewise, if you are contacted for comments about NALC for publication anywhere, including in any social media outlet, direct the inquiry to the Head of Communications. Do not respond without clear approval.

**The Dos and Don'ts when using Social Media**

The following sections of the policy provide staff with common-sense guidelines and recommendations for using social media responsibly and safely.

**Protecting our reputation:**

- You are not to publish, post or release any information on social media platforms that is considered to be confidential.
- You must not post disparaging or defamatory statements about NALC, member councils or its stakeholders.
- You should avoid social media communications that might be misconstrued in a way that could damage our reputation, even indirectly.
- Unless you are clearly speaking as part of your role within NALC, you should make it clear in social media postings that you are speaking on your own behalf. Write in the first person and use a personal e-mail address when communicating via social media.
- Where NALC related social media content generates press and media attention or presents legal questions, you should refer these enquiries to the Head of Communications.
- You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses (including NALC itself, future employers and social acquaintances) for a long time. Keep this in mind before you post content.
- You should ensure that your profile and any content you post are consistent with the professional image you present as an employee of NALC.
- Do not post comments about sensitive internal NALC topics. Even if you make it clear that your views on such topics do not represent those of NALC, your comments could still damage our reputation.
- If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from making the communication until you discuss it with your manager or the Administration Manager.
- If you see content in social media that disparages or reflects poorly on NALC you should contact your manager or the Administration Manager. All staff are responsible for protecting our reputation.

### **Respecting colleagues, stakeholders, partners and suppliers:**

Do not post anything that your colleagues or our stakeholders, member councils, or suppliers would find offensive, including discriminatory comments, insults or obscenity.

Do not post anything related to your colleagues or our stakeholders, member councils, or suppliers, without their written permission.

### **Recruitment**

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

### **Misuse**

Misuse of NALC computing facilities may result in disciplinary or criminal proceedings.

Misuse constitutes (but is not limited to) the following points:

- Not adhering to points covered in this policy.
- Attempting to discover another person's username and password, by any means.
- Attempting to monitor or tamper with another user's electronic communication or data, or reading, copying, modifying or deleting another user's data without the explicit agreement of that user, or your Manager. (Except in the case of electronic mail messages where messages sent and received can be copied and/or monitored)
- Attempting to circumvent by any means the computer or network security.
- Using the computer systems (such as electronic mail) to act abusively towards others (including individuals, groups, companies or any other organisation) whether internally or externally.
- Knowingly running and installing on any computer or network, or giving to another user, a program or macro intended to disrupt or damage in any way the computer systems and/or network operations, it's files, programs, data, or any related peripheral or device.
- Violating terms and conditions of software copyrights and agreements, including making illicit copies of software.
- Installing any software by whatever medium (e.g. data sticks, CD-ROM or data transfer) not provided, virus checked and approved by NALC 's IT providers
- The transfer of any data files from data sticks, CD-ROM or data transfer to any NALC computer without being fully virus checked
- Installation of any software not purchased on behalf of NALC. This includes any software from previous employers or from home computers. Installation of software included with any magazines or where the origin of the software is not known is strictly prohibited.
- Performing any act that will interfere with the use of the computer, network or equipment (such as printers) or will affect other user's ability to make use of that equipment, such as downloading unnecessary large documents.
- Using the computer systems for any activity not related to your work for NALC (exemptions to this include: collecting personal emails, using social media, e-banking or searching other appropriate websites during a recognised break), or for personal financial gain.
- Relocating or re-allocating computer equipment without the permission and guidance of the Administration Manager.
- Deliberately wasting computer resources such as game playing or sending "junk" or "chain" mails (either electronic or printed) during working hours
- If you are allocated a laptop or tablet, you are responsible for ensuring the safe keeping of this equipment whilst out of the office. Under no circumstances should this equipment be left un-attended in a public place, or in public view. Further you must ensure that all security systems and precautions have been activated to safeguard the portable computer.

## **Disclaimer**



- NALC assumes no liability for any direct or indirect damages arising from the user's connection to the Internet. NALC is not responsible for the accuracy of information found on the Internet and only facilitates the accessing and dissemination of information through its systems. Users are solely responsible for any material that they access and disseminate through the Internet.
- NALC encourages employees to use their Internet access responsibly. Should employees have any questions regarding this Internet Use Policy, he/she can contact the Administration Manager.
- Please note that you may be held responsible for damage to equipment, programs or data, and you will be held accountable for any licensing infringements if you do not comply with the above policy.

## **SECTION 3 – STAFF RELATIONS**

### **16 Code of Ethics**

#### **Introduction**

The National Association of Local Councils ('NALC') represents local authorities in England, and is funded primarily from subscriptions paid by member local authorities. As such, NALC seeks to maintain the high standards expected of a publicly funded body.

NALC will do all it can to promote high standards of integrity, quality and value for money both in local government and in its own activities. It is entitled to require the highest standards of conduct and integrity from all of its employees.

This policy applies to every person employed by NALC, though some of the issues will affect senior, managerial and professional employees more than they will others.

The purpose of the policy is to help employees to maintain and improve standards. NALC believes that openness as to matters, which might affect NALC's standing, will help to protect employees from misunderstanding, criticism or risk of suspicion.

NALC's policies and the standards of conduct and procedures required of all employees are set out in greater detail in a number of other documents. This policy complements, and does not replace existing documents. All employees should ensure they are familiar with them, in particular:

- Standing Orders
- Terms of Reference
- Financial Regulations
- Disciplinary and Grievance policies
- Equal Opportunities policy
- JNC Scheme of Conditions of Service (the "Green Book"), Chief Officers and Chief Executives of Local Authorities

Any employee in doubt about a matter of covered by the policy is strongly advised to seek advice. An employee should generally contact the Chief Executive for advice, or to discuss whether he/she should raise an issue under the policy. However, if circumstances make this inappropriate, an employee should contact the Chairman of the Association.

#### **Standards**

NALC employees should give courteous, efficient and impartial service. They should seek to ensure value for money in the use of NALC's resources and should not behave in any way that may damage NALC or its reputation.

Employees are expected, without fear of recrimination, to bring any apparent impropriety relevant to the conduct of NALC's business to the attention of the Chief Executive. If this is inappropriate an employee should contact the Chairman of the

Association. NALC will take steps to ensure that employees are protected from risk of recrimination, and that any person against whom an allegation is made will be treated fairly.

This policy provides a basis for judging the required standard of conduct referred to in NALC's Disciplinary Policy. In most cases conduct in breach of this policy will also be in breach of the Disciplinary Policy. Please also refer to the Whistle blowing Policy for more information.

### **Confidentiality of Information Concerning Employees**

NALC has a legal obligation to comply with the Data Protection Act 1998 concerning the handling and disclosure of confidential information concerning employees.

Information concerning an employee's private affairs which is not relevant to his/her employment, shall be treated in confidence and shall not be given to any person without the prior consent of the employee concerned.

NALC will only expect employees to disclose such information about any private interest as is essential to establish the nature and extent of the interest and its relevance to his/her employment. Such information will not be used for any purpose other than that for which it was given. Please refer to the Data Protection Policy for more information.

### **Private Work and Personal Interests**

The attention of all employees, whether permanent or temporary, is drawn to the following provisions relating to private work undertaken by staff and other matters of conduct: -

#### **Private Paid Work**

Subject to its rights under the conditions of appointment not being prejudiced, NALC does not wish to limit unduly the activities of staff in their leisure time.

NALC does however require that efficiency and proper performance of official duties shall not be impaired by private work in leisure time, and it requires at all times to be satisfied that NALC's interests are not being detrimentally affected in this respect.

NALC must be in a position to rebut with confidence any allegation that the integrity of its administration, or reputation, is being impaired because of the leisure time activities of any of its staff. Implicit in this is the requirement that there must be no question of staff undertaking activities in any circumstances which might lead to suspicion of undue or improper favour being granted, or undue or improper influence exercised, in relations to contracts or any kind of consent, permission, licence advice etc. which members, County Associations, outside bodies or members of the public seek from NALC.

The following conditions must be strictly observed by any employee who proposes to undertake or who undertakes private paid work for any person, firm or company: -

Employees shall devote their whole-time service to the work of NALC and shall not engage in any other business or take up any other additional appointment without the consent in writing of the Chief Executive or in the case of the Chief Executive, the Executive Committee or Chairman/Vice Chairman of NALC.

A record of all consents granted will be kept by the Administration Manager (on the relevant employee's personal file) and will be open to inspection by Members of the NALC Executive Committee.

Private work must not be undertaken during working hours or on official premises or using NALC resources or equipment at any time.

In addition to there being no impairment of the proper execution of official duties, there must be no interference with any requirement to work contractual or conditioned or planned overtime notified in advance on these duties.

Private work must not be undertaken for any person, firm or company in a contractual relationship with, or commissioned by NALC, or concerned in any property transaction dispute or court action with NALC or for any person known or believed by the employee to be connected with such a firm or company. Employees proposing to undertake private work for any other person, firm or company are responsible for ascertaining from them whether any contractual or commission relationship dispute or otherwise with NALC exists, or whether they are concerned in any property transaction with NALC.

If it comes to the knowledge of an employee that a contract in which he/she has any interest, pecuniary or otherwise, whether direct or indirect (not being a contract to which he/she is themselves a party), has been or is proposed to be entered into by NALC, he/she shall, as soon as is practicable, give notice in writing to the Chief Executive of the fact that he has such an interest.

An employee must not undertake private work for another employee responsible for supervising him/her, or whom he/she supervises.

Private work must not be undertaken for any person, firm or company to whom an employee allocates work or business or recommends the allocation of business in the course of his/her normal duties.

### **Private Unpaid Work**

As there may be no difference to the outside observer between paid and unpaid work which brings an employee into contact with NALC, private work undertaken for relatives, friends or voluntary bodies for which no payment or other reward is made is covered by the restrictions above. In such circumstances the employee in question should seek the consent of the Chief Executive who may relax such of the restrictions as he may think desirable. In circumstances where it is the Chief Executive seeking consent, such consent shall be obtained from the NALC Executive Committee.

### **Books and Articles by Officers**

The writing of books or articles on subjects relating to the technical, legal, financial, scientific or professional aspects of an employee's work for NALC will require the permission of the Chief Executive. Provided that this work is not undertaken in working hours, this consent would not normally be withheld.

Where an employee writes a book or article either alone or in collaboration with another person, a statement must be included in a prominent position to the effect that the opinions expressed are those of the author(s) and do not necessarily represent the opinions of NALC and that NALC accepts no responsibility for the author's opinions or conclusions.

Any book, article, handout, leaflet or periodical written by an employee in the course of his/her employment with NALC with a view to sale or distribution to County Associations, Member Councils, Elected Members or other employees, shall be the sole property of NALC and its Members (including the copyright thereof). All profits from the sale of such publications shall belong exclusively to NALC. The individual employee shall not gain any personal financial rewards from the writing or production of such publications.

Permission from the Chief Executive (in the case of the Chief Executive the NALC Executive Committee) must be sought before any communication is made to a newspaper, either alone or jointly with another person, in which there is an indication of the individual's connection with NALC, with the exception of making comments as part of the publicity function of NALC. In the latter case, confidential information must not be disclosed.

### **Inventions by Officers**

Any employee who in the course of his employment produces an invention or design shall assign the patent to NALC or, if the invention or design has not been patented, assist NALC in obtaining a patent in the name of NALC.

It is not desirable that patents should be taken out for the personal benefit of employees of NALC whose duty it is to devise improvements or to examine and report on the suggestions or inventions of others.

### **Broadcasting & Media**

Any media or press enquiries made to NALC must be referred to the Head of Communications in the first instance. An employee broadcasting on a subject connected with the work of NALC shall be required to obtain beforehand permission from the Chief Executive (or Chairman in the case of the Chief Executive). Any agreement should refer to any fees payable and on a case-by-case basis a decision will be made whether the employee is allowed to keep any fee received (subject to it being noted in official NALC records).

## **Relationships between Officers**

The relation of landlord and tenant or licensee shall not normally either directly or indirectly be created or allowed to exist between employees or Elected Members of the NALC assembly who are in any way responsible for each other's appointment, pay, promotion, discharge or dismissal. This paragraph shall apply to permanent but not to holiday accommodation. Any exceptions to this will require the specific written approval of the Chairman of the Association on behalf of the NALC Council and must be notified to the Chief Executive.

## **Prevention of Corruption**

The position of a Local Government employee is a particularly sensitive one and it is important to ensure that no suggestion of corruption could be made against any individual both for the sake of the individual employee and NALC itself. While there may be occasions on which it is acceptable to receive a gift, it is important that individual employees are protected. Please refer to the Corporate Hospitality, Gifts and anti-bribery Policy for more information.

In cases of corruption, an employee is liable to disciplinary action including summary dismissal, which may also involve forfeiture of pension rights in very serious cases and upon conviction by the Court to a fine or imprisonment or both.

## **General**

Failure to observe these instructions will render an employee liable to disciplinary action and may be regarded as gross misconduct leading to dismissal. To help protect themselves from the risk of allegations of impropriety, employees should notify the Chief Executive if they are a member of any organisation that is not open to the public except by formal membership and commitment of allegiance and which has secrecy about its rules of membership or conduct, for example the Freemasons.

## **Political Neutrality**

Some employees may be required to advise Elected Members of differing political persuasions. They should do so in ways which do not compromise their political neutrality and should make available equivalent advice, assistance and support to all Elected Members, political groups, their officers and spokespersons.

## **Equality Issues**

Employees, Elected Members and employees of County Associations, Member Councils and any other person with whom NALC has a working relationship have a right to be treated with fairness and equity, irrespective of their gender, race, sexuality or any disability.

Employees should ensure that NALC's policies relating to equality and discrimination, including sexual or racial harassment, are complied with.

## **Appointment and other Employment Matters**

Employees involved in appointments should ensure that these are made on the basis of merit. It may be unlawful for an employee to make an appointment that was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in any appointment if they are related to an applicant or have a close personal relationship outside work with him/her.

Employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative or with whom they have or have had a close personal relationship outside work.

### **Sponsorship – Giving And Receiving**

Where an outside organisation is seeking (whether by invitation or otherwise) to sponsor NALC activity, or to obtain sponsorship or endorsement by NALC to any activity or event, the basic conventions concerning acceptance of gifts or hospitality apply.

Employees shall notify the Chief Executive if they, or a relative, spouse, partner or friend would benefit from any activity that the Association wishes to sponsor.

### **Contracts**

Orders and contracts must be awarded on merit and by fair competition in accordance with procedures set out in NALC's Financial Regulations. No special favour should be shown to businesses run by a relative, spouse, partner or friend of any employee or member, or recent former employee or member. Employees should notify the Chief Executive if they have, currently or in the recent past, a business or close personal relationship with any contractor or potential contractor of NALC.

Employees with knowledge of confidential information on tenders or costs for any contract should not disclose that information to any unauthorised party or organisation.

### **Dishonesty In The Workplace**

All NALC employees must adhere to strict standards of honest conduct and treat NALC property with the same respect required for all public property. It is NALC's policy that all allegations of workplace dishonesty will be promptly and fully investigated and if dishonest conduct is established, to take internal action as appropriate under the Disciplinary Policy against the dishonest person or persons and to pursue appropriate civil and criminal legal remedies. **Prohibited Conduct and**

### **Activities**

- Examples of prohibited activities under this policy include (but are not limited to):
- Claiming reimbursement of expenses that are not related to or authorised by NALC.
- Misappropriating NALC assets (for example money, NALC credit cards, supplies, furniture, equipment or labour).

- Committing improprieties in the handling or reporting of money or accounting transactions.
- Authorising or receiving payment for goods not received by or services not performed for NALC.
- Conducting unauthorised alteration, destruction, forgery, or manipulation of NALC data or documents.
- Falsifying time records or expense reports or conducting substantial personal business in NALC time.
- Seeking or accepting bribes, gratuities, or other consideration of material value from any parties with whom NALC has working relationship, e.g. contractors or suppliers
- Conducting any other form or type of dishonest conduct or activities in contravention of NALC regulations and/or national law.



## **17 Corporate Hospitality Policy**

### **Introduction and scope**

This policy sets out the procedure NALC employees must follow when receiving gifts and hospitality, or offering hospitality.

The policy applies to full time and part time employees on a substantive or fixed-term contract and agency workers.

### **Policy**

Those working on NALC business are not permitted to exact or accept any fee or reward other than proper remuneration for any services delivered as a result of an association with NALC whether those services are delivered as an employee, self-employed worker or volunteer.

Employees should treat with caution any offer of a gift, favour or hospitality that is made to them personally, particularly by persons or organisations seeking, or with whom NALC has, a commercial relationship.

Hospitality may at times be an appropriate way of doing business, provided that no extravagance is involved. For example, a meal or refreshments taken to enable parties to continue discussion of business, modest hospitality offered in the course of inspecting facilities which may be used by NALC to host an event or taken at a public or semi-public occasion where the employee attends in an official capacity as representative of NALC.

Offers to attend purely social or sporting functions should be accepted only if NALC should be seen to be represented, and acceptance of such hospitality should be authorised by the Chief Executive (or Chair in the case of the Chief Executive).

Employees should not accept significant personal gifts or favours from contractors, suppliers, or those seeking a commercial relationship with NALC. Modest gifts such as inexpensive items of equipment, pens, diaries or promotional material bearing the giver's insignia may be accepted.

Gifts from visiting delegations may be accepted where to refuse would be likely to cause offence. Where there could be a real or perceived conflict of interest, or the gift is significant, you may be asked to return the gifts to the sender. When hospitality or a gift has to be declined, those making the offer should be courteously but clearly informed of the procedures and standards operating within NALC.

If an employee attends a meeting or event where tea and coffee and/or a meal is provided as part of the event, they shall not be required to record this on the Hospitality Record. However, if an employee is taken out for a meal this must be recorded on the Hospitality Record.

### **Reporting and recording**

The Administration Manager maintains a 'Hospitality Record' spreadsheet and each employee shall personally notify the Administration Manager in writing (usually email) of any gifts, rewards or entertainment received or offered from clients, public officials, suppliers or other business contacts as soon as reasonably practicable and in any event, no more than after the second working day.

The 'Hospitality Record' shall be open to inspection by an employee, County Association Officer or Member of NALC National Council at any reasonable time during office hours.

### **Offering hospitality**

Hospitality given by NALC's employees will be recorded via the Expenses Claim procedure. NALC will authorise only reasonable, appropriate and proportionate entertainment and promotional expenditure. If you have any doubt then please refer the matter to your manager in advance. You will be required to supply records and receipts, in accordance with NALC's Expenses Claim procedure.

Please note that alcohol can only be expensed if incurred as part of corporate hospitality and where staff have received prior authorisation from the CEO, or the Chairman in the case of the CEO. Authorisation will require an indication of cost and reason for the hospitality.

### **Reporting Suspected Bribery**

NALC depends on you, along with all other staff or associated persons of NALC, to ensure that the highest standards of ethical conduct are maintained in all of our business dealings. If you have any concerns about hospitality, gifts or potential breaches of this policy you are required to report these concerns to the Administration Manager or Chief Executive as soon as possible.

Employees who fail to declare the acceptance/decline of hospitality and gifts in accordance with this policy, or who otherwise breach this policy, may be subject to disciplinary action under NALC's Disciplinary Policy.

## **18 Expenses Policy**

### **General**

In the majority of cases in this policy, authority to approve travel and expense claims is vested in the Chief Executive on behalf of the Finance Committee. The Chief Executive may, if necessary, delegate this responsibility to a specific member or members of staff.

It is the policy of NALC to reimburse staff when additional expenditure over and above ordinary living costs is wholly, necessarily and exclusively incurred in the performance of the Associations business, provided the expenditure has been authorised, receipted and certified in accordance with this Policy.

### **Receipts**

A supporting receipt for any expense claimed must be attached to the claim form in all cases where these are normally obtainable. Unreceipted expenditure will not be reimbursed, except at the discretion of the Chief Executive. In such a case, a brief written explanation of why a receipt was not obtained must be submitted with the expense reimbursement form.

For items of expenditure below £2, a receipt should normally be obtained and submitted unless particular circumstances make that difficult to do. Systematic non-submission of receipts for small amounts would be cause for refusal of reimbursement.

Current expense reimbursement rate will be notified and updated by the Finance Committee at appropriate regular intervals, but in any event, not less than once a year.

It is important that all members of staff keep full records of expenses claimed and the reasons the expenses were incurred so that they can provide appropriate evidence, if requested, to the Inland Revenue. In respect of car travel, it is recommended that staff should keep a log showing where business journeys commenced and ceased and the number of miles travelled.

### **Travel**

All travel should be by public transport whenever possible.

All rail travel shall be by the cheapest standard class fare available. (Staff are encouraged to book rail fares in advance whenever possible; to make full use of any discounted rates).

Taxis shall only be used when essential (e.g. urgency, awkward hours, transport of baggage too dangerous to use public transport etc)

All air travel is to be by economy class and, if it exceeds the normal rail fare, must be approved in advance by the Chief Executive.

Travel by car will be reimbursed at the mileage rates agreed by the Association

### **Subsistence**

Authorised expenditure on meals and light refreshments, including reasonable drinks with meals, and for hotels where an overnight stay is required, will be reimbursed up to the limits set by the Association.

Any claim exceeding the maximum allowable costs will be reduced accordingly

### **Hotels**

The cost of hotel accommodation will be reimbursed when it can be clearly demonstrated that it is impossible or impracticable to attend the approved duty without staying over the previous night: for example where a staff members' journey would have to start from home before 5.45am.

### **Meals and light refreshments**

The cost of breakfast away from home may be claimed. This may be as part of a hotel bill or it may also be claimed if an unusually early start has to be made to reach a destination in time.

The cost of a meal will not be reimbursed when a meal is provided.

The cost of an evening meal may be claimed by staff members working after 7pm on Association business either at base or away.

### **Alcohol**

Alcohol can only be expensed if incurred as part of corporate hospitality and where staff have received prior authorisation from the CEO, or the Chairman in the case of the CEO. Authorisation will require an indication of cost and reason for the hospitality.

### **Postage & Telephone**

The cost of postage and telephone calls necessarily incurred on behalf of the Association may be claimed and will be reimbursed provided there is itemised billing evidence of the calls made.

### **Railcards**

The Association will reimburse the full cost of any rail card which reduces claimed travel costs. However, in cases where the Association has paid for such a card it must be utilised by the staff member when purchasing rail tickets.

### **Carer's Allowance**

A carer's allowance for actual expenditure incurred in the care of dependants while a member of staff is undertaking Association approved duties outside working hours will be reimbursed up to the hourly rate set by the Association. The allowance will not be payable to a member of the claimant's own household. The carer's additional

expenses [e.g. train fare] will also be paid provided prior authorisation is given by the Chief Executive.

### **Persons with Disabilities**

The Association appreciates that a staff member with a disability may not be able to comply with all of the requirements of this policy, and to insist upon compliance would be unfair and unreasonable. Any application for a dispensation from this policy for reasons of disability [e.g. a member is unable to use public transport due to disability] should be made to the Chief Executive, who will make a decision on the issue based on the circumstances of the staff member concerned. In exceptional circumstances, or in matters of dispute, the Chief Executive will refer the request for a dispensation to the Finance Committee for decision.

### **Miscellaneous**

There may well be other incidental expenses incurred by staff members that are not covered by these rules. All cases of doubt should be referred promptly to the Chief Executive, prior to incurring the expense.

### **Non-Reimbursable Expenses**

The following categories of expense will not be reimbursed:

Those claims not supported by fully documented receipts [NB that credit card slips do not count as documented receipts], unless exceptional approval has been given by the Chief Executive.

- Personal entertainment of any sort.
- Mini bar/bar bills
- Entertaining other Association staff, individuals or members unless authorised under the Association's corporate hospitality procedure.
- Habitual claims for unidentified small items of expenditure.
- Any claims in excess of the maximum limits set by the Association.

### **Submission & Payment of Expense Claims**

All claims must reach the Chief Executive within one month of being incurred.

If an individual fails to submit a claim for a particular item at this time and instead claims for it later, the Association may, at the discretion of the Chief Executive, refuse to reimburse the expenditure.

The Chief Executive or other designated officer will scrutinise all claims submitted. If satisfied that the claims are allowable, he will approve and pass them for payment. Any claims not approved by the Chief Executive will be notified to the individual concerned.

### **Claim Forms**

All claims must be submitted on the standard [NALC claim form](#).

## Motor Mileage Rates

Engine size	Rate per mile	
	First 40 miles	Thereafter
Up to 999cc	46.9 pence	13.7 pence
1000cc - 1199cc	52.2 pence	14.4 pence
1200cc and above	65 pence	16.4 pence

An additional allowance of 25% of the claimed amount will be paid where the car user carries a passenger on association business.

## Subsistence Rates

Claims for authorised and receipted expenditure up to the following maxima:

Short Day Rate	£10.00	1	Meal provided
(less than six hours away from base)	£15.00	2	Meal not provided
Full Day Rate	£20.00	3	Meal provided
(more than six hours away from base, not overnight)	£30.00	4	Meal not provided
24 Hour Rate	£160.00	5	
Or a combination of 1-5 as applicable.		6	

## **19 Disciplinary Procedure**

### **Purpose and Scope**

NALC aspires to achieve a working environment where all staff are working for the benefit of our aims and conduct themselves in a collegiate way. However, from time-to-time disputes can arise and this procedure sets out the actions which will be taken when the rules may have been breached. These procedures follow the Code of Practice set out by ACAS and it is important that they are understood and followed as closely as possible by both managers and employees.

### **Who does the procedure apply to?**

The disciplinary procedure applies to all staff who have completed their probationary period.

### **Principles**

Informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance.

No formal disciplinary action will be taken until the case has been fully investigated.

For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting.

Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.

At all stages of the procedure (i.e. formal hearings) the employee will have the right to be accompanied by a trade union representative, or work colleague. (*Carers, sign language interpreters, advocates or others will also be allowed to accompany any staff with a disability where relevant*).

No employee will be dismissed for first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

An employee will have the right to appeal against any disciplinary action.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

Recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.

### **Informal discussion or counselling**

Cases of suspected misconduct may initially be dealt with through informal discussion. If the informal approach does not bring about an improvement, or the misconduct is considered too serious, you will be given a clear notice of what action will be followed.

The informal approach should consist of a two way discussion between yourself and your manager to discuss the concerns and for your manager to better appreciate any difficulties that you are experiencing. Your manager will listen to your comments and will let you know what improvements or changes need to take place and the support that will be given to assist with this. The nature of informal discussions means that it is not usually appropriate for a companion to attend the meeting.

### **Preliminary enquiries**

When an allegation is made or, there is a suspicion of poor conduct, your manager may carry out preliminary enquiries in order to establish whether it is necessary to commence a formal process, such as the Disciplinary Procedure. It is important to note that conducting preliminary enquiries does NOT mean the Disciplinary process has started. It is simply to establish whether there appears to be a case to answer.

### **The Disciplinary Investigation**

In all circumstances the allegations will be investigated before any disciplinary action is taken against an employee. The investigation will be proportionate to the potential severity and the complexity of the allegations. In some situations it may be appropriate for the investigation to be undertaken at a disciplinary hearing itself. Other investigations may be based on available written evidence. The majority of investigations will be undertaken by an Investigator whose role is to establish the facts of the case as quickly as possible and prepare a report.

Where an allegation needs to be investigated in order to determine whether a disciplinary hearing should be convened, the Head of Service (in consultation with the Chief Executive) will appoint an Investigator who will be responsible for undertaking the disciplinary investigation. If the employee under investigation is a Head of Service, the Chief Executive will appoint the Investigator. If the employee under investigation is the Chief Executive, then the Chairman will appoint the Investigator. The Investigator will be appointed as soon as possible after the allegations have been made. The Investigator has no authority to take disciplinary action. The Investigator will submit the report to the Head of Service (or Chief Executive or Chairman if appropriate) who will decide whether a disciplinary hearing should be convened.

### **The Procedure**

#### **Stage 1 - First Warning for Misconduct**

If we have concerns about your conduct we will write to you explaining the concerns and invite you to a formal disciplinary hearing to discuss the concerns. This will give you an opportunity to give your perspective. You will have the right to be accompanied to the meeting as set out above.



Following a disciplinary hearing if your conduct has fallen beneath acceptable standards, a first written warning will be issued. This will be in writing and will;

- set out the nature of the misconduct and
- the change in behaviour required and
- the right of appeal.
- the warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change.

The warning will be taken into account should any further misconduct occur (whether for similar circumstances or not) within a specified period of time. While the warning will not remain active in relation to future disciplinary matters after the specified time (e.g. six months), a record of what has occurred will be kept and may be referred to if relevant.

### **Stage 2 - Final Written Warning**

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve attendance sufficiently during the currency of a prior warning, we will write to you again explaining the concerns and invite you to a formal disciplinary hearing to discuss the concerns. This will give you an opportunity to give your perspective. You will have the right to be accompanied to the meeting as set out above.

Following a disciplinary hearing if your conduct has fallen beneath acceptable standards, a final written warning may be issued. This will give details of;

- the complaint,
- the improvement required and the timescale.
- It will also warn that failure to improve may lead to dismissal and
- will refer to the right of appeal.

The warning will be taken into account should any further misconduct occur (whether for similar circumstances or not) within a specified period of time. While the warning will not remain active in relation to future disciplinary matters after the specified time (e.g. six months), a record of what has occurred will be kept and may be referred to if relevant.

### **Stage 3 - Dismissal**

If there is still further misconduct or a failure to improve attendance sufficiently we will write to you again explaining the concerns and invite you to a formal disciplinary hearing to discuss the concerns. This will give you an opportunity to give your perspective. You will have the right to be accompanied to the meeting as set out above.

Following a disciplinary hearing if your conduct remains beneath acceptable standards or if there has been insufficient improvement you may be dismissed. If you are dismissed you will be provided in writing with;

- reasons for dismissal,
- the date on which the employment will terminate, and
- the right of appeal

If you are accused of an act of gross misconduct, it is likely that you will be suspended from work on full pay while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the NALC is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

## **Suspension**

There may be instances where suspension with pay is necessary while investigations are carried out. NALC has the right to suspend with pay where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised before the disciplinary hearing, or if there is a potential risk to the business or other employees or third parties in allowing the employee to remain at work.

## **Appeals**

An employee who wishes to appeal against a disciplinary decision must do so in writing to the Chief Executive within five working days. The Chief Executive will either hear the appeal, or appoint another person or panel to hear the appeal.

## **Retaining records of disciplinary warnings**

A record of the disciplinary warning (and associated papers) will be kept on the personal file but disregarded for the purposes of supplying a reference after a specified period of time. However disciplinary warnings may be taken into account at any time in the future where relevant disciplinary matters arise.

## **Disciplinary rules**

The following is a list of the disciplinary rules. These are intended to set safe and efficient standards of performance and acceptable levels of conduct. This list is not to be regarded as exclusive or exhaustive. Acts of misconduct not falling within one of these rules may also give rise to disciplinary action.

### **Who do these rules apply to?**

These disciplinary rules apply to all employees regardless of their length of service or the length of their contract.

### **Misconduct**

The following is a list of examples of behaviour and conduct which is viewed as misconduct. They will normally lead to a disciplinary warning unless there are very exceptional mitigating circumstances. This list is not to be regarded as exclusive or exhaustive. Acts of misconduct not falling within one of these rules may also give rise to disciplinary action:

- Unsatisfactory timekeeping including repeated lateness, an unacceptable level of attendance or failure to follow absence reporting procedures.
- Absence without proper authorisation or reasonable cause.
- Unsatisfactory work performance. (Either repeated instances or poor work or one piece of very poor work).
- Failure to use safe working practices and / or observe the requirements of the Health and Safety Policy and associated procedures.
- Failure to carry out reasonable instructions.
- Unwillingness to work co-operatively and positively as a member of a team.
- Failure to preserve the dignity, respect and privacy of others or behaviour that would breach the harmony in the workplace.
- Breach of confidentiality - to an extent short of that specified under the relevant example given for Gross Misconduct.
- Placing inappropriate, derogatory or offensive comments on social networking sites, e.g. Facebook which affect NALC, its staff or member councils.
- Dishonesty - to an extent short of that specified under the relevant example given for Gross Misconduct.
- Behaviour liable to bring NALC into disrepute - to an extent just short of Gross Misconduct.
- Incapability at work brought on by the use of alcohol or drugs.
- Negligence resulting in minor loss, damage or injury to NALC, a fellow employee or member council.
- Impropriety or disorderly conduct whether within or outside working hours which NALC reasonably considers to be detrimental to or conflicting with the interest of NALC or its member councils.
- Failure to disclose a personal interest which conflicts with NALC or its clients.
- Unsatisfactory manner or / and appearance
- Any act or omission which, after investigation and due consideration to the individual circumstances is believed to amount to misconduct.

### **Gross Misconduct**

The following is a list of examples of behaviour and conduct which is viewed as extremely serious. They will normally lead to dismissal unless there are very exceptional mitigating circumstances. This list is not to be regarded as exclusive or exhaustive. Acts of gross misconduct not falling within one of these rules may also give rise to disciplinary action:

- Intentionally making false statements when incidents or accidents are being investigated, or when applying for employment or in connection with medical examination
- Negligence which potentially or actually results in serious loss, damage or injury
- Physical violence or bullying
- Theft or fraud of NALC resources whether attempted or actual
- Unauthorised possession of property belonging to NALC, a member council staff member or another team member.

- Behaviour inside or outside working time which is liable to bring NALC into disrepute.
  - Wilful disregard of duties or of instructions relating to employment.
  - Abandoning duty without permission.
  - Serious breach of trust or confidence relating to NALC or its clients affairs.
  - Serious incapability at work brought on by the use of alcohol or drugs.
  - Deliberately accessing internet sites containing pornographic, offensive or obscene material.
  - Action leading to the cautioning or conviction of an employee for an act relevant to the employment if it is decided that this makes an employee unsuitable for the type of work or unacceptable to NALC.
  - Serious infringement of any of NALC's policies and procedures including the Health and Safety Policy, Equal Opportunities Policy, and any policies regarding the use of information technology.
1. Any act or omission which, after investigation and due consideration to the individual circumstances is believed to amount to gross misconduct.

## **Grievance Procedure**

### **Purpose and Scope**

NALC aspires to achieve a working environment where all staff are working for the benefit of our aims and conduct themselves in a collegiate way. However, from time-to-time disputes can arise and this procedure sets out the actions which will be taken to resolve grievances quickly and effectively. These procedures follow the Code of Practice set out by ACAS and it is important that they are understood and followed as closely as possible by both managers and employees.

### **Dealing with Grievances Informally**

- If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

Guidance on raising a problem or complaint:

- Clearly define the issue (with examples where appropriate)
- Describe the impact that it is having on you and/or the role (again with examples) and
- Think about how the problem could be resolved / the resolution you seek

### **Formal Grievance**

- If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your manager, together with the resolution you seek.
- Where your grievance is against your manager and you feel unable to approach him or her you should talk to another more senior manager or the Chief Executive.

In the case of the Chief Executive the grievance should be raised with the Chairman.

### **Grievance Hearing**

- Your manager (or another manager) will arrange a meeting to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting. After the meeting you will be given a decision in writing, normally within 5 working days.

### **Appeals**

- If you wish to appeal against the outcome you must do so in writing to the Chief Executive (or Chairman if the decision was made by the CEO) within five working days. The Chief Executive (or Chairman) will either hear the appeal, or appoint another person or panel to hear the appeal. The appeal will be heard by someone who is unconnected with the original complaint. The person hearing the appeal will arrange to meet with you before making a decision. You will have the right to be accompanied at that meeting either by a trade union representative or a work colleague.

### **Performance Improvement Procedure**

#### **Purpose and Scope**

- This procedure is designed to help and encourage all employees to achieve and maintain standards of job performance which are acceptable to NALC. The aim is to ensure consistent and fair treatment for all in the organisation.

#### **Principles**

- Informal coaching and supervision will be considered, where appropriate, to improve performance.
- No formal warnings will be given until the causes of the poor performance have been considered.
- Where formal action (warnings) is being considered, you will be advised of the nature of the poor performance and will be given the opportunity to state your case, at a formal performance improvement meeting, before any decision is made.
- You will be provided, where appropriate, with copies of examples of poor performance in advance of a formal performance improvement meeting.
- At all formal stages of the procedure you will have the right to be accompanied by a trade union representative, or work colleague.
- You will have the right to appeal against any formal warnings issued.

#### **The Procedure**

##### **First stage of formal procedure - First written warning**

- If your manager is unhappy with your performance you will be invited to a formal meeting during which your performance will be discussed. The letter inviting you

to attend will give examples of what your manager considers to be poor performance; and advise you of your right to be accompanied at the meeting.

- At the meeting, you will be given the opportunity to respond; the causes of the poor performance will be considered; and where training and development is appropriate this will be considered.
- If your performance does not meet acceptable standards you will be issued with a first written warning for unsatisfactory performance. This will;
  - set out the performance problem
  - the improvement that is required
  - the timescales
  - any help that may be given
  - the right of appeal
- You will be advised that it constitutes the first stage of the formal procedure
- A record of the warning will be kept on your file. Providing that satisfactory improvement has been made and is being sustained, the warning will be disregarded after 9 months for the purposes of providing an employment reference. However the warning will be considered again in cases where the poor performance re-starts.

### **Second stage of formal procedure - Final written warning**

- You will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what your manager considers to be poor performance; and advise you of your right to be accompanied at the meeting.
- At the meeting, the progress made following the first meeting will be discussed, you will be given the opportunity to respond; and where training and development is appropriate this will be considered.
- If there is a failure to improve performance to a level which NALC deems to be satisfactory, a final written warning will be given to you. This will
  - set out the performance problem
  - the improvement that is required
  - the timescale
  - any help that may be given
  - the right of appeal
  - advise you that it constitutes the final written warning and will also warn that failure to improve may lead to dismissal
- A record of the warning will be kept on your file. Providing that satisfactory improvement has been made and is being sustained, the warning will be disregarded after 9 months for the purposes of providing an employment reference. However the warning will be considered again in situations where the poor performance re-starts.

### **Final stage of formal procedure - Dismissal**

- You will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what your manager considers to be poor performance; and advise you of your right to be accompanied at the meeting. The letter will also advise you that dismissal may be considered.
- At the meeting, the progress made following the second meeting will be discussed, and you will be given the opportunity to respond. If there is still a failure to improve performance to a level which is acceptable dismissal will be considered.
- If the decision to dismiss is taken, you will be provided in writing with
  - reasons for dismissal
  - the date on which the employment will terminate
  - the right of appeal

### **Appeals**

- If you wish to appeal against a formal warning or dismissal you must do so by writing to the Chief Executive within five working days. The Chief Executive will arrange for an appeal meeting to take place.
- You have the right to be accompanied at the appeal meeting by either a work colleague or a trade union representative.

## **20 Appraisals Process**

### **Introduction**

Appraisals provide NALC employees with a great opportunity to sit with their manager and receive feedback on their performance over the last year and to identify what their objectives should be for the coming year. It is an opportunity for employees to flag up changes in their workload, ensure the job description is up to date, to identify training or development that they want and to address any barriers that might be getting in the way of them doing their job more effectively. The Chief Executive will read every appraisal and report through to councillors on the Remuneration Panel.

Appraisals also provide the opportunity to reward good performance and the Remuneration Panel will review how that can be done, subject to NALC's budgetary position.

Appraisals will ensure that all NALC employees are performing to standards expected by NALC's Councillors want and set out in NALC's Strategic Plan. The Chief Executive's objectives, which are agreed with the Chairman and Vice-Chairmen, will then inform other employees' objectives too.

### **Process**

Employees must complete Part A of the [appraisal form](#) prior to their appraisal meeting. The appraiser will complete Part B during the appraisal and both parts will then be passed to the Chief Executive to complete the Chief Executive's comments section.

The appraisal timeline runs as follows:

- End of January: Chief Executive agrees appraisal time with Chairman
- End of February: Chief Executive agrees appraisal times with Heads of Service
- End of March: Heads of Service/ line managers agree all other appraisal times with their team

All completed appraisal forms should be returned to the Chief Executive before end of July.

A review of the targets set will be completed by the end of October and reported to the Remuneration Panel.

## **21 Staff Training & Development Policy**

### **Introduction**

NALC is fully committed to ensuring that all employees have the relevant knowledge, skills and expertise to perform their work to consistently high standards and to achieve their full potential. We recognise that the training and development of our employees is fundamental to the improvement of our operational performance and the achievement of our strategy and goals. NALC will therefore strive to make training



and development an integral part of our operations and to follow a continuous process of appraisal, training and development.

### **Workforce Development Plan**

NALC maintains a Workforce Development Plan at CMT level that is linked to service delivery plans and which provides the focus for the establishment of training and development priorities. The plan is reviewed every June in the light of appraisals and budget constraints. Training and development is designed to meet current NALC needs and those of the future, taking into account the individual needs of employees.

NALC has set a target of 3 days training (formal and informal) for every member of staff. Responsibility for training and development rests with all staff at NALC. The training and development budget is set through the Annual Budget setting process in Finance Committee.

This policy applies equally to all NALC employees irrespective of their employment status, function, grade or location. In accordance with NALC's Equal Opportunities Policy, all employees are treated equally in the provision of training and development opportunities and are provided with equal access to training and development opportunities relevant to their needs. Training and development provisions should take account of the full range of learning methods and should enable access to learning for all employees. The needs of part time employees need particular consideration.

### **Support for training**

Employees attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations.

When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as fulltime employees. Some training can be very expensive and NALC may require repayment of all or part of the costs incurred should an employee leave before a reasonable time period has expired.

In accordance with that policy, decisions about training will be based solely on merit, and the training needs of the employee and employer. The Chief Executive will be responsible for ensuring that these statements are upheld.

### **Responsibilities**

The Chief Executive has the following development and training responsibilities:

- To ensure that a periodic assessment of each employee's development and training needs is made by their line managers
- To develop and monitor NALC's training and development policy
- To manage the NALC training and development budget
- To develop and maintain the NALC training and development programme

- To ensure the NALC's training policy and programmes are operated in accordance with NALC's equal opportunities policy

Some of these responsibilities might be delegated to other NALC staff.

Line managers have the following training and development responsibilities:

- To identify and consider training and development as an integral part of the business planning process
- To ensure that the training and development needs of all staff are assessed and provided for in accordance with this policy
- To agree and identify appropriate and cost effective training and development solutions
- To evaluate the efficiency and effectiveness of training and development

All employees are responsible for:

- identifying their own training and development needs and bringing these to the attention of their line manager
- undertaking training and development activities which will enable them to perform their work efficiently and effectively
- managing their own learning and continuous professional development

## **Training and Development Programme**

### ***Identifying Needs***

Training and development will be provided only where needs exist. 'Needs' are areas of potential development in the knowledge, skills or attitudes required to perform current or future tasks. An employee or line manager can trigger the identification of training. In the majority of cases, training needs will be identified as part of the discussion process with in Staff Appraisals.

### ***Meeting Training and Development Needs***

Training and development needs can be met by the following method:-

- *On-the-job training* - including desk training, undertaking assignments and projects, coaching, job instruction and job rotation;
- *Off-the-job training - (internal)* - including internal courses and programmed instruction; and
- *Off-the-job training (external)* - including external courses, secondments, guided reading, distance learning, vocational and professional qualifications.

The most appropriate method for meeting training and development needs should be agreed by the line manager and employee, in consultation with the Chief Executive, if appropriate.

Employees will be encouraged to study for relevant qualifications, including National Vocational Qualifications and professional exams. Assistance will be given, where

appropriate, to employees studying for approved qualifications. The level and format of such assistance will be subject to discussion between the employee, their line manager and the Chief Executive as appropriate.

To ensure that the annual training budget is properly utilised, the following order of priority will be used as a guideline for assessing training needs:-

- Training necessary for the immediate safety of the individual, their colleagues and the working environment;
- Training necessary to perform a task for which the employee was recruited to undertake to an acceptable standard.
- Training which enables employee's to develop their performance in relation to the post to which they were recruited; and
- Training which provides employees with an opportunity to develop their wider role within NALC or local government service in general, from which NALC and the employee expect to derive a benefit in human resource planning and career progression terms.

### **Evaluating the Training Programme**

All training and development activities will be evaluated. In order to monitor the effectiveness of the training programme, line managers will ask members of staff to complete a questionnaire which will also prompt discussion with the member of staff on how newly acquired skills and knowledge can be utilised. Line managers will validate and evaluate training and development activities on an ongoing basis, to ensure their relevance and added value.

An annual review of the training programme, based on the information contained in the completed questionnaires, will be conducted by the Chief Executive in conjunction with Heads of Service at a CMT meeting.

## **22 Redundancy Policy**

### **Introduction**

The aim of this policy is to set out our position in relation to redundancy situations and to explain how we deal with potential and actual redundancies. This policy does not give contractual rights to individual employees. NALC reserves the right to alter this policy at any time although we will notify you in writing of any changes.

NALC places a high priority on maintaining job security for all its employees. However financial constraints, re-organisation, changes in working methods and external demands or other circumstances may result in the requirement to reduce

The redundancy policy will be followed in all instances subject to it complying with legal requirements.

### **Guiding Principles**

Wherever there is a risk of redundancy in the organisation, NALC will aim to:

- Develop strategies which reduce, avoid or limit the effects of compulsory redundancies
- Follow a genuine and meaningful consultation process
- Actively consider alternative employment
- Ensure that if redundancy occurs, it is handled in accordance with the law, including collective consultation where applicable
- Follow a transparent, fair and reasonable selection procedure

### **Selection for redundancy**

If NALC considers there may be a risk of redundancy, management will consider whether redundancy can be avoided by:

- Natural wastage
- Re-deployment
- Dismissal of temporary staff / subcontracted staff

Where appropriate, consideration will also be given to accepting voluntary redundancies. NALC however reserves the right to refuse request(s) in order to retain particular skills, knowledge or experience.

Should NALC need to reduce the number of staff undertaking the same role, selection will usually be undertaken by using selection criteria. Such selection criteria will be designed to ensure that NALC retains the knowledge, skills, experience and flexibility that it needs for the future. In the event that a single post is at risk of redundancy (or multiple posts that are not similar) selection criteria will not usually be relevant.

### **Consultation**

In the event there is a risk of redundancy identified, NALC will consult with staff to discuss any proposals, answer questions and gather views and suggestions before a final decision is made. The duration of consultation will be determined according to the complexity of the proposal and is likely to be more than two weeks and is unlikely to be more than four weeks.

Consultation will be individual rather than collective and NALC will consider representations made as part of the consultation process by directly affected staff and/or by staff representatives where applicable.

It must be recognised that it is the responsibility of NALC's management to make decisions about staffing structures and to manage its resources within budgetary limitations.

### **Statutory Redundancy Entitlement**

The law provides for redundancy payments for the loss of employment that is wholly or mainly attributable to redundancy. Statutory redundancy pay is only payable to staff who have reached 2 years' service and is calculated dependent on your salary\*, your length of service and your age as follows:

- ½ week's pay\* for each full year of service where your age was under 22
- 1 week's pay\* for each full year of service where your age was 22 or above, but under 41
- 1½ week's pay\* for each full year of service where your age was 41 or above

\*A week's pay for the purpose of statutory redundancy pay is subject to a statutory cap.

See <http://www.direct.gov.uk/redundancy.dsb> for further information on qualifying rules and latest statutory rates

## **Notice**

Entitlement to notice in the case of a redundancy dismissal is as stated in your contract of employment provided it is no less than the statutory notice which is one week for each year of service, with a minimum of one week's notice for each year of employment between two and 12 years.

It is usual that you are required to work out your notice period. However in some cases you may leave earlier and be paid in lieu of notice. This will be at NALC's discretion and will depend on the circumstances at the time.

Formal notice of redundancy will be confirmed in writing and will include the calculation for any payments due on termination (i.e. notice, holiday pay, statutory redundancy pay). During the notice period, you will be entitled to reasonable paid time off for alternative job search e.g. to attend interviews. This time off must be agreed in advance with your line manager.

## **Redeployment**

If a suitable role is available elsewhere in the organisation, you may be offered that role. Offers of alternative employment which are made in this way will include a statutory trial period of four weeks. This means that you will have four weeks in which to decide whether you regard the alternative employment to be suitable in terms of the type of work and place you are required to work from and as to the other terms and conditions relating to the new post, where these differed from the old post.

If at any stage during the trial period either party has concerns regarding the suitability of the trialled appointment and a decision is made to end the employment relationship on those grounds, then your right to redundancy payment is preserved. Where NALC believes that you have unreasonably refused a reasonable offer of alternative employment, you will lose your right to a redundancy pay.

## **Appeals**

You will be given an opportunity to appeal against your dismissal. The redundancy notice letter will confirm who the appeal should be lodged to and the timescales to appeal. This will normally be within 10 days of the notice letter. The appeal would normally be heard the Chief Executive (or Chairman or member of the Executive Committee). There is no further right of appeal.



## **23 Equality & Diversity Policy**

### **Our Commitment**

NALC is committed to providing equal opportunities in employment and service delivery and to avoiding unlawful discrimination. This policy is intended to assist NALC to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. NALC has a separate dignity at work policy, which deals with these issues.

### **Policy Statement**

The policy aims to achieve the five core values, which embrace and provide a framework within which all members and employees can work:

Equality	Recognition that everyone is of equal value and should be respected according to individual needs and abilities.
Equity	To be fair, reasonable and just in all NALC's activities.
Empowerment	Helping individuals take on responsibility so that they can influence and participate in the decision making process.
Accessibility	Equal access for all in employment and service delivery.
Quality	Obtaining the highest standards in service delivery.

### **The Law**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, being or becoming a transsexual person, pregnancy, maternity, race (which includes colour, caste, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

You should not discriminate against or harass a member of the public or member council staff, councilor in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

## **Types of Unlawful Discrimination**

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and ACAS) pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as service users.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.



## **Equal Opportunities in Employment**

NALC will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

### **Recruitment**

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

### **Working practices**

NALC will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if NALC considers it has good reasons, unrelated to any protected characteristic, for doing so. NALC will comply with its obligations in relation to statutory requests for contract variations. NALC will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

### **Equal Opportunities Monitoring**

NALC will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## **24 Dignity at Work**

NALC has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

Member councils, suppliers and other people not employed by NALC

NALC will not discriminate unlawfully against member councils using or seeking to use the services provided by NALC.

You should report any bullying or harassment by service users, suppliers, visitors or others to your manager who will take appropriate action.

### **Training**

NALC will provide guidance in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

NALC will provide guidance to all existing and new employees and others engaged to work at NALC to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. NALC will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

### **Your responsibilities**

It is the individual responsibility of every employee, irrespective of their position within NALC, to ensure that this policy is applied in practice, both in employment and in providing services to members. NALC is committed to the elimination of negative images and language in its informal and official communications, especially in the use of stereotyped views and material.

An additional responsibility falls on members and employees who have specific recruitment and HR management responsibilities.

Employees can be held personally liable as well as, or instead of, NALC for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or members are disciplinary offences and will be dealt with under NALC's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **Grievances**

If you consider that you may have been unlawfully discriminated against, you should use NALC's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

NALC will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

### **Monitoring and review**

This policy will be monitored periodically by NALC to judge its effectiveness and will be updated in accordance with changes in the law. In particular, NALC will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, NALC will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

## **25 Dignity at Work Policy**

### **Policy**

NALC is committed to having a workplace which is free from harassment and bullying and to ensure that all employees, contractors and, others who come into contact with us in the course of our work, are treated with dignity and respect.

This policy and procedure is intended to assist NALC to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is also an important aspect of ensuring equal opportunities in employment.

### **The Position on Bullying and Harassment**

We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We will take appropriate action if any of our employees or contractors are bullied or harassed by our stakeholders, member councils or suppliers.

If, after an investigation, we decide that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

### **What Type of Treatment amounts to Bullying or Harassment?**

‘Bullying’ or ‘harassment’ are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include:

- verbal abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation;
- lewd or suggestive comments;
- deliberate exclusion from conversations or work activities;
- withholding information a person needs in order to do their job;
- practical jokes, initiation ceremonies or inappropriate birthday rituals;
- physical abuse such as hitting, pushing or jostling;
- rifling through, hiding or damaging personal property;
- subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- abusing a position of power

Bullying does not include appropriate criticism of an employee’s behaviour or proper performance management.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

### **What you should do if you feel you are being Bullied or Harassed by a Stakeholder or Supplier (as opposed to a colleague):**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your manager in the first instance or, with the Administration Manager. We will then decide how best to deal with the situation, in consultation with you.

### **What you should do if you are being Bullied or Harassed by a Colleague:**

If you are being bullied or harassed by another employee or contractor, there are two possible avenues for you, informal or formal.

### **Informal Resolution**

If you are being bullied or harassed by another employee or contractor, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask your line manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

In either case, you can approach the Administration Manager for advice and support. Your request for help will be treated confidentially.

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own line manager, you should raise the issue with the Chief Executive (If you believe you are being bullied by the Chief Executive, you should raise the issue with the Chairman). The Chief Executive (or Chairman) will discuss with you the option of trying to resolve the situation informally by:

- telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a fellow employee;
- that such behaviour is contrary to our policy;
- that the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the Chief Executive (or Chairman) to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chief Executive (or Chairman) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

### **Raising a Formal Complaint**

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Chief Executive. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

The alleged perpetrator(s) would normally need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible.

Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to:

- transfer one of you;
- transfer both of you;
- send one of you home on full pay; or
- send both of you home on full pay.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a fellow worker or a trade union official.

After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal to a more senior manager if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with our decision. You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit an appeal, you will normally be invited to attend a meeting to consider it. We will write to you afterwards to confirm our final decision.

### **The Use of the Disciplinary Procedure**

If at any stage from the point at which a complaint is raised, we believe there is a case *to answer* and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

## **26 Alcohol, Drugs & Smoking**

### **Purpose and scope**

NALC is committed to ensuring the health, safety and welfare of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all employees and all persons coming onto the premises.

### **Policy**

#### **Alcohol**

NALC prohibits the drinking of alcohol by employees and contractors in the workplace or on business other than reasonable drinking of alcohol in moderation with Chief Executive approved at staff social events. Regards drinking to an "unreasonable level" as any of the following situations:

- The individual is over the legal limit stipulated for driving (i.e. 35mcg/100ml of breath alcohol concentration).
- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving.
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by a manager.

NALC will take all reasonable steps to prevent employees and contractors carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse.

#### **Drugs**

NALC expressly prohibits the use of any illegal drugs or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place during working time or at NALC events will be regarded as serious, will be investigated and may lead to disciplinary action and possible reporting to the police.

No employee or other person working for NALC shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render him/her unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol while on duty unless, in the case of alcohol, with the agreement of management for the purposes of approved social functions;
- store drugs or alcohol in personal areas such as desk drawers; or

- attempt to sell or give drugs or alcohol to any other employee or other person on the company premises.

Employees must inform the line manager regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used while at work.

### **Smoking and vaping**

In conjunction with the law, smoking (including the use of smoking aids such as electronic cigarettes) is prohibited in all enclosed and substantially enclosed premises in the workplace. This policy applies to all employees, consultants, contractors, customers or members and visitors.

### **Support for dependency**

Any employee suffering from drug or alcohol dependency should declare such dependency, and NALC will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.)



## **SECTION 4 - GOVERNANCE**

### **27 Data Protection Policy and Code of Practice**

#### **Introduction**

This policy will cover how information relating to NALC staff, and individuals, who are members of NALC, is gathered, used and stored.

The document is divided into two sections:

Section 1 - The Data Protection Act - Requirements for processing personal data

Section 2 - Guidance for NALC staff

Note that processing data includes gathering, obtaining, using and storing data.

#### **Policy Statement**

NALC recognise its responsibilities under Data Protection legislation and will seek to put in place arrangements which ensure compliance with its obligations. In particular the National Council will ensure arrangements are in place to enable this Policy and accompanying guidance to be kept up to date and brought to the attention of all staff, including temporary staff, agency workers, contractors and volunteers working on behalf of NALC.

Note that this policy and accompanying guidance applies equally to all permanent and temporary staff, agency workers, contractors and volunteers working on behalf of NALC.

#### **Implementing the Policy**

All staff are expected to familiarise themselves with this policy. All new staff will be issued with a copy as part of the induction process.

#### **• Requirements for Processing Personal Data**

##### **Data Principles (Schedule 1 of the Act)**

Anyone processing personal data on behalf of NALC must comply with the eight enforceable principles of good practice contained within the Data Protection Act 1998. The Act contains eight basic principles, which state that personal data must:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and not excessive for those purposes
- Be accurate and kept up to date
- Not be kept for longer than is necessary for that purpose
- Be processed in accordance with the data subject's rights

- Be kept safe from unauthorised access, accidental loss or destruction
- Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data

Personal data covers both facts and opinions about the individual. It also includes information regarding the intentions of the data controller towards the individual.

### **What is Personal Data?**

Personal data is *information about a living individual, who is identifiable by the information, or who could be identified by the information combined with other data*, which NALC has or may have in the future. This includes names and addresses, client attendance records, ethnic origin, qualifications and experience, details about staff sickness and annual leave, dates of birth or marital status. Furthermore, any recorded *opinion about or intentions regarding a person* are also personal data; and this includes both client reports and staff reviews or appraisal reports.

The Act covers ALL personal data processed by NALC, irrespective of whether these are held by individual members of staff in their own separate files or in departmental records systems.

The Act distinguishes between *ordinary* personal data such as name, address and telephone number and *sensitive* personal data. Under the Act the processing of sensitive data is subject to much stricter conditions. Sensitive data is data relating to:

- The racial or ethnic origin of the data subject;
- His/her political opinions;
- His/her religious beliefs or other beliefs of a similar nature;
- Whether s/he is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992);
- His/her physical or mental health or condition;
- His/her sexual life;
- The commission or alleged commission by him/her of any offence; or
- Any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings.

### **Conditions for Processing Sensitive Data (Schedule 3 of the Act)**

The processing of sensitive personal data must comply with at least one of the following conditions, in addition to one of the conditions for processing in Schedule 1 (which apply to the processing of all personal data)

The data subject has given his explicit consent to the processing of the personal data

The processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed by law on the data controller in connection with employment (e.g. criminal records and other checks in relation to the employment or prospective employment of people working with children.)

## **Conditions for Processing Ordinary Data (Schedule 2 of the Act)**

The data subject has given his consent to the processing

The processing is necessary

- For the performance of a contract to which the data subject is a party, or
- For the taking of steps at the request of the data subject with a view to entering into a contract.

The processing is necessary for compliance with any legal obligation to which the data controller is subject, other than an obligation imposed by contract

The processing is necessary in order to protect the vital interests of the data subject

The processing is necessary

- For the administration of justice,
- For the exercise of any functions conferred on any person by or under any enactment,
- For the exercise of any functions of the Crown, a Minister of the Crown or a government department, or,
- For the exercise of any other functions of a public nature exercised in the public interest by any person.

The processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted (that is it will prejudice the rights and freedoms or legitimate interests of the data subject).

## **Section 2 – Guidance for NALC Staff**

### **Introduction**

As an employee you have both rights and obligations under Data Protection legislation. Reading this policy and guidance will help you understand some of these rights and obligations. If you have any queries about these you should contact your manager. The guidance provided in this section is of a general nature and will act as a framework.

### **Obtaining Information**

Whenever you need to collect personal information on behalf of NALC, including sensitive personal information ask yourself:

- Exactly what will the information will be used for? Is it for a legitimate purpose?
- Exactly what information do we need to fulfil this purpose?
- Who needs to have access to this information?
- What processes do we need in place for collecting the data?
- What systems are there for ensuring only legitimate access?
- How do I need to store the information to ensure it is Secure?

- Does the existing guidance cover the information I am gathering or do I need to alert the Chief Executive?

### **Retention of Data**

It is not in the interest either of data subjects or of NALC to retain unnecessary or duplicative information. NALC does, however, retain some data relating to former staff partly in order to comply with statutory requirements but also as a way of maintaining a complete historical record. Nonetheless, it is NALC's policy to discourage the retention of personal data within files for longer than it is needed (see appendix).

### **Access to Data**

Staff, clients and others in contact with NALC will on most occasions have the right to access personal data that is being kept about them either on computer or in manual files. This will normally be provided by way of time to view the data held and to have copies of the personal data or a report of the data held, depending on the type and format of the original data. Any person who wishes to exercise this right should make a written request to the Administration Manager. NALC reserves the right to levy a charge of £10 on each occasion that access is requested to cover the administrative time and cost of making photocopies.

NALC aims to comply with requests for access to personal information from data subjects as quickly as possible, but will ensure that it is provided within 40 days from the date of the request.

### **Storing Information and Security of Data**

All staff must ensure that:

- Any personal data which they hold are kept secure and stored in line with NALC's policies
- Personal information is not disclosed either orally or in writing, intentionally or otherwise to any unauthorised third party

Staff should note that unauthorised disclosure may be a disciplinary matter, and could be considered gross misconduct in certain cases.

Additionally, staff must ensure that, where a third party processes data on NALC's behalf (a partner organisation, for example) there is a written contract between the parties which specifies that the processor agrees to act on NALC's instructions and to abide by the provisions of the Act in connection with data security.

Staff should make reasonable efforts to ensure that all personal information is kept securely but should pay particular attention to the security of sensitive data. All personal data should be accessible only by those who need to use it and sensitive data must be either;

- kept in a lockable room with controlled access, *or*
- kept in a locked filing cabinet, *or*

- kept in a locked drawer, *or*
- if computerised, be password protected, *or*
- kept only on disks which are themselves kept securely

Staff need to take appropriate security precautions in respect of day-to-day PC usage. Care must be taken to ensure that PCs and terminals are not visible except to authorised staff and that computer passwords are used and kept confidential. Screens should not be left unattended when personal data is being processed and manual records should not be left where they can be accessed by unauthorised staff. When manual records are no longer required, they should be shredded or securely archived; and the hard drives of redundant PCs should be wiped clean.

Off-site use of personal data presents a potentially greater risk of loss, theft or damage to personal data; and the institutional and personal liability that may accrue from the off-site use of personal data is similarly increased. Staff should take particular care when laptop computers or personal machines are used to process personal data at home or in other locations outside NALC; and staff should also be aware that this policy and guidance and their responsibilities under it apply when data is processed under such circumstances. Downloading personal data onto a laptop, personal computer, phone, or data stick is strictly forbidden without the permission of the Chief Executive. Encrypted data sticks with password protection, must be used if personal data is held on them. All computers must be password protected. Passwords should be at least 8 characters with a combination of upper and lower case letters, numbers and keyboard symbols.

Paper records taken off site must be kept to an absolute minimum, held securely and returned as soon as possible. Leaving files on the seats of a locked car is considered a security breach.

A breach of this policy will usually result in disciplinary action which may include dismissal.

### **Publication of NALC's Information**

It is NALC's policy to make as much information public as possible; in particular the following information may be available publicly:

- lists of staff
- names and work contact information of staff
- business e-mail addresses

It is of course a condition of employment that staff consent to the processing of their personal data.

## **28 Whistle-blowing Policy and Procedure**

### **Policy**

It is important to NALC that any fraud, misconduct or wrongdoing by staff or others working on behalf of NALC is reported and properly dealt with. NALC therefore requires all individuals to raise any concerns that they may have about the conduct of others in the organisation or the way in which the organisation is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

### **Background**

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is NALC's responsibility to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

NALC encourages workers to raise their concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your line manager or the Administration Manager or the Chief Executive. If you wish to raise a qualifying disclosure relating to the acts or omissions of the Chief Executive, you should raise the matter with the Chairman of the National Council.

### **Principles**

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of NALC should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

No employee or other person working on behalf of NALC will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure NALC's disciplinary procedure will be used, in addition to any appropriate external measures.

Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Chief Executive or the Chairman of the National Council.

## **Procedure**

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If you are concerned that your own contract has been, or is likely to be, broken, you should use NALC's Grievance Procedure.

### **Stage 1**

In the first instance, any concerns should be raised with your line manager. If you believe your line manager to be involved, or for any reason do not wish to approach your line manager, then you should proceed straight to stage 3.

### **Stage 2**

Your line manager will arrange an investigation of the matter (either by investigating the matter themselves or immediately passing the issue to someone in a more senior position). The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained. Your line manager (or the person who carried out the investigation) will then report to the Chief Executive who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If there is a potential case for disciplinary action, your line manager (or the person who carried out the investigation) will report the matter to the HR Advisers – for advice – and start the disciplinary procedure. On conclusion of any investigation, you will be told the outcome of the

investigation and what has been done, or what will be done about it. If no action is to be taken, the reason for this will be explained.

### **Stage 3**

If you are concerned that your line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the appropriate person as set out in the Escalation Table at the end of this document. This person will arrange for a review of the investigation to be carried out, make any necessary enquiries and make their own report to the next person in the Escalation Table. Any approach to the more senior person will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

### **Stage 4**

If on conclusion of stages 1, 2 and 3 you reasonably believe that the appropriate action has not been taken, you should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- The Comptroller and Auditor General
- HM Revenue & Customs;
- the Financial Conduct Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions; and
- the Serious Fraud Office;
- the Charity Commission
- Information Commissioner.

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/360074/bis-14-1077-blowing-the-whistle-to-a-prescribed-person-the-prescribed-persons-list-v2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/360074/bis-14-1077-blowing-the-whistle-to-a-prescribed-person-the-prescribed-persons-list-v2.pdf)

### **Escalation Table**

Line Manager — Chief Executive — Chairman of the National Council



## **29 Health & Safety Policy**

### **Introduction**

NALC is concerned for the health, safety and welfare of its staff at work and will observe the terms of the Health and Safety at Work Act 1974 (the “HSA”) and the terms of regulations made under it from time to time. As required NALC wishes to make the following statement of its general policy.

As far as is reasonably practicable, we will provide and maintain premises and systems of work, which do not impair the health of members of staff. Such information, instruction, training and supervision will be given as is reasonably practicable and necessary to the health of members of the staff at work.

### **The Organisation’s Responsibilities**

As far as is reasonably practicable we will continue to review all measures which are necessary to protect the safety of all officers. The Chief Executive has overall and final responsibility for health and safety within the workplace and the Head of Finance and Administration and Administration Manager have day-to-day responsibility for ensuring that the policy is implemented.

All officers are responsible for implementing good health and safety practises to ensure, as far as is reasonably practicable, their own safety at work and that of colleagues.

### **Your Responsibilities**

You should be aware of Sections 7 and 8 of the HSA, which state:

*“While they are at work, all officers have a duty to take reasonable care of their own health and safety, and safety of anyone else who may be affected by their actions or omissions.*

*All officers must co-operate with their employer and anyone else concerned so that their obligations (and any other relevant statutory provisions) are complied with.*

*You must not intentionally or recklessly interfere with or misuse anything provided in the interests of health and safety in accordance with the terms of the ‘HSA’ (and other relevant statutory provisions).*

*You should note that it is an offence under the Act for an officer to fail to discharge the above duties.”*

### **First Aid**

In the event of a medical emergency of any nature, you must contact a qualified First Aider. A list of First Aiders can be found in the Administration office.

## **First Aid boxes**

The contents of the First Aid box will be reviewed on an ad hoc basis to ensure that there are sufficient quantities to comply with health and safety requirements. Another First Aid box can be found.

If the First Aider in attendance advises the removal of the casualty to hospital, the 'Emergency' procedure in Section 5 should be followed.

## **Locations**

- by the Reception desk
- in the Policy and Development office
- in the Legal office

## **Slips, Trips and Falls**

Slips, trips and falls are the most common causes of injury at work.

Under the Management of Health and Safety at Work Regulations 1999, NALC is obliged to assess slip and trip risks and take action to address them. The floors, staircases and doors are cleaned on a regular basis by the cleaners and standards are monitored by the Administration Manager. Officers are provided with training on how to take preventative measures against slips, trips and falls.

Heads of Service have a duty to maintain reasonable housekeeping standards in their areas. Under the HSA, all officers have a legal obligation to take reasonable care for the health and safety of themselves and others in the workplace. All officers must therefore take responsibility for preventing slips, trips and falls in the workplace. Officers must:

- Report any slips, trips and falls or near misses to the Administration Manager.
- Clean up any spillages immediately.
- Report any defective flooring, equipment etc. to the Administration Manager.
- Ensure that there are no trailing cables from electrical equipment.
- Ensure that deliveries do not block staircases or hallways.
- Remove any identified trip hazards.

## **Accident and near miss Reporting Procedure**

The main objectives of the accident reporting procedure are to provide adequate information to:

- Ensure legislative compliance
- Enable prompt preventative and remedial action
- Assist in the monitoring of safety policy implementation
- Assist in decision-making, planning and resource allocation

Every officer must report any accident. Accidents should be reported orally or in writing as soon as is practicable after the event. You (or someone acting on your behalf) must provide the Administration Manager with all the particulars.

The organisation is required to maintain an accident book. The Administration Manager holds one in the general office. An entry in the accident book is official notification that an accident has occurred.

A 'near miss' is an unplanned event that did not result in injury, illness or damage but had the potential to do so.

The main objective of recording any near misses is to ensure that preventative steps are taken quickly thus avoiding any further potential for accidents.

Examples of near misses may include:

- Spillages causing slips that do not result in human injury.
- Objects falling from height that do not result in human injury.
- Trailing cables or defective flooring/equipment that do not result in human injury.
- Obstructions in corridors or staircases that do not result in human injury.

This list is not exhaustive and when officers determine that a near miss has occurred they must report it immediately to the Administration Manager.

### **Fire Action Procedure**

In the event of a fire being located in the building, remember regardless of how big or small it is, the Administration Manager (or their designated officer) is obliged to call the emergency services.

If an officer discovers a fire, an immediate reaction might be to fight it, but this might not be the safest thing to do. Only officers who have received practical training in fire extinguisher usage should attempt to fight a fire with an extinguisher. If the fire is larger than the size of an average waste paper bin, do not attempt to extinguish it. Regardless of the size of the fire, an officer **MUST** raise the alarm as even small fires can soon get out of control causing danger to life.

Once the alarm has been raised, officers should evacuate the building via the nearest fire exit and make their way to the designated assembly point on Adeline Place. Officers should not run, stop to collect personal belongings or use lifts when exiting the building. Please read the [NALC Fire Evacuation Plan](#) which clearly outlines your responsibilities in the event of a fire.

### **Personal Emergency Evacuation Plan (Peep)**

Where officers may need assistance to evacuate the building in an emergency, e.g. if they are disabled or pregnant, NALC will issue a Personal Emergency Evacuation Plan (PEEP) to the officer concerned. The plan must be tailored to the officer's individual needs and may include some adaptation to their usual working arrangements in order

to facilitate their escape e.g. working on the ground floor. The Administration Manager will carry out a risk assessment for new and expectant mothers which allows the officer to discuss with NALC what their PEEP requirements are, if any.

The Administration Manager will identify who will assist in providing any help that the officer requires and agree with them that they will help. The PEEP will then be written up in conjunction with the officer concerned. If the PEEP is for an officer with more permanent requirements (e.g. wheelchair user), the PEEP should be reviewed regularly as appropriate.

## **Emergency**

Never Panic! In the event that the emergency services are required, this call should be made by set individual(s) who are Administration Manager or the Duty Receptionist. If an emergency occurs on another floor and an officer in another department would prefer to contact the emergency services, the officer making the call must let the Administration Manager and the Duty Receptionist know.

The following details should be reported to the emergency services:

- Which Service      You will be asked to state which service is required
- Location            109 Great Russell Street
  - London
  - WC1B 3LD
- State the exact location of the fire or the injured person within the building
- Telephone    020 7637 1865
- Nature            Clearly explain to the controller what the problem is. The controller will guide you through a set of questions and will decide what action is required.
- Arrival            Once you have completed the call, please ensure that somebody is at the door to meet the emergency services when they arrive and direct them to the location.

## **Workstation Ergonomics**

All officers have undergone workstation assessments to ascertain whether the workstation

setup and display screen equipment usage is causing discomfort and to encourage good ergonomic practise during desk-based work. A Display Screen Equipment checklist is in place to ensure that any problems which the officer may have can be identified and addressed. The Administration Manager is responsible for implementing any necessary improvements and reviewing the workstation assessment once remedial work has been carried out. Officers also receive guidance on good workstation ergonomics through their overall Health and Safety training.

Examples of good workstation ergonomics include:

- Take regular breaks from using Display Screen Equipment (at least once an hour).
- Adjust the chair back height to give support to the small of your back.
- Ensure your feet are flat on the floor or supported by a foot rest.
- Wrists should be in a relaxed neutral position above the keyboard.
- Maintain relaxed shoulders and elbows at right angles.
- Position your mouse close to the side of the keyboard and within easy reach.
- Screen viewing distance should be approximately arm's length.
- Eyes should be level with the top of the computer monitor.

Officers are responsible for reporting any aches/pains caused by their workstation/display screen equipment to the Administration Manager and their GP. 'Staying Safe at your Desk' signs are also displayed around the office for officer reference.

### **30 Stress at Work**

The Health & Safety Executive defines stress as 'the adverse reaction people have to excessive pressure or other types of demand placed on them', which if left unaddressed can cause physical and mental ill health. NALC is committed to protecting the welfare of its officers and acknowledges the importance of identifying and reducing workplace stressors.

Heads of Service and line managers monitor officers' work and hold meetings with their team members on a regular basis. Work plans and work objectives are also discussed and agreed with staff at their annual appraisals. Officers are encouraged to raise any issues of concern with their line manager/Head of Service where these might have a detrimental impact on their work. They should also seek to implement appropriate solutions and coping strategies when affected by stress.

### **31 Eye Test Policy**

Officers are responsible for ensuring that they have their eyes tested on a regular basis. NALC will reimburse the cost of officers' eye tests and (where necessary) spectacles that are prescribed for VDU use only, on the provision of receipts.

### **32 Manual Handling**

Under the Manual Handling Operations Regulations 1992 (MOHR), manual handling is interpreted as the transporting or supporting of any load. Poor lifting and carrying techniques may result in discomfort and increase the risk of personal injury.

All officers are provided with guidance on appropriate manual handling techniques as part of their overall Health and Safety training and must comply with this instruction when carrying out any manual handling duties. Officers must ensure that they report to the Administration Manager any personal conditions which may be affected by manual handling activities.

Examples of good manual handling techniques include:

- Think before lifting/handling – *plan the lift. Will help be needed with the load?*
- Adopt a stable position – *feet should be apart with one leg slightly forward to maintain balance.*
- Get a good hold – *where possible, the load should be hugged as close as possible to the body.*
- Start in a good posture – *at the start of the lift, slight bending of the back, hips and knees is preferable to fully bending the back.*
- Avoid twisting the back or leaning sideways.
- Keep the head up when handling and move smoothly.
- Don't lift or handle more than can easily be managed.

Before attempting any manual handling activity, the tasks, load, individual, environment and any other relevant factors should be taken into account. If an officer considers that carrying out a manual handling activity alone would pose an

unacceptable level of risk, they must seek help. Officers must always use trays when transporting containers of tea/coffee to avoid scalds and burns.

### **Electrical Equipment**

All portable electrical appliances are tested annually by a qualified electrician. Heads of Service are responsible for visually checking electrical equipment in their area every 3 months and reporting any problems to the Administration Manager. The Administration Manager is responsible for checking all other areas every 3 months.

If officers become aware of any defective plugs, cables or electrical equipment, they must immediately stop using them and notify the Administration Manager.

## Appendix 1 – Retention of Personal Data and Other Related Records Guidance

### Statutory Retention Periods

Record	Statutory retention period	Statutory authority
Accident books, accident records/reports	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos)	The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) (SI 1995/3163) as amended, and Limitation Act 1980. Special rules apply concerning incidents involving hazardous substances (see below).
Accounting records	3 years for private companies, 6 years for public limited companies	Section 221 of the Companies Act 1985 as modified by the Companies Acts 1989 and 2006
Income tax and NI returns, income tax records and correspondence with the Inland Revenue	not less than 3 years after the end of the financial year to which they relate	The Income Tax (Employments) Regulations 1993 (SI 1993/744) as amended, for example by The Income Tax (Employments) (Amendment No. 6) Regulations 1996 (SI 1996/2631)
Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (Sis 1999/ 437 and 2002/2677)



Medical records under the Control of Asbestos at Work Regulations 1987 and 1998 medical records containing details of employees exposed to asbestos medical examination certificates	40 years from the date of the last entry 4 years from the date of issue	The Control of Asbestos at Work Regulations 2002 (SI 2002/ 2675). Also see the Control of Asbestos Regulations 2006 (SI 2006/2739) and the Control of Asbestos Regulations 2012 (SI 2012/632)
Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out	The Control of Substances Hazardous to Health Regulations 1999 and 2002 (COSHH) (SIs 1999/437 and 2002/2677)
Retirement Benefits Schemes – records of notifiable events, for example, relating to incapacity	6 years from the end of the scheme year in which the event took place	The Retirement Benefits Schemes (Information Powers) Regulations 1995 (SI 1995/3103)
Statutory Maternity Pay records, calculations, certificates (Mat B1s) or other medical evidence	3 years after the end of the tax year in which the maternity period ends	The Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960) as amended
Statutory Sick Pay records, calculations, certificates, self-certificates	3 years after the end of the tax year to which they relate	The Statutory Sick Pay (General) Regulations 1982 (SI 1982/894)
Wage/salary records (also overtime, bonuses, expenses)	6 years	Taxes Management Act 1970
National minimum wage records	3 years after the end of the pay reference period following the one that the records cover	National Minimum Wage Act 1998
Records relating to working time	2 years from date on which they were made	The Working Time Regulations 1998 (SI 1998/1833)

## Appendix 2 - Recommended retention periods - where no statutory periods exist

Record	Recommended retention period
Actuarial valuation reports	Permanently
Application forms and interview notes (for unsuccessful candidates)	6 months to a year. (Because of the time limits in the various discrimination Acts, minimum retention periods for records relating to advertising of vacancies and job applications should be at least 6 months. A year may be more advisable as the time limits for bringing claims can be extended. Successful job applicants documents will be transferred to the personnel file in any event.
Assessments under Health and Safety Regulations and records of consultations with safety representatives and committees	Permanently
Inland Revenue approvals	Permanently
Money purchase details	6 years after transfer or value taken
Parental leave	5 years from birth/adoption of the child or 18 years if the child receives a disability allowance
Pension scheme investment policies	12 years from the ending of any benefit payable under the policy
Pensioners' records	12 years after benefit ceases
Personnel files and training records (including disciplinary records and working time records)	6 years after employment ceases

Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of redundancy.
senior executives' records (that is, those on a senior management team or their equivalents)	permanently for historical purposes
Statutory Sick Pay records, calculations, certificates, self-certificates	The Statutory Sick Pay (Maintenance of Records) (Revocation) Regulations 2014 (SI 2014/55) abolished the former obligation on employers to keep these records. Although there is no longer a specific statutory retention period, employers still have to keep sickness records to best suit their business needs. It is advisable to keep records for at least 3 months after the end of the period of sick leave in case of a disability discrimination claim. However, if there were to be a contractual claim for breach of an employment contract it may be safer to keep records for 6 years after the employment ceases.
Time cards	2 years after audit
Trade union agreements	10 years after ceasing to be effective
Trust deeds and rules	Permanently
Trustees' minute books	Permanently
Works council minutes	Permanently

COMMUNICATIONS KEY PERFORMANCE INDICATORS															TOTAL
TOPICS	ITEM		Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	
Website	Users		13,060	13,400	14,632	12,815	14,264	10,627	10,652	10,579	10,513	15,792	17,496	23,614	167,444
	Page views		53,531	54,175	57,021	51,244	61,561	46,080	45,928	41,591	41,741	49,145	61,210	45,721	608,948
	Sessions		20,998	21,423	23,257	20,220	23,147	17,054	17,321	16,790	16,508	23,786	28,166	29,348	258,018
	Returning users		4,692	4,936	5,298	4,686	5,324	4,226	4,209	4,059	4,032	3,800			45,262
Social Media	Twitter	Followers	5,372	5,399	5,430	5,441	5,442	5,454	5,466	5,473	5,582	5,590	5,593	5,593	221
		Tweets	65	188	274	222	104	185	114	162	201	221	264	168	2,168
		Tweet impressions	32,800	42,200	66,300	55,100	66,400	59,900	49,100	30,200	27,700	36,800	49,300	30,900	546,700
		Profile visits	1,036	1,750	4,026	2,477	886	1,085	1,410						12,670
		Mentions	83	231	261	269	142	280	259	259	146	236	231	140	2,537
	Facebook	Total page likes	1,688	1,706	1,731	1,852	2,098	2,123	2,132	2,151	2,177	2,189	2,198	2,207	519
		Total posts	129	187	204	216	227	232	191	181	182	196	184	178	2,307
		Total page reach	4,259	3,159	4,848	3,566	3,041	2,984	2,730	3,001	1,312	4,142	4,075	2,411	39,528

CORPORATE PERFORMANCE MANAGEMENT DASHBOARD

FINANCE AND ADMINISTRATION

		Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Finance	Invoices Paid	37	45	39	53	51	51	37	58	31	41	38	60
	Average Days to Pay Invoices	1	2	5	4	5	4	6	3	5	5	6	3
	Invoices Raised	46	37	24	60	25	18	37	26	98	26	20	38
Telephone	Public Enquiries	3	8	5	4	3	6	9	12	7	8	10	7
	Councillor Enquiries	9	10	13	18	15	17	14	25	14	18	26	12
	Council Enquiry	38	36	40	42	45	49	54	57	46	51	68	43
	CALC Enquiry	1	3	4	4	2	3	3	4	2	2	5	3
	Press Enquiries	0	2	1	0	1	0	0	3	0	0	1	1
	Calls to switchboard from others	2	5	3	5	4	6	5	6	3	5	7	4
Email	Number of enquiries to nalc@nalc.gov.uk	256	260	287	298	308	301	297	294	307	288	293	230
	Average response days for enquiries to nalc@nalc.gov.uk	2	2	2	2	2	2	2	2	2	2	2	2
Committees	Committee Papers Issued	1	1	2	1	0	3	2	2	3	4	2	4
	Committee Papers Issued late / incomplete	0	0	1	0	0	1	0	0	0	0	0	0
Publications	Compliments												
	Complaints												
	Published, Articles, blog posts etc												
	Conference/event presentations delivered												
	Good Councillors Guides (sold)	16,359	16,994	17,175	18,067	18,368	18,578	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!
	Good Councillors Guide to Employment (sold)	2,221	2,221	2,221	2,221	2,721	2,921	2,921	2,971	2,971	2,971	2,971	2,971
	Local Councils Explained (sold)	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!	Sold Out!
	Good Councillors Guide to Finance & Transparency - 2018	156	2,104	2,104	2,254	2,314	2,342	2,392	2,392	2,429	2,429	2,429	2,429
	Good Councillors Guide to Neighbourhood Planning	441	441	441	466	466	466	466	466	466	466	466	466
Job Adverts	Job Adverts published	12	8	12	14	10	9	18	10	11	10	19	5

Legal Log Month by Month from 2003 to date

County	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
<b>Audit Queries</b>	4	3	3	2	2	1	4	1	3	4	5	0
<b>Telephone Enquiries / Other advice given</b>	59	58	68	73	46	45	48	37	22	58	49	31
Avon	0	0	0	0	0	0	1	0	0	1	2	0
Bedfordshire	0	1	0	0	0	1	2	2	0	0	0	0
Berkshire	0	0	0	0	0	0	0	0	0	0	0	0
Buckinghamshire	0	1	0	1	0	2	0	0	0	0	0	0
Cambridgeshire	1	3	1	2	0	1	3	1	1	3	2	0
Cheshire	0	0	0	0	0	0	0	0	0	0	1	0
Cleveland	0	0	0	1	0	0	0	1	0	0	1	0
Cornwall	0	0	0	0	0	0	0	2	1	0	0	0
Cumbria	0	0	1	0	0	0	0	0	0	2	1	0
Derbyshire	2	1	1	0	2	0	1	0	0	1	1	0
Devon	0	1	0	0	1	3	2	1	0	5	1	0
Dorset	0	0	0	1	0	0	0	0	0	1	1	0
Durham	0	1	0	0	0	1	0	0	1	0	1	0
ERNLLCA	0	1	0	1	0	0	0	1	0	0	1	0
Essex	2	1	1	1	0	1	1	1	0	1	1	0
Gloucestershire	0	1	0	0	0	0	0	0	0	0	1	0
Hampshire	0	0	0	0	0	0	0	0	0	0	0	0
Herefordshire	0	0	0	0	0	0	0	0	1	2	0	1
Hertfordshire	0	0	0	1	0	0	0	0	0	0	0	0
IOW	0	0	0	1	1	0	0	0	1	0	0	0
Kent	1	0	0	0	0	0	1	0	0	0	0	0
Lancashire	0	0	0	1	0	0	1	0	0	0	0	0
Leicestershire	0	0	0	0	1	0	0	0	2	1	2	0
Lincolnshire	0	1	0	1	0	1	0	0	0	0	1	0
Norfolk	0	0	1	0	1	1	0	1	1	0	0	0
Northumberland	0	1	0	0	0	0	0	0	0	0	0	0
Northamptonshire	0	0	1	0	0	0	0	0	0	0	0	0
Nottinghamshire	2	1	0	0	0	0	2	2	1	3	1	0
Oxfordshire	0	3	0	1	1	0	1	0	2	0	0	0
Shropshire	4	1	2	1	2	0	1	0	0	1	1	0
Somerset	0	1	1	0	0	0	2	1	0	0	0	0
Staffordshire	0	0	0	1	1	0	0	0	0	0	0	0
Surrey	0	0	0	0	0	0	0	0	0	0	1	0
Suffolk	2	2	2	0	0	2	1	0	0	1	2	0
East/West Sussex (combined)	0	0	0	0	1	1	0	0	0	2	0	0
Warwickshire	0	0	1	0	0	0	0	0	0	1	0	0
Worcestershire	1	0	0	1	2	0	0	0	1	0	0	0
Wiltshire	0	0	0	0	0	0	2	0	0	0	2	1
Yorkshire	0	1	1	3	4	2	2	2	3	3	3	0
England Total	78	83	84	93	65	62	75	53	40	90	81	2
Wales	2	5	5	4	2	3	1	1	4	1	5	0
Overall TOTAL	80	88	89	97	67	65	76	54	44	92	86	33

## Legal - Performance Management Dashboard

		Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
Legal Advice	Total number of written legal advices given	18	25	18	22	19	19	23	16	19	29	33	2
	<i>of which the following came from DAS</i>	1	1	0	1	0	1	1	0	0	0	3	0
	Number responded to within 15 working days	18	25	18	22	19	19	23	16	19	29	33	2
	Number of those marked urgent	1	3	3	3	1	6	3	6	3	4	4	0
	Number of cases which met their urgent deadline	1	3	3	3	1	6	3	6	3	4	4	0
	Legal advices not logged in and/or telephone	59	43	68	27	46	45	48	37	22	58	49	31
Information	LTNs issued	1	1	2	0	0	0	0	1	0	0	0	2
	Legal/Employment Briefings Issued	0	0	0	0	0	0	0	0	0	0	1	2
Finance Advice	Total number of written accounts & audit advices given	4	3	3	2	2	1	4	1	3	4	5	0
	Number responded to within 15 working days	4	3	3	2	2	1	4	1	3	4	5	0
	Number of those marked urgent	1	0	0	0	0	0	1	0	0	1	4	0
	Number of cases which met their urgent deadline	1	0	0	0	0	0	1	0	0	1	4	0
	Financial Briefings issued	0	1	0	0	0	0	0	0	0	0	0	0

Policy and Communications - Performance Management Dashboard

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23
1. Consultation responses	1	0	1	1	1	3	0	0	2	0	0	0
2. Consultation response deadlines met	100%	n/a	100%	100%	100%	100%	n/a	n/a	100%	n/a	n/a	n/a
3. Number of formal ministerial meetings/contacts	0	1	0	0	0	0	0	0	0	0	1	0
4. Formal Parliamentary meetings/ contacts	2	1	1	0	1	2	1	0	5+	5+	10+	0
5. New council campaign numbers	233	233	234	236	237	238	239	239	239	239	241	242
6. Number councils accredited under LCAS rolling total	553	553	558	572	572	574	592	603	613	623	631	643
7. Number of councils working towards LCAS accreditation rolling total	792	796	805	812	822	828	832	836	839	849	856	866
8. New CiLCA from July 17 - NOT PART OF POLICY AND COMMUNICATIONS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
9. Number of motions received	0	0	4	1	1	0	1	0	3	0	3	1
10. AGM motions received (outcome)			0	0	0	0	0	0	1	0	0	0
11. Policy Committee motions received (outcome)	0	0	3	1	2	0	1	0	1	0	3	1
12. National Assembly motions received (outcome)	0	0	1	0	0	0	0	0	1	0	0	0
13. Motions not considered	n/a	n/a	0	0	0	0	0	0	1	0	0	0

NB: Line 5,6, 7 & 8 are rolling totals



## **Appendix 12.1 Management board – special responsibilities**

Management board has agreed to develop special responsibilities or portfolios/champions from within its membership.

At its meeting on 9 February it agreed to start with the following areas

- Mike Drew - website
- Loraine Rappé – communications
- Bob Blezzard – workforce
- Paul Harvey – AI and data
- Luke Trevaskis – Young people
- Sue Baxter – Diversity

It is proposed that these roles cover the following

1. Providing a voice for the issue in the deliberations of the board, Assembly and NALC. For example championing the issue of young people in these discussions. Is the board and assembly considering whether proposals may be relevant to young people and our objective of getting more of them involved in our work. Are we considering properly the potential for AI and web-site in our deliberations.
2. A contact point for assembly members to feed in their views on how these issues should be developed and then feedback to the board or relevant committee etc.
3. Scanning the horizon for key developments in these areas and feeding into NALC. Attending conferences etc.
4. Potential speakers for county association events on these subjects in their region.
5. Attending relevant meeting – eg on workforce supporting NALC chair in discussions with ALCC.
6. Reference point/ sounding board for NALC staff.