Buckingham Town Council

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Town Clerk: Claire Molyneux

FULL COUNCIL

Wednesday, 04 November 2026

Councillors,

You are summoned to a meeting of the Full Council of Buckingham Town Council to be held on Monday 9th November 2026 at 7pm in the Council Chamber, Cornwalls Meadow, Buckingham.

Please note that the meeting will be preceded by a Public Session in accordance with Standing Orders 3.e, 3.f, and 3.g, which will last for a maximum of 15 minutes. A member of the public shall not speak for more than 3 minutes. Members of the public can attend the meeting in person. If you would like to address the meeting virtually, please email committeeadmin@buckingham-tc.gov.uk or call 01280 816426 for details.

The meeting can be watched live on the Town Council's YouTube channel here: https://www.youtube.com/channel/UC89BUTwVpjAOEIdSlfcZC9Q/.

Claire Molyneux
Town Clerk

AGENDA

1. **Apologies for absence**
   Members are asked to approve or not approve apologies for absence.

2. **Declarations of interest**
   To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.

3. **Minutes**
   To agree as a correct record the minutes of the meeting of the Full Council meeting held on 21 September 2026. **Copy previously circulated**

4. **Planning Committee**
   To receive the minutes of the Planning Committee meetings held on 17 August 2026 and 28 September 2026. **Copy previously circulated** **Copy previously circulated**

5. **Town Centre and Events Committee**
   To receive the minutes of the Town Centre and Events Committee meeting held on 20 July 2026. **Copy previously circulated**

Members are reminded when making decisions that the Public Sector Equality Duty 2010 requires Members to have due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act, advance equality of opportunity between people who share a characteristic and those who don't, and to foster good relations between people who share a characteristic and those who don't. All Committee documents can be found on the Buckingham Town Council's website. Alternatively, the Clerk can send you a copy of any minutes, reports, or other information. To do this, send a request using the contact details set out above.

6. Environment Committee
To receive the minutes of the Environment Committee meeting held on 27 July 2026.
Copy previously circulated

7. Resources Committee
To receive the minutes of the Resources Committee meeting held on 7 September 2026.
Copy previously circulated

8. External Auditor's Report and Certificate 2025/26
8.1 To receive the External Auditor's Report and Certificate 2025/26 **Appendix A**
8.2 To receive a report from the Town Clerk & Compliance and Projects Manager **BTC/40/26**

9. Councillor Resignations
9.1 To note the resignation of Cllr. Singh from the Planning Committee
9.2 Further to the resignation of Cllr. Allen as the Council representative to the Flood Action for Buckingham group at the last Full Council meeting, to decide whether to nominate a replacement

10. Motion Cllr. Stuchbury

That this Council:
1. Notes that on 14 October 2026 Buckinghamshire Council's Cabinet approved the modified Draft Charging Schedule to proceed to Public Examination.
2. Agrees that the Town Plan Officer shall attend the public hearing commencing on 28 January 2027.
3. Nominates a Councillor to attend the hearing with the Town Plan Officer.

11. Staff Handbook
To receive a report from the Town Clerk/Compliance and Projects Manager **BTC/41/26**
Buckingham Town Council Staff Handbook **Appendix B**

12. Town Clerk (Proper Officer) Arrangements and Recruitment Process **BTC/42/26**
Buckingham Town Council Town Clerk Job Description **Appendix C**
Buckingham Town Council Town Clerk Person Specification **Appendix D**

13. To receive and question reports from Buckinghamshire Council Councillors

14. Reports from representatives on outside bodies
Members are asked to note the reports listed below:
https://www.buckinghamshire.gov.uk/council-tax-benefits-housing/housing-support-and-landlords/housing-strategies/

15. Action list **Appendix E**

16. Mayoral engagements
To receive a list of events attended by the Mayor and Deputy Mayor.

Functions the Mayor has attended:
25/09/26 St James and St John School 20th anniversary celebrations
04/10/26 River Rinse
10/10/26 High Sheriff Justice Service
17/10/26 Opening of Charter Fair
29/10/26 Careers Fair
31/10/26 Opening of The Artisan Collective
31/10/26 Bonfire and Fireworks
06/11/26 RLS Remembrance Service
08/11/26 Buckingham Remembrance Parade

Functions the Deputy Mayor has attended:

18/09/26 Formal opening of Tingewick Road Cemetery
21/10/26 University of Buckingham, Buckingham Debate Union debate
30/10/26 RBL Poppy Appeal stall
31/10/26 Bonfire and Torch Parade, Buckingham Fireworks Display
05/11/26 Aylesbury Town Mayor's Civic Remembrance Service
08/11/26 Buckingham Remembrance Parade

17. Chair's announcements - for information only

18. Date of the next meeting:

Interim Council: Monday 7 December 2026
Full Council: Monday 21 December 2026

To:
All Councillors

Appendix A

Section 3 – External Auditor's Report and Certificate 2025/26

In respect of **Buckingham Town Council – BU0028**

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2026; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor's limited assurance opinion 2025/26

On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Other matters not affecting our opinion which we draw to the attention of the authority:

- In the completion of the Annual Internal Audit Report, and their detailed report, the internal auditor has drawn attention to weaknesses in relation to agreement of salaries to employees and the recording of the name of the successor bidder awarded contracts in the minutes. The smaller authority must ensure that action is taken to address these areas of weakness in a timely manner.

3 External auditor certificate 2025/26

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2026.

External Auditor Name

PKF LITTLEJOHN LLP

External Auditor Signature  Date 14/09/2026

BTC/40/26

Buckingham Town Council

Full Council

Monday 9th November 2026

Contact Officers: Town Clerk & Compliance and Projects Manager

External Auditor Report and Certificate 2025-26

1. Recommendations

1.1. It is recommended that Members note the External Auditor Report and Certificate 2025-26.

2. Background

2.1. This is being discussed as the External Auditor has now completed its review and has concluded that Buckingham Town Council has successfully completed its Annual Governance and Accountability Return (AGAR) in accordance with proper practices.

3. Additional comments by the External Auditor

3.1. The External Auditor also made reference to observations made in the Internal Auditor's report (which Members have seen and considered previously) regarding salaries and recording the name of a successful bidder in the minutes.

3.2. The Internal Auditor commented:

3.2.1 "It was noted that pro rata pay for some members of staff have been computed based on a 52 week year rather than the new contractual basis of 52.14 weeks (365/7). This has resulted in a small underpayment of those staff."

Our response to the External Auditor:

"We have 25 staff. The internal auditor noted that the underpayments were small. The value of the "small" underpayments across the entire workforce for the whole financial year totals just over £30. It arose due to our payroll service provider continuing to use the standard HMRC weekly calculation of 52 weeks despite us providing them with the recently changed NJC-agreed formula of 52.14 weeks. I acknowledge that we did not pick this up and thanked the internal auditor for doing so. Our recorded response was that correcting this was already in progress. This is not recognised in your commentary. The internal auditor advised that this was no higher than a ***"medium"*** *priority."*

Information for Members:

Individual calculations have been made to correct salary payments. Our payroll provider now uses the correct calculation.

3.2.2 "The Council has awarded a number of tenders during the year. It is not currently practice for the name of the successful bidder to be recorded in Minutes of the relevant meeting."

Our response to the External Auditor:
"The internal auditor's observation regarding the Procurement Act is to confirm that we do comply. His comment was that we did not record the name of the successful bidder in the minutes. We publish the awards contract on Find a Tender to comply with the Act but did not publish the name in the minutes of the meeting as there is a waiting period prescribed in the Act before which the contract is confirmed. Whilst we understand that publication of the name of the winning bidder fulfils complete transparency, we believe we have followed an appropriate process to adhere to the Act, and we cannot find any reference in the Transparency Code to naming the successful bidder in the minutes. Our recorded response was that we had already put a procedure in place to comply with this recommendation. This was not recognised in your commentary. The internal auditor advised that this was no higher than a ***"medium"*** *priority."*

Information to Members:

In future we will name the successful bidder in the minutes of an appropriate meeting.

4. Final response from the External Auditor

4.1. "Thank you for your email. We note your comments. Once we issue our report we are unable to reissue it. Therefore, if you wish to add clarity to the matters raised, the Council can publish a note alongside our report to explain the background to the issues/reasons for the issues being raised."

5. Publication of documents

5.1 In accordance with the Accounts and Audit Regulation 2015 (SI 2015/234) the External Auditor's Report and Certificate, AGAR, and Notice of Conclusion of Audit (which details the rights of inspection) have all been published, in line with statutory requirements. No additional note was published alongside.

BTC/41/26

Buckingham Town Council

Full Council

Monday 9th November 2026

Contact Officer: Town Clerk and Compliance and Projects Manager

Staff Handbook

1. Recommendations

It is recommended that Members:

1.1. Adopt the revised Staff Handbook prepared by Worknest, as attached at Appendix B, subject to recommendations 1.3 to 1.6 below.

1.2. Note that the Resources Committee proposed four further amendments (minute 314/26), and that Worknest, as the author of the Handbook, was asked to review them. The amendments and Worknest's advice are set out in part 3 of this report.

1.3. Retain the existing wording on Trade Union membership (paragraph 3.1), in line with Worknest's advice.

1.4. Decide whether the word "customers" should either:
   a) remain unchanged; or
   b) be replaced throughout the Handbook with "customers and service users" (paragraph 3.2).

1.5. Delegate authority to the Compliance and Projects Manager, in consultation with Worknest, to add references to councillors where relevant (paragraph 3.3).

1.6. Remove the sentence "It is illegal to use your mobile phone whilst driving. This includes texting etc." (paragraph 3.4), which Worknest has confirmed is appropriate.

2. Background

2.1. This is being discussed as the Resources Committee have reviewed the revised staff handbook written by Worknest.

2.2. The Resources Committee recommend the revised staff handbook to Full Council with 4 further proposed amendments of their own (minute 314/26).

2.3. As the Staff Handbook relates to employment law, it was necessary to seek further advice from Worknest as they are the authors of the document.

2.4. The proposed amendments are listed below, together with feedback advice from Worknest.

3. Proposed amendments from Resources Committee and Worknest's advice

3.1. Committee's recommendation: **Put a full stop at the end of 'The Council further recognises and respects your right to join a Trade Union' and remove 'although you are under no obligation to do so if you do not wish to'.**

Worknest advice: **The wording should remain as it is and I would not recommend making the proposed change. It is sensible and balanced for the handbook to reflect both positions.**

3.2. Committee's recommendation: **The word 'customers' is replaced throughout the Handbook with the word 'users'.**

Worknest advice: **This is ultimately a preference point for the Council, but there is a practical risk that referring to "users" could be misconstrued in places as staff being the users of the handbook, rather than members of the public using Council services. If you want to change the terminology, you may wish to consider using "customers and service users" (or "service users and customers") instead, which is clearer and avoids ambiguity while still reflecting the range of interactions.**

3.3. Committee's recommendation: **There is no reference to councillors in the Handbook. It is proposed that 'councillors' are included where applicable.**

Worknest advice: **You can make any amendments you feel are helpful, but the key is to be specific and clear about when a reference is intended to apply to councillors as opposed to employees, or service users. If you would like to make further edits in tracked changes, I am happy to review the updated draft from both a practical and legal compliance perspective once those changes have been made.**

3.4. Committee's recommendation: **The use of mobile phones is clarified on page [17 of the 'clean' version] as hands-free use is not illegal. The Town Clerk suggested that the line 'It is illegal to use your mobile phone whilst driving. This includes texting etc.' could be taken out as the next line clarifies the Town Council position.**

Worknest advice: **If the preference is to remove the sentence stating that it is illegal to use a mobile phone whilst driving and rely on the following line which sets out the Town Council's position, then that approach is fine and we can remove the wording as specified.**

Buckingham Town Council

Employee Handbook
October 2026

Buckingham Town Council

WELCOME AND INTRODUCTION

Welcome to Buckingham Town Council (referred to throughout this handbook as “We” or “the Council”).Our strength as a Council is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

This handbook

This handbook is designed to explain the way in which we work and to set out the key procedures, rules and policies designed to ensure an efficient workplace and a safe and supportive environment for all employees. The contents of this handbook do not form part of the terms of your contract of employment unless otherwise stated. The Council may need to alter or amend any policy or procedure contained in this handbook to ensure that it remains relevant, legally up to date, and consistent with the needs of the business. Any such change will be notified to all employees and an up-to-date copy of this handbook can be obtained from the intranet. If you do not have access to the intranet an email copy can be requested.

The Council recognises the ‘Green Book’ which includes enhancements above the statutory minimum to certain employee benefits. These additional benefits are mainly detailed within your contract of employment, however if detailed within this handbook, they will be clearly identifiable.

The Council further recognises and respects your right to join a Trade Union, although you are under no obligation to do so if you do not wish to.

We do expect you to comply with the requirements set out in this handbook and failure to do so may lead to disciplinary action; in appropriate cases, up to and including dismissal.

Buckingham Town Council

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Buckingham Town Council

1 KEY PRINCIPLES

This section sets out some of the key commitments made by the Council to its employees – and the key commitments expected from employees in return.

1.1 Council Employee Code of Conduct

The behaviour of employees is central to the continued success of the Council. This handbook sets out a number of requirements aimed at ensuring the smooth running of the Council and the fair treatment of all employees. A number of these are so important that any breach of them will amount to gross misconduct and these are clearly identified throughout the handbook. Your attention is drawn in particular to the following:

- The rules on gifts and hospitality;
- The policy on smoking;
- The policy on alcohol and drugs;
- The policies on driving and the use of our vehicles;
- The policy regarding social media; and
- The rules concerning the use of computers, the internet and email.

1.2 Health and Safety

The primary duty owed to you by the Council is to ensure that you are safe while you are at work. Similarly, all employees are obliged to carry out their duties in a safe and responsible manner that does not risk harm to either themselves, their colleagues, or any other person.

A detailed health and safety policy/handbook identifying the roles and responsibilities of key staff members for ensuring that the Council meets its commitment to health and safety is available from the Compliance and Projects Manager. In addition, there is information on health and safety displayed throughout our premises.

Detailed risk assessments are carried out on all aspects of the Council's activities and steps taken to ensure that all work can be done safely. Any employee who is concerned that any aspect of the Council's activities poses a risk to health and safety should report this to the nearest available manager immediately. Genuine concerns about health and safety will always be treated with the utmost seriousness and be thoroughly investigated.

Employees are required to comply with all instructions rules and procedures concerning matters of health and safety. Failure to do so may amount to gross misconduct. In particular, where employees are required to wear personal protective equipment then failure to do so will be treated as gross misconduct which will usually result in dismissal.

Buckingham Town Council

1.3 Ethical Conduct

The Council aims for the highest possible standards of ethical conduct in all of its activities and expects the conduct of individual employees to reflect this. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships. Breach of this policy or dishonesty of any kind will be treated as a serious disciplinary matter, which may amount to gross misconduct and therefore to dismissal without notice.

Gifts and Hospitality

The acceptance of gifts and hospitality from clients/customers, suppliers and potential suppliers must not give the appearance that employees or the Council may be unduly influenced in the decisions that they make in respect of clients/customers, suppliers or in any other aspect of their work.

All gifts and hospitality given or received, of whatever value, must be entered in the Register kept by the management team.

No personal gifts should be accepted without express permission from the Town Clerk. No personal gifts of a value in excess of £50 are permitted whatsoever.

Acceptance of hospitality, such as lunch or drinks receptions, should be kept within common sense limits and should always be authorised by the Town Clerk. Offers of hospitality must always be authorised by the Town Clerk.

You may also be instructed to return any gifts which the Town Clerk considers to be inappropriate, or to refuse to accept hospitality from a particular supplier or potential supplier. Failing to obey such an instruction will be treated as misconduct.

Allowing gifts or hospitality to influence any purchasing/business decisions that you may make on behalf of the Council or to otherwise influence the way in which you perform your duties is an act of gross misconduct which will usually result in dismissal.

It is also an act of gross misconduct to seek to influence any other person to behave in an improper way or to confer a business advantage on you or the Council through the giving of any gift or hospitality.

Bribery

Bribe means a financial or other inducement or reward for action which is illegal, unethical, a breach of trust or improper in any way. Bribes can take the form of money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or any other advantage or benefit.

Bribery includes offering, promising, giving, accepting or seeking a bribe.

All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, raise it with your manager or the Town Clerk.

Specifically, you must not:

- give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received;

- accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else;

- give or offer any payment (sometimes called a facilitation payment) to a government official in any country to facilitate or speed up a routine or necessary procedure.

You must not threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.

If you are offered a bribe, or are asked to make one, or if you suspect that any bribery, corruption or other breach of this policy has occurred or may occur, you must notify your manager or the Town Clerk as soon as possible.

1.4 Whistleblowing

The Council encourages employees to raise any concerns that they may have about any suspected wrongdoing at any level within the business. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, sexual harassment occurring or likely to occur, damage to the environment, or an attempt to conceal any of the above.

Any initial concern should be raised with the Town Clerk. However, if this is not appropriate then you should contact another member of the management team who will ensure that your concern is properly addressed.

Employees who raise a concern are entitled not to be subjected to any detriment as a result, provided that the employee reasonably believes that the subject of the disclosure is in the public interest and the employee reasonably believes that the information disclosed and any allegation contained in it are substantially true.

Colleagues must not threaten or retaliate against whistleblowers in any way. If anyone is found to be involved in such conduct, they may be subject to disciplinary action. If you believe that you have suffered any such treatment as a whistleblower, you should inform the Town Clerk immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the business. Making a deliberately false allegation, however, against the Council, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

1.5 Good Faith and Loyalty

The employment relationship is one built on trust, and we all have a mutual interest in making the relationship a success. The Council has a duty to provide reasonable support to employees and employees have a duty of good faith towards the Council.

In practice this means not doing anything that undermines the Council's position by acting in competition with it, providing information to competitors or undermining the Council's standing with clients/customers and fellow employees and members of the public.

1.6 Data Protection

We will process personal data and sensitive personal data (also known as 'special categories of personal data') relating to you in accordance with our Data Protection Policy and our Data Protection Privacy Notice (provided to you separately), as well as in accordance with the relevant data protection legislation.

We may monitor staff in accordance with our policies relating to email, internet and communications systems and monitoring at work, as detailed in this Employee Handbook and in accordance with the relevant data protection legislation.

You must comply with your obligations under our Data Protection Policy and other relevant policies as directed, including in relation to relation to IT and communications systems, social media, information security, and criminal records information. Failure to do so may be dealt with under our disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

1.7 Environmental Statement

In the undertaking of their daily duties, we accept that all staff associated with the Council will have an influence on the environment. We will commit to adopting working practices that will help to have a positive effect, assist towards continued environmental improvement, prevent pollution, and reduce unavoidable negative influences caused by our working practices.

The Council therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations. Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

Buckingham Town Council

2 HOW WE DO THINGS

This section deals with some important administrative requirements to do with your employment and sets out the standards the Council expects of employees in various situations.

2.1 Proof of Identity

The Council is legally obliged to ensure that all employees are permitted to work in the UK. It is a condition of your employment that you comply with all reasonable requests to provide details of your identity, right to work in the UK and place of residence. This will include allowing the Council to take copies of your passport or other appropriate documents and to check their authenticity. Copies of any such documents will be kept in your personnel file for such a period as is deemed necessary in compliance with current data protection laws.

The Council may dismiss any employee who cannot demonstrate that they are legally entitled to work in the United Kingdom.

2.2 Dress Code

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients or customers and whether the requirements of health and safety require particular clothing. How you dress is largely a matter of common sense. If your manager feels that you are dressing in an inappropriate way they may ask you to dress differently the next time you come into work. A persistent refusal to comply with a reasonable standard set by a manager will amount to misconduct.

Where an employee dresses in a completely inappropriate way, for example by wearing clothing with offensive images or slogans, then they may be sent home to change. Any time taken to go home and change will be unpaid.

Employees required to wear Uniform

If you are provided with specific uniform for your role, you will be expected to wear this whilst at work, especially if you may come into contact with the public in the performance of your duties.

You must ensure you look presentable for work and your uniform is maintained in a good condition. If you lose your uniform, or do not look after it, then the Council will be entitled to make a deduction from your remuneration to cover the cost of replacing this (subject to national minimum wage considerations, where applicable). General wear and tear will be taken into account and the Council may exercise its discretion to replace uniform.

Personal Protective Equipment

If you are provided with any Personal Protective Equipment (PPE) you must ensure you wear this as required, especially in any designated area which may pose additional risk. Failure to do so is likely to result in disciplinary action.

2.3 Timekeeping

Good timekeeping is essential in any team; however we recognise the commitment that staff dedicate to their duties and therefore are happy to show some flexibility in terms of time keeping. This having been said, any employee who is seen to abuse this goodwill, will be spoken to. Persistent abