















## Employment Handbook

Version	Date	Status	Reason for Change
1.0	N/A	Agreed	N/A
2.0	July 15	Under review	Some information out of date - full revision
3.0	05 November 15 to 11 January 16	Consultation Draft	Amendments based on feedback from MT
3.0	Dec / Jan 2016	Draft	Consultation with staff
4.0	January 2016	Final	Minor amendments suggested through consultation
4.1	October 2018	Final	S 4.7 Time off for Fostering section revised to provide more information.
4.2	March 2021	Final	S 2.11 and S 9.9 updated to refer to the Management of Change policy. Amendments made where necessary to reflect revised policy titles.

## Index of Contents

Employment Handbook.....	1
1.0 Eden District Council .....	6
1.1 Council Plan .....	6
1.2 The Council and Committee Structure.....	6
1.3 Organisational Structure.....	6
2.0 Conditions of Service.....	6
2.1 National Joint Council (NJC) .....	6
2.2 Contractual Terms of Employment .....	6
2.3 Non-Contractual Terms of Employment .....	6
2.4 Probationary period .....	6
2.5 Pension Provision  .....	6
2.6 Disclosure and Barring Scheme (DBS) .....	7
2.7 Notice Period and Resignation  .....	7
2.8 Continuous Service  .....	7
2.9 Permanent/Temporary Post Status  .....	7
2.10 Politically Restricted Posts  .....	7
2.11 Redundancy, Early and Flexible Retirement .....	7
2.12 Equality, Diversity and Equal Opportunities .....	7
3.0 Pay Provisions .....	8
3.1 Pay and Increments  .....	8
3.2 Method, date and frequency of payment  .....	8
3.3 Job Evaluation.....	8
3.4 'Acting Up' positions.....	8
3.5 Honoraria .....	8
3.6 Part-time and Job Share Arrangements .....	8
3.7 Additional Allowances.....	8
3.8 Statutory and Occupational Sick Pay  .....	8
3.9 Market Forces .....	8
4.0 Working Hours, Leave and Other Absence .....	9
4.1 Working Hours  .....	9
4.2 Annual Leave including Bank/Public Holidays  .....	9
4.3 Sickness Leave  .....	9
4.4 Medical Appointment and Medical Screening.....	9
4.5 Maternity/Paternity/Adoption/Parental Leave .....	10
4.6 Time off for IVF Treatment .....	10
4.7 Time off for Fostering .....	10

4.8	Authorised/Unauthorised Leave .....	10
4.9	Compassionate Leave – Death of a Close Relative .....	10
4.10	Compassionate Leave – Sickness of a Close Relative .....	11
4.11	Time Off For Dependents.....	11
4.12	Leave to Attend TU Conferences etc. and to Lecture .....	11
4.13	Leave for Public Duties .....	11
4.14	Jury Service .....	12
4.16	Union and Staff Representative Duties .....	13
4.17	Reserve Forces.....	13
4.18	Unpaid Leave .....	13
4.19	Time Off for Interviews .....	13
4.20	Flexi Time.....	13
4.21	Study Leave .....	13
4.22	Absence due to Adverse Weather.....	13
5.0	Learning and Development.....	13
5.1	General Statement .....	13
5.2	Appraisal .....	13
5.3	Study Support.....	14
5.4	Professional Fees .....	14
5.5	Time off for Training .....	14
6.0	Performance and Conduct.....	14
6.1	Expected behaviour.....	14
6.2	Conduct  .....	14
6.3	Capability.....	14
6.4	Grievances  .....	15
6.5	Fair Treatment.....	15
6.6	Confidential Reporting (Whistleblowing).....	15
6.7	Accounting and Audit Rules .....	15
6.8	Dress and Appearance at Work .....	15
6.9	Security of Council Property.....	15
6.10	Phone Use .....	15
6.11	IT, Internet and Email Use.....	16
6.12	Fraud, Theft, Bribery and Corruption.....	16
6.13	Data Matching .....	17
6.14	Criminal Investigation, Charges and Convictions .....	17
7.0	Data Protection.....	17
7.1	Personal Data.....	17
7.2	Data Processing .....	18
7.3	Data Quality.....	18

7.4	Confidentiality .....	18
7.5	Disclosure of Information .....	19
8.0	Declarations and Interests .....	19
8.1	Criminal Convictions .....	19
8.2	Gifts and Hospitality .....	19
8.3	Personal Interests.....	20
8.4	Private Work and Other Employment .....	20
8.5	Sponsorship .....	20
9.0	Benefits and Facilities.....	20
9.1	Occupational Sick Pay  .....	20
9.2	Family Friendly Working .....	20
9.3	Long Service Award .....	21
9.4	Eye Care Procedure.....	21
9.5	Occupational Health .....	21
9.6	Welfare Counselling .....	21
9.7	Child Care Vouchers .....	21
9.8	Uniform.....	22
9.9	Voluntary Redundancy .....	22
9.10	Personal Accident Insurance.....	22
9.11	Death in Service Benefit.....	22
10.0	Travel, Subsistence and Expenses .....	22
10.1	Travel .....	22
10.2	Vehicle Allowances .....	22
10.3	Authorised Vehicle Users .....	22
10.4	Use of Personal Vehicle .....	22
10.5	Business Mileage .....	23
10.6	Subsistence Allowance .....	23
10.7	Out-of-pocket expenses .....	23
10.8	Overnight Stays.....	23
10.9	Car Parking .....	23
10.10	Reimbursement of Expenses .....	23
11.0	Health and Safety .....	23
11.1	General Statement .....	23
12.0	Miscellaneous.....	23
12.1	Emergency Support Service.....	23
12.2	Child Protection and Safeguarding.....	24
12.3	Public Sector Equality Duty.....	24
12.4	Duty to Prevent .....	24
12.5	Employee Consultation .....	25

12.6	Relocation Assistance .....	25
12.7	Formulation and Review of HR Policies .....	25
12.8	Right to Search .....	25
13.0	Conditions, Codes, Policies, Procedures and Guidance List.....	26

## **1.0 Eden District Council**

### **1.1 Council Plan**

The Council has a Council Plan which is produced following consultation with the public and key stakeholders. It is monitored to ensure progress and updated to reflect the needs of residents and businesses within Eden. Further information is available on the Council website.

### **1.2 The Council and Committee Structure**

The Council discharges its functions through various Committees, the terms of reference for which are defined in the Council's Constitution. Further information in respect of the Council and its Committee Structure including Committee Portfolios is provided on the Council website. Details of Councillors can be found on the Council's website.

### **1.3 Organisational Structure**

Further information in respect of the Council's Organisational structure including departments and functions is provided on the Council website.


## **2.0 Conditions of Service**

### **2.1 National Joint Council (NJC)**

The NJC consists of Employer and Trade Union representatives. The function of the NJC is to negotiate collective agreements on pay and conditions of service for local authority employees. Such agreements are detailed in individual contracts of employment. Full details of national provisions can be found in the NJC Terms and Conditions of Employment 'Green Book'.

### **2.2 Contractual Terms of Employment**

Appointment to the Council is subject to national and local agreements negotiated via the NJC. The terms and conditions relating to an employee's appointment will be detailed in their contract of employment.

Where these matters are referred to in the Employment Handbook, the following symbol has been used to denote the fact that the section relates to a contractual term of employment - 

### **2.3 Non-Contractual Terms of Employment**

The employment relationship is also governed by a number of non-contractual policies and procedures. Unless otherwise stated, all policies and procedures referred to in this handbook are non-contractual.

### **2.4 Probationary period**

Employees who are new to Eden District Council will serve a 26-week probationary period. During this time their suitability for the post will be assessed.

Where an employee is failing to meet the required standards in their role, the probationary period may be extended or notice may be served to terminate employment. Further information can be found in the Council's Pay and P

### **2.5 Pension Provision**

Employees and workers are able to join the Local Government Pension Scheme (LGPS) and upon appointment all eligible employees will be automatically enrolled.

Details relating to the LGPS can be found in both the contract of employment and the offer letter. The Council's approach to pension discretions is detailed in the Pay and Pensions Discretions Policy Statement.

## **2.6 Disclosure and Barring Scheme (DBS)**

If a post is subject to a DBS check this will be detailed in the advertisement and offer letter and any checks will form part of the Council's Recruitment and Selection Procedure. Further details can be found in the Council's Employment Screening Procedure.

## **2.7 Notice Period and Resignation**

Further details can be found in the individual contract of employment.

## **2.8 Continuous Service**

Any entitlement to continuous service, as a result of uninterrupted employment with an eligible authority, immediately prior to joining the Council, can be found in the individual contract of employment.

## **2.9 Permanent/Temporary Post Status**

Whether a post is permanent or temporary will be detailed in the individual contract of employment.

## **2.10 Politically Restricted Posts**

If an employee's post is considered to be politically restricted this will be detailed in the offer letter. Further details can be found in the Politically Restricted Posts Information.

## **2.11 Redundancy, Early and Flexible Retirement**

Eligibility in respect of the above is detailed in the Councils Management of Change policy. The Council's approach to pension discretions is detailed in the Pay and Pensions Discretions Policy Statement. Voluntary Redundancy is detailed within the Benefits and Facilities section of this handbook.

## **2.12 Equality, Diversity and Equal Opportunities**

The Council is committed to being an equal opportunity employer and is determined to ensure that no applicant or employee receives less favourable treatment. Further details can be found in the Councils Equal Opportunities in Employment Policy.

## **3.0 Pay Provisions**

### **3.1 Pay and Increments**

Full details of the Council's pay structure can be found in the Council's Pay and Pensions Discretions Policy Statement. The pay structure is subject to local rules and terms and conditions of service as negotiated with the Trade Union.

### **3.2 Method, date and frequency of payment**

The method, date and frequency of payment is detailed in individual contracts of employment.

### **3.3 Job Evaluation**

Employees pay is subject to the Local Government Single Status Job Evaluation scheme. Further details can be found in the Council's Pay and Pensions Discretions Policy Statement. and the Job Evaluation Guidance document.

### **3.4 'Acting Up' positions**

When a post is vacant employees may, occasionally be asked to 'act up'. 'Acting up' involves an employee undertaking some or all of the duties of a higher graded vacant post. Further information is detailed in the Council's Honoraria and Acting up Procedure and the Pay and Pensions Discretions Policy Statement.

### **3.5 Honoraria**

Honoraria payments are payments in addition to an employee's usual salary. Further details can be found in the Honoraria and Acting up Procedure and the Pay and Pensions Discretions Policy Statement.

### **3.6 Part-time and Job Share Arrangements**

All pay arrangements for part-time staff are calculated on a 'pro rata' basis in accordance with the hours worked. Individual contracts of employment contain further details.

### **3.7 Additional Allowances**

The Pay and Pensions Discretions Policy Statement details the circumstances in which additional remuneration/allowances are payable. These include, but are not limited to; overtime, car usage, telephone and out of hour's emergency cover. There may be circumstances where local arrangements are in place and line managers will provide this information.

### **3.8 Statutory and Occupational Sick Pay**

Details relating to occupational and statutory sick pay are detailed in individual contracts of employment and further information can be found in the 'Benefits and Facilities' section of this handbook.

### **3.9 Market Forces**

In the event of recruitment or retention difficulties the Council will consider the need to apply a Market Factor supplement to certain posts. Market Factor supplements are not contractual, will be regularly reviewed and may be removed subject to notice. Further details are available in the Market Factor Supplement Scheme.



## 4.0 Working Hours, Leave and Other Absence

### 4.1 Working Hours

Working hours are subject to local and national conditions of service. Full time employees are required to work 37 hours per week over 5 days, Monday to Friday.

The Council's offices are open to the public as follows:

Mon to Thursday 08:45 - 17:15

Friday 08:45 - 16:45

Working hours applicable to posts are detailed in individual contracts of employment with start and end times being determined by each department.

A working week must not exceed 48 hours (averaged over a 17 week reference period). Further details can be found in the Flexi-Time Scheme.

### 4.2 Annual Leave including Bank/Public Holidays

Annual leave entitlement is subject to local and national conditions of service and each employee's entitlement is detailed in the individual contract of employment.

Employees minimum leave entitlement varies according to the level of continuous service. The entitlements for full time employees are as follows:

Period of Continuous Service	0 - 4 years	5 - 9 years	10+ years
Annual Entitlement (days)	22	26	29

In addition, there is also an entitlement to 2 extra statutory days per annum and a discretionary local day, which is generally applied at Christmas if the relevant place of work is closed.

For part time employees there will be a pro rata entitlement based on working hours for both leave and bank/public holidays and any extra statutory or discretionary days.

The leave year is 1 April to 31 March. Where employment starts or ends part way through a leave year a proportionate entitlement will be calculated.

It is the responsibility of each employee to manage their annual leave and to maintain accurate records of their annual leave and flexi-time leave. Failure to do so could result in disciplinary action. Employees are advised to retain their annual leave records for a period of 3 years in case they are needed for further reference.

Holiday entitlement will not be brought/carried forward from one authority to another. Any proportionate leave entitlement should be taken prior to leaving Eden District Council; only in exceptional circumstances will the value of un-taken leave be credited to the final salary. Where more leave has been taken than the proportionate entitlement, a deduction will be made from the final salary.

### 4.3 Sickness Leave

Details relating to sickness leave and pay are detailed in national agreements on conditions of service and the 'Benefits and Facilities' section of this handbook.

### 4.4 Medical Appointment and Medical Screening

Employees attending hospital appointments must inform their Section Head of the appointment and will be credited for the time they are away from the office. These appointments must be supported by relevant documentation for antenatal

appointments and for hospital appointments a medical certificate or letter confirming that the treatment is a medical need and is required.

#### **4.5 Maternity/Paternity/Adoption/Parental Leave**

Full details regarding the pay and benefits applicable for maternity, paternity adoption and parental leave can be found in the following policy and individual procedures:

Maternity, Paternity, Adoption, Parental and Shared Parental Leave Policy

Maternity Procedure

Paternity (for Births) Procedure

Paternity (for Adoption) Procedure

Adoption Procedure

Parental Leave Procedure

Shared Parental Leave Procedure

The above procedures reflect the related national conditions.

#### **4.6 Time off for IVF Treatment**

Although there is no right to paid or unpaid time off for IVF treatment, as a supportive employer, the Council will consider requests for time off for IVF treatment on a case by case basis. Chief Officers will have discretion to approve up to 5 days' paid leave for such purposes. Further guidance can be obtained from the HR team.

#### **4.7 Time off for Fostering**

The Council recognises the national challenges around fostering and wishes to support employees who may already be foster carers or who are considering taking the step into foster care by being a 'foster friendly' employer. The Council will consider requests for up to 5 days paid leave (pro rata for part-time employees) from employees to support training, attend meetings and for settling in periods. Where a couple are applying to become foster carers and both are employees of the Council, the leave entitlement will apply to each partner. Employees wishing to apply for this leave should submit their request in writing to their Chief Officer together with written evidence to show they are already approved or actively applying to become foster carers. The Council is also committed to supporting an employee's work life balance by offering a Flexi-Time scheme to the majority of its staff. Full details of the scheme can be found in the Flexi-Time guidance document and inclusion in the scheme is subject to approval by an employee's line manager.

#### **4.8 Authorised/Unauthorised Leave**

Eden District Council has a number of policies, procedures and guidance which must be followed whenever an employee has a need to be absent from the workplace. Use of such documents will ensure that any period of absence is dealt with correctly and is authorised.

Failure to follow the details of the relevant policy, procedure or guidance documents may render any absence unauthorised which may initiate disciplinary proceedings.

#### **4.9 Compassionate Leave – Death of a Close Relative**

Up to 5 days leave with pay or the equivalent of one week's contracted hours (if part-time) are available to an employee to deal with the death of a close family member, subject to Chief Officer approval. Chief Officers also have discretion to

extend this in exceptional circumstances. Close family members are classed as spouse, partner, parent (including in-laws), child, sibling, grand-parent, grand-child or someone who depends on the employee for care. The Council recognises that some individuals have a close relationship with an individual with whom they do not have a family bond and Chief Officers have discretion to approve compassionate leave for such relationships. An employee wishing to receive paid leave for this purpose should initially consider using annual leave or flexi.

#### **4.10 Compassionate Leave – Sickness of a Close Relative**

Up to 5 days leave with pay or the equivalent of one week's contracted hours (if part-time) are available to an employee in cases of sickness of a close relative where the attendance of the employee is essential or justifiable on grounds of compassion, subject to Chief Officer approval. Close relatives are classed as spouse, partner, parent (including in-laws), child, sibling, grand-parent, grand-child or someone who depends on the employee for care. The Council recognises that some individuals have a close relationship with an individual with whom they do not have a family bond and Chief Officers have discretion to approve compassionate leave for such relationships. An employee wishing to receive paid leave for this purpose should initially consider using annual leave or flexi.

#### **4.11 Time Off For Dependents**

All employees have the right to time off during working hours for dependants, this time off is intended to deal with unforeseen matters and emergencies.

A dependant could be a spouse, partner, child parent, or someone who depends on an employee for care, for example an elderly neighbour.

The leave can be taken for example:

- to deal with a breakdown in childcare
- to put longer term care in place for children or elderly relatives
- if a dependant fall ill or is taken into hospital
- to arrange or attend a funeral.

An employee wishing to receive paid leave for this purpose should initially consider using annual leave or flexi. Whilst there is no legal right to pay for this type of leave, Chief Officers have the discretion to approve up to 5 days' paid leave per year. Requests for a period of paid leave which exceeds 5 days would be considered by the Head of Paid Service.

#### **4.12 Leave to Attend TU Conferences etc. and to Lecture**

A maximum of 12 day's paid leave in any one year may be granted by a Chief Officer to:

- Officers attending conferences, courses or meetings organised by a recognised negotiating body;
- Officers invited to lecture in their professional capacity.

#### **4.13 Leave for Public Duties**

Paid leave will be granted, subject to Chief Officer approval, to employees in order to undertake the following public duties:

- 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 or board in Scotland;
- 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).

Paid leave will also be granted, subject to Chief Officer approval, to employees who assist with parliamentary or other elections and employees who are elected to serve on joint negotiating bodies.

Leave will usually be limited to 10 working days/74 hours in any one year (pro-rata for part-time employees). On request, Chief Officers will have discretion to approve an additional 5 working days in any one year.

#### **4.14 Jury Service**

Jury service is a public duty; jurors usually try more serious criminal cases such as murder, assault, burglary or fraud. Unless someone is disqualified, has the right to be excused or has a valid reason for discretionary excusal then they must serve. All jurors are selected at random by computer from the electoral register. Everyone on the electoral register from the ages of 18 to 70 may be selected even if they are not eligible to serve on a Jury. Some people never get called; others get called more than once.

Jury service is on average ten working days, but may be longer or shorter depending on the case the juror is on. Employees should tell their line manager as soon as possible that they have been summoned, and the dates on which they have been called to serve on a jury.

Anyone can apply for deferral of jury service, and depending on the post that the employee holds and the workloads within that, the Council may wish to apply for a deferral e.g. for an employee in Finance who has been called to serve at a time which coincides with the financial year end.

Paid leave will be granted for jury service; however employees are requested to make a claim to the Courts for loss of earnings, and to pay the allowance back to the Council.

Whilst serving on a jury, if an employee is not needed at court they should return to work unless something different has been agreed with their line manager beforehand.

#### **4.15 Attendance at Court**

Where an employee is summoned to attend Court as a technical witness on behalf of the Council, this will be classed as normal working time.

An employee giving evidence under other circumstances, or litigating on his or her own behalf, would normally be expected to use flexi or annual leave. Alternatively, at the discretion of the employee's Chief Officer, unpaid leave may be granted.

#### **4.16 Union and Staff Representative Duties**

Union representatives who represent Unison, the union recognised by the Council, are entitled to reasonable paid time off to carry out union duties.

Employees who are appointed to non-union staff representative positions will also be entitled to reasonable paid time off to carry out union duties.

#### **4.17 Reserve Forces**

Each leave year, reservists will be given ten days' paid leave to help them to meet their commitments to the reserve forces. More details can be found in the Reserve Forces Procedure.

#### **4.18 Unpaid Leave**

There is no contractual right to unpaid leave, however, up to one month's unpaid leave may be granted, by a Chief Officer, in exceptional circumstances, taking into account an employee's annual leave entitlement and leave already taken in the leave year.

#### **4.19 Time Off for Interviews**

Employees will be allowed time off with pay on a maximum of two occasions per year, in order to attend for interview within the Local Government Service.

The above condition does not apply to employees in a redundancy situation; where reasonable time off with pay will be granted in order to seek employment or arrange training outside the Council.

#### **4.20 Flexi Time**

Details of flex time allowances and who is eligible can be found in the Flexi Time Scheme.

#### **4.21 Study Leave**

Employees who have successfully apply for study support through the Council's Qualifications Study Scheme will be eligible to time off for studying and for examinations. Full details can be found in the scheme document.

#### **4.22 Absence due to Adverse Weather**

The arrangements for employees who are unable to attend work during core time due to severe weather conditions are detailed in the Council's Flexi Time Scheme.

### **5.0 Learning and Development**

#### **5.1 General Statement**

Eden District Council recognises the importance of ongoing learning and development and has various policies and procedures to support employees in this respect. As a minimum the Council will support all employees to achieve a minimum NVQ Level 2 qualification. The Council has a Learning Champion to assist employees in pursuing appropriate opportunities.

#### **5.2 Appraisal**

Details of the Appraisal Scheme are provided during the induction process. Further information can be found on the intranet and in the Learning and Development Policy.

### **5.3 Study Support**

Details of the support available can be found in the Council's Qualifications Study Scheme. Support is subject to a two year continuous employment period after achievement of the qualification to negate cost to the employee and ensure an adequate return on investment for the Council.

### **5.4 Professional Fees**

The Council will reimburse professional fees only for posts where there is a statutory requirement to be a member of the relevant professional body e.g. legal.

### **5.5 Time off for Training**

All employees have the right to request time off for training. The Council will follow the process as defined by ACAS when considering any such request.

## **6.0 Performance and Conduct**

### **6.1 Expected behaviour**

The Council expects employees to treat each other and all customers in a non-discriminatory manner and with dignity, respect, equality and fairness at all times; whether inside or outside of the work place and whether within or without normal working hours. Inappropriate behaviour at any time could have serious consequences for the Council, not least in respect of reputation and public confidence. Examples of expected behaviour include but are not limited to:

- Politeness
- Courtesy
- Honesty
- Integrity
- Impartiality
- Following reasonable management instructions
- Appropriate confidentiality
- Excellent Customer Service

All contracts are subject to the Council's Code of Conduct and the National Joint Council Conditions of Service.

### **6.2 Conduct**

All employees are expected to achieve and maintain acceptable standards of conduct. Employees have a contractual right to access a disciplinary procedure. Where there is a breach of the Council's rules and/or standards the Council's Disciplinary Policy and Procedure will apply. This policy and procedure is non-contractual.

### **6.3 Capability**

As a minimum requirement all employees are expected to perform their roles in line with their role profiles. Where performance drops below the required standard or where employees are undertaking a role as a development opportunity, support will be given to improve the employee's overall standard of capability. Further details are contained within the Capability Policy and Procedure.

#### **6.4 Grievances**

Eden District Council strives to promote harmonious working relationships but it understands that on occasion an employee may wish to submit a grievance in order to try and resolve an employment issue. Employees have a contractual right to access a disciplinary procedure. Grievances will be dealt with per the Grievance Policy and Procedure, which is non-contractual.

#### **6.5 Fair Treatment**

The Council will not tolerate bullying and harassment in any form and will apply the Fair Treatment at Work Policy and Procedure in such instances.

#### **6.6 Confidential Reporting (Whistleblowing)**

The Council has a Confidential Reporting Code to encourage employees to report concerns about wrongdoing in respect of any illegal, immoral, irregular, dangerous or unethical activity under the Council's control. The Council encourages internal reporting with a view to correcting the situation prior to an employee feeling compelled to make a protected disclosure.

#### **6.7 Accounting and Audit Rules**

The Council is required to operate its financial affairs with openness, probity and accountability and the Accounting and Audit Rules and the Procurement Rules provide information to ensure it complies with statutory requirements and complies with its governance arrangements. All employees are required to familiarise themselves with these rules to ensure correct adherence in relation to financial matters.

#### **6.8 Dress and Appearance at Work**

Employees are expected to wear appropriate professional dress to carry out their work. Queries regarding this should be raised with an employee's line manager in the first instance, who will provide the relevant guidance.

#### **6.9 Security of Council Property**

Security is of paramount importance to the Council and any breach or threatened breach must be reported by an employee to his/her line manager without delay. Any loss of access cards and/or keys must be reported promptly, even if the employee is confident they will turn up at a later date.

Employees are expected to treat their workplace and any equipment provided to them by the Council (e.g. laptops, telephones, uniform etc.) in a respectful way. The security of Council buildings should be observed, and extra care should be taken to ensure the security of Council property which is taken off-site.

Upon leaving the Council's employment or at any time (whether during employment with the Council or after employment has been terminated) when so requested by the Council, an employee will deliver up all equipment, materials, clothing, books, accounts, record cards, papers, letters, promotional literature, samples, software and data, telephone & IT equipment and notes which may be in their possession or under your control, which refer to or are connected with business of the Council.

#### **6.10 Phone Use**

Whilst the Council does not object to employees making (with prior permission) and receiving short local personal calls at work, this must be kept to a minimum and must not be to the detriment of normal service.

Whilst the Council will tolerate the use of employees' own mobile phones for essential personal calls during normal working hours, excessive use for personal calls is prohibited. Also prohibited are lengthy calls, casual chats, text messaging, e-mailing, web browsing and the taking of video and/or still images (if your phone is so enabled). An employee's mobile phone should be set to a silent ring during normal working hours. If an employee wishes to use their mobile phone, they should do so outside their normal working hours e.g. at break times.

Employees are required to maintain high, professional and ethical standards. In order to ensure standards are maintained, the use of the Council's telephone facilities may be monitored and the Council is permitted to record your incoming and outgoing telephone calls made on Council equipment and to use video or closed circuit television for surveillance purposes.

Unauthorised or inappropriate use will result in disciplinary action.

Where an employee is issued with a communication device by the Council, personal use is permitted on the following basis:

- The employee must ensure their colleagues are aware of their mobile telephone number;
- The telephone number will also be included in the Council's contact list, and used as required e.g. in relation to the emergency plan;
- The employee must reimburse the Council for the cost of any personal usage of the device.

### **6.11 IT, Internet and Email Use**

Employees must ensure that their use of IT and other electronic equipment whether their own property or that of the employer, does not compromise the Council in any way or amount to any act which causes the employee to breach any other Council policies and procedures. Such use applies both inside and outside the workplace. The Council requires all employees to accept its Information Security Policy and ICT Acceptable Use Policy in writing, prior to use.

Computers are provided to employees to undertake business-related activities only. Employees who are discovered to be unreasonably using the Council's computers for personal and private purposes will be dealt with under the Disciplinary Procedure.

Employees are required to maintain high, professional and ethical standards. In order to ensure standards are maintained, the use of the Council's internet/e-mail facilities may be monitored and the Council is permitted to read, copy, record and download your incoming and outgoing mail and e-mails on Council equipment and to use video or closed circuit television for surveillance purposes.

Vandalism of, or otherwise intentionally interfering with, the Council's computers/networks constitutes a gross misconduct offence and could render the employee liable to summary dismissal.

### **6.12 Fraud, Theft, Bribery and Corruption**

Employees should not accept any gifts or hospitality from any customer, supplier or other person, which has a value of over £10 without first seeking permission from their Chief Officer. A prospective recipient of any gift or hospitality should consider why the offer is made and whether it is intended to influence a decision. Reasonable and proportionate hospitality and gifts may be acceptable and accepted with the permission of a Chief Officer.



Employees should never offer a gift or hospitality to a customer, supplier or other person with the intention of gaining a business advantage. Any business gifts or invitations to hospitality events that are issued must always be agreed by the Chief Officer in advance.

If an employee is found to have accepted or given any bribe they will face disciplinary action, which could include dismissal for gross misconduct.

All employees are required to report any suspicions of theft, fraud and bribery or corruption and in this respect should familiarise themselves with the Anti-Fraud, Theft, Bribery and Corruption Strategy. Further information is also included in the Code of Conduct and employee contracts.

### **6.13 Data Matching**

Eden District Council undertakes a data matching exercise periodically as part of the Cabinet Office's National Fraud Initiative. As part of this process, data matching will take place using payroll records in conjunction with other records such as Housing records and Council Tax records. All data matching exercises are undertaken in compliance with current legislation. Employment with the Council may affect any benefits that you may be claiming and your failure to declare this income to the appropriate organisation may be considered as fraud and appropriate action would be taken against you as an employee.

### **6.14 Criminal Investigation, Charges and Convictions**

Employees are required to inform the Council if they become the subject of a criminal investigation, charge or conviction. If an employee is charged with, or convicted of a criminal offence this is not normally in itself reason for disciplinary action. Consideration will be given to the effect the charge or conviction has on the employee's suitability to do the job and their relationship with their employer, work colleagues and customers. 1`

A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if the Council considers that it is relevant to an individual's employment. Further details can be found in the Council's Disciplinary Policy and Procedure.

## **7.0 Data Protection**

### **7.1 Personal Data**

Anyone has the right to request access to data held about them which is held on the Council's systems. This includes both written and electronic communications as well as any comments made either to, or about the individual.

In the main, the Council is obliged to provide the data where an individual makes such a request. All employees are therefore required to ensure all comments (even those just between employees) and communications are appropriate, capable of substantiation, justifiable, fair, accurate and reasonable. Electronic data which has been deleted can be retrieved and may be disclosable.

There is a requirement for all employees to abide by the Data Protection Act 2018 and in particular the principles detailed below:

- Personal data shall be processed fairly and lawfully.
- Personal data shall only be obtained for specified and lawful purposes and should not be processed further in any manner which is incompatible with such a purpose.

- Personal data shall be adequate, relevant and not excessive.
- Personal data shall be accurate and kept up to date.
- Personal data shall not be kept for longer than is necessary.
- Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act.
- Appropriate technical and organisational measures should be taken against unauthorised and unlawful processing of personal data and against any accidental loss or destruction of or damage to personal data.
- Personal data should not be transferred to a country outside of the European Economic area unless that country has an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

## **7.2 Data Processing**

The Council needs to keep information about its employees for purposes connected with their employment, including their recruitment and the termination of their employment. The sort of information the Council will hold includes information for payroll purposes, references, contact names and addresses and records (including, for example, disciplinary records) relating to an individual's employment with the Council.

The Council believes these uses are consistent with the employment relationship and with the principles of the Data Protection Act 2018. The information held will be for management and administrative use only but the organisation may, from time to time, need to disclose some information held about an employee to relevant third parties (e.g. where legally obliged to do so by HMRC or where requested to do so by an employee for the purposes of giving a reference). Employees agree to the Council keeping the information for these purposes throughout their employment and following its termination.

Employees also agree to the Council keeping information about their health for the purposes of compliance with health and safety and occupational health obligations; considering how their health affects their ability to do their job and, if they have a disability, whether they require any reasonable adjustments to be made to assist them at work; or in relation to the administration and management of insurance, pension, sick pay and any other related benefits in force from time to time.

## **7.3 Data Quality**

All employees have a responsibility to ensure that any data collected, managed or reported, including data from third parties, is accurate, valid, reliable, relevant, and complete and produced in a timely fashion and that appropriate procedures, systems and processes are in place to provide quality data.

## **7.4 Confidentiality**

Employees must not use, divulge or communicate to any person or organisation (except in the proper course of their duties during employment by the Council) any confidential, technical or commercial information of the Council's relating to the business, organisation, accounts, analysis or other affairs of the Council which they may have received or obtained or which has come to their knowledge while employed by the Council. Confidential information includes:

In particular, employees will not, without prior written consent of the Council, permit any confidential information:

- To be disclosed, whether directly or indirectly, to any third party, except to those authorised by the Council to know or as required by law; or
- To be copied or reproduced in any form or to be commercially exploited in any way; or
- To be used for their own purposes or for any purposes other than those of the Council or to be used or published by any other person; or
- To pass outside their control.

Employees must inform the Council immediately upon becoming aware or suspecting, that a third party knows or has used any of the Council's confidential information. These restrictions will continue to apply after the termination of an individual's employment but will cease to apply to any information which may come into the public domain through disclosure by the Council.

All confidential information is the property of the Council and employees must hand it and any copies over to the Council on the termination of their employment or, at the request of the Council at any time during their employment.

The wrongful disclosure of confidential information or other breach of confidentiality is a disciplinary offence. Depending on the seriousness of the offence, it may amount to potential gross misconduct and could result in summary dismissal. Nothing in this clause shall prevent an employee from disclosing information which they are entitled to disclose under the Public Interest Disclosure Act 1998, provided always that the disclosure is made in accordance with the provisions of that Act.

Every care should be taken to safeguard confidential information. Where storage cabinets are available they should always be used. At the end of the working day all desks must be cleared and papers, file, and sensitive records be stored in locked cabinets.

## **7.5 Disclosure of Information**

The Freedom of Information Act 2000 enables access to information held by the Council. Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor must they pass it onto others who may use it in such a way. Further information with signposting to relevant policies can be found in the Code of Conduct.

## **8.0 Declarations and Interests**

### **8.1 Criminal Convictions**

Employees are required to inform the Human Resources section if they are charged with, or convicted of, a criminal offence. Consideration will be given to what effect the charge or conviction has on the employee's suitability to do the job and their relationship with their employer, work colleagues and customers.

Further details on this matter can be found in the Disciplinary Procedure.

### **8.2 Gifts and Hospitality**

Further information is detailed in the Code of Conduct. However, it is a requirement that all staff record any gift or hospitality offered (irrespective of whether or not it was accepted) with a value exceeding £10. The form can be found on SharePoint.

### **8.3 Personal Interests**

An employee who, or whose spouse or partner, has an interest in any contract or other matter under consideration by the Council must inform the HR Manager, who will record particulars and advise the Chief Executive and the Chief Officers concerned. If an employee or his/her spouse or partner has an interest in any business or property (other than their private residence), this information should also be disclosed to their Chief Officer. Further information is detailed in the Code of Conduct. All employees must familiarise themselves with the types of activity/undertaking which may constitute both financial and non-financial interests. Where there is doubt a declaration should be made.

### **8.4 Private Work and Other Employment**

Employees must not engage in any form of business or employment other than their employment with the Council inside their normal hours of work. Employees may engage in other forms of business or employment outside their normal hours of work provided this does not cause a conflict of interest with the Council and provided that they have prior approval. Employees must inform the Council, in writing, of any other employment or self-employment. Under the Working Time Regulations, the Council is required to know about all hours worked by their employees, whether this is for the Council or for another employer. Employees are therefore required to provide this information to their manager on request.

### **8.5 Sponsorship**

Full details relating to both giving and receiving sponsorship are detailed in the Code of Conduct.

### **9.0 Benefits and Facilities**

In addition to the benefits listed below the Council will, from time to time, negotiate locally agreed discounts e.g. gym membership. These will be circulated internally and/or on notice boards as appropriate.

### **9.1 Occupational Sick Pay**

The Council offers a generous Occupational Sick Pay Scheme as agreed via the National Joint Council Conditions of Service.

Employees are entitled to receive sick pay for the following periods:

During 1st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2nd year of service	2 months full pay & 2 months half pay
During 3rd year of service	4 months full pay & 4 months half pay
During 4th & 5th year of service	5 months full pay & 5 months half pay
After 5 years' service	6 months full pay & 6 months half pay

### **9.2 Family Friendly Working**

The Council supports a healthy balance between home and work life and has various policies and procedures in place to assist employees to work flexibly. These include:

Maternity, Paternity, Adoption, Parental Leave Policy  
Maternity Procedure

Paternity (for Births) Procedure  
Paternity (for Adoption) Procedure  
Adoption Procedure  
Parental Leave Procedure  
Shared Parental Leave Procedure  
Flexi-Time Scheme  
Flexible Working Guidance  
Flexible Retirement Policy  
Homeworking Policy and Guidance  
Time off for Dependants  
Holiday Purchase Scheme  
Annual Leave Procedure

### **9.3 Long Service Award**

Long Service Awards are payable upon retirement only as follows:

After 25 years' service	£150
After 30 years' service	£200
After 40 years' service	£350

The length of service refers to service with Eden District Council and one of its predecessor authorities.

### **9.4 Eye Care Procedure**

Employees who are VDU users are entitled to a regular eye test and corrective VDU glasses where required. Further details of the scheme and levels of contribution available can be found in the Eye Care Procedure. Employees requiring an eye test should contact the Human Resources department in the first instance.

### **9.5 Occupational Health**

The Council engages the services of an external Occupational Health provider.

Further details can be found in the Absence Management Guidance for Managers and Employees.

### **9.6 Welfare Counselling**

The Council has arranged for employees to have access to independent professional Counsellors. The Counsellors are available to assist employees in dealing with personal problems, stress, anxiety, depression etc. Up to 6, confidential, hour long sessions per employee, will be funded by the Council. This service is non contractual. Employees may make direct access via either of the following:

Dr. Rosalind Niedt	Tel: 07876 214094
Lis Heath	Tel: 01768 899941

### **9.7 Child Care Vouchers**

The Council offers a non-contractual child care voucher scheme. Further details are available from the Human resources department.

## **9.8 Uniform**

If there is a requirement for employees to wear a uniform in relation to their post details will be provided upon appointment. Provision of a uniform is a non-contractual benefit.

## **9.9 Voluntary Redundancy**

The Council operates a discretionary scheme for voluntary redundancy. Volunteers for redundancy will be sought prior to any change exercise which identifies a need for a reduction in employee numbers. Voluntary redundancy may negate compulsory redundancies and as an incentive to volunteers the Council will enhance redundancy payments. Full details can be found in the Management of Change Policy.

## **9.10 Personal Accident Insurance**

The Council has insurance to cover employees who are injured or die whilst engaged in the performance of their duties or whilst commuting. Further information can be obtained from the Financial Services section.

## **9.11 Death in Service Benefit**

Employees who are members of the Local Government Pension Scheme are entitled to a contractual Death in Service payment equating to three times annual salary. Full details are available on the LGPS website:

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

# **10.0 Travel, Subsistence and Expenses**

## **10.1 Travel**

When travelling on Council business all employees must be mindful of the cost and all travel should be by the cheapest means possible. Further information is contained within the Travel, Subsistence and Expenses Guidance.

## **10.2 Vehicle Allowances**

Vehicle allowances are nationally negotiated and Finance produce an annual update of relevant allowances depending on Car User status. Car User status is detailed in individual contracts of employment.

## **10.3 Authorised Vehicle Users**

Authorised Vehicle Users are determined using the Essential Car User Status Criteria.

If a post is eligible for Essential Car User status it will be detailed in the individual contract of employment.

Essential Car User details can be found in the Essential Car User Status Criteria and Guidance document.

## **10.4 Use of Personal Vehicle**

If there is a requirement for an employee to use their own vehicle for work purposes this will be detailed in the individual contract of employment. For situations where travel is required and it is impractical to travel by public transport, employees may use their own car. Further information is contained within the Travel, Subsistence and Expenses Guidance.

## **10.5 Business Mileage**

Business Mileage will be paid in accordance with Car User status and the annual updates by Finance, taking into account HMRC guidance. Further information is contained within the Travel, Subsistence and Expenses Guidance.

## **10.6 Subsistence Allowance**

Subsistence allowances are subject to National Joint Council Conditions of Service.

## **10.7 Out-of-pocket expenses**

Out-of-pocket expenses are subject to National Joint Council Conditions of Service.

## **10.8 Overnight Stays**

Costs in respect of overnight stays are subject to National Joint Council Conditions of Service. Receipts must be submitted in respect of all claims for overnight accommodation.

## **10.9 Car Parking**

The Council offers car parking for employees as far as practicable. This is a non-contractual benefit. Further details are contained within the Staff Parking Guidelines and in the letter of offer of employment.

## **10.10 Reimbursement of Expenses**

Authorised expenses claims should be submitted for payment, on the correct form, no later than the 7th of each calendar month. Claims received after the 7th will be processed the next calendar month.

## **11.0 Health and Safety**

### **11.1 General Statement**

Eden District Council recognises and accepts its responsibilities as an employer for providing as far as is reasonably practicable, a safe work place and work environment for all its employees.

Equally there is a statutory responsibility for every employee to take reasonable care of their own health and safety and that of any other person who may be affected by his/her acts or omissions at work.

Various aspects of Health and Safety are covered during the Induction process. Staff are required to familiarise themselves with the Council's Health and Safety Policy Statement and associated policies and procedures. A current list of procedures can be found in the Health and Safety Policy Statement.

All employees are expected to comply with the Council's Health and Safety Policy and Procedures, as amended from time to time. Failure to adopt adequate procedures will be taken seriously and could lead to disciplinary action under the Council's Disciplinary Policy and Procedure.

## **12.0 Miscellaneous**

### **12.1 Emergency Support Service**

There is a requirement in exceptional circumstances to participate in the provision of an emergency support service to enable the Council to provide an emergency out-of-hours service. There is also a requirement to respond to and assist with the management of an emergency incident as defined by the Civil Contingencies Act

2004. Responsibility for specific emergency response roles is detailed in the Council's Emergency Plan. These exceptional circumstances could be within or outside of normal working hours and remuneration will be in accordance with the Council's Guidelines.

## **12.2 Child Protection and Safeguarding**

Eden District Council has clear priorities for safeguarding vulnerable people including children and young people under the age of 18, the elderly, people with disabilities, people with physical and mental health conditions. Certain posts will require a Disclosure and Barring Service standard or enhanced criminal records check which helps the Council to assess suitability of applicants for positions of trust. If such checks are required this will be detailed in the offer of employment letter.

All employees are expected to comply with the Council's Child Protection Policy as amended from time to time.

## **12.3 Public Sector Equality Duty**

The public sector Equality Duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. All employees are expected to comply with this duty.

## **12.4 Duty to Prevent**

The [Counter-Terrorism and Security Act 2015](#) contains a duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. This is also known as the Prevent duty. As a specified authority Eden District Council is required to ensure that;

- Frontline staff have a good understanding of *Prevent*;
- are trained to recognise vulnerability to being drawn into terrorism;
- understand what radicalisation means and why people may be vulnerable to it;
- understand what is meant by the term "extremism" and the relationship between extremism and terrorism;
- know what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it;
- understand how to obtain support for people who may be being exploited by radicalising influences;
- are aware of available programmes to deal with this issue;
- are expected to and be able to make appropriate referrals to Channel (a programme which provides support to individuals who are at risk of being drawn into terrorism which is a statutory obligation. Guidance on the Channel programme can be found here: <https://www.gov.uk/government/publications/channel-guidance>;
- to ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views. This includes considering whether IT equipment available to the general public should use filtering solutions that limit access to terrorist and extremist material.

All employees are expected to comply with this duty.



## **12.5 Employee Consultation**

The Council recognises the value of joint consultation to enhance good employee relations.

The Council recognises Unison as the Trade Union negotiating body. In addition to this, the Council appoints at least 2 non-union staff representatives to ensure that it engages with employees who are not Unison members.

The Council operates a Joint Consultative Committee (JCC) which has representation from Unison, non-union staff reps, management and elected members.

Through regular meetings the Council will ensure that employees are kept fully informed and fully consulted about any plans or proposals relating to or affecting the organisation of the Council. Further details can be found in the Consultation Procedure.

## **12.6 Relocation Assistance**

Details regarding the Council's Relocation Policy can be found in the Pay and Pensions Discretions Policy Statement Annex 2.

## **12.7 Formulation and Review of HR Policies**

All HR policies and procedures are reviewed no less than every 5 years. In order for the suite of policies to remain effective and legally compliant a review can be triggered by one of the following:

- A change in employment legislation;
- Feedback received from managers, staff, Unison and/or Staff Reps which suggests a policy or procedure does not work effectively in practice.

If within a 5 year period a policy / procedure has not been reviewed in response to one of the above triggers, the following process will be used:

- The HR team will conduct a brief review to identify if any changes are needed;
- The JCC will be notified that the policy/procedure is due for a review and seek their views as to whether they believe any changes are needed;
- If it is deemed to be required, a more detailed review of the policy/procedure will take place;
- If no changes are required to the policy/procedure, the document will be updated to reflect the next review cycle.

Members of JCC are encouraged to proactively provide the HR Manager (or designate) with feedback, in relation to the practical application of the Council's policies and procedures, so that a review can be triggered where necessary.

## **12.8 Right to Search**

Due to the nature of the Council's business, security and confidentiality are of paramount importance. If the Council has reasonable grounds for suspecting a breach in security or confidentiality it reserves the right, if appropriate according to circumstances, to conduct a search of all Council property in an employee's possession and an employee's personal belongings including clothing and vehicles. Where appropriate the employee shall have the right to be present at this search.

### **13.0 Conditions, Codes, Policies, Procedures and Guidance List**

Detailed below is a list of the various documents applicable to employees. Some sections above may be covered by more than one policy/procedure. All relevant policies/procedures will apply to the specific situation even if not mentioned above.

If you are unable to find a policy or procedure etc. or no such policy/procedure exists contact should be made with the HR department. In the event of non-availability, the Council will follow employment law statute and ACAS guidelines.

All documents are available electronically. Those without IT access should speak to their line manager to obtain hard copies.

All details in the Offer of Employment letter and Statement of Written Particulars/Contract are relevant.

National Joint Council Conditions of Service (Green Book)

Absence Management Policy

Absence Management: Guidance for Managers and Employees

Annual Leave Procedure

Accounting and Audit Rules

Anti-Fraud, Theft, Bribery and Corruption Strategy

Capability Policy and Procedure

Child Protection Policy

Code of Conduct (for employees)

Confidential Reporting Code

Consultation Procedure

Disability in the Workplace Guidance

Disciplinary Policy

Disciplinary Procedure

Dispute Resolution Procedure

Employment Screening Procedure

Equality and Diversity Policy Statement

Equality of Opportunity in Employment Policy

Essential Car User: Criteria and Guidance

Eye Care Procedure

Fair Treatment at Work

Flexible Working Guidance

Flexi-Time Scheme

Fraud Policy

Grievance Policy and Procedure

Health and Safety Policy

Homeworking Policy

Homeworking: Manager's Guidance  
Honoraria and Acting up Policy  
HR Policy and Procedure review process  
Information Security Policy  
ICT Acceptable use Policy  
Job Description and Person Specification: Corporate Template  
Job Description and Person Specification: Guidance  
Job Evaluation Guidance  
Learning and Development Policy  
Management of Change Guidance  
Market Factor Supplement Scheme  
Maternity, Paternity, Adoption, Parental Leave and Shared Parental Leave Policy  
Maternity Procedure  
Paternity (for Births) Procedure  
Paternity (for Adoption) Procedure  
Adoption Procedure  
Parental Leave Procedure  
Shared Parental Leave Procedure  
Pay and Pensions Discretions Policy Statement (annual)  
Pay Protection (Pay Policy Statement: Annex 3)  
Politically Restricted Posts List  
Procurement Rules  
Procurement Guide for Officers  
Qualifications Study Scheme  
Recruitment and Selection Policy  
Recruitment and Selection Guidance: Manager's activities  
Recruitment and Selection Guidance: Considering ways to fill a vacancy  
Recruitment and Selection Guidance: Authority to recruit  
Recruitment and Selection Guidance: Creating and Reviewing a Job Description /  
Person Specification and Job Evaluation  
Recruitment and Selection Guidance: Advertising  
Recruitment and Selection Guidance: Shortlisting  
Recruitment and Selection Guidance: Selection Process  
Recruitment and Selection Guidance: Providing feedback on shortlisting or selection  
process  
Recruitment and Selection Guidance: New Starter Process  
Relocation Policy (Pay Policy Statement: Annex 2)

Smoking Policy  
Staff Parking Guidelines  
Travel and Subsistence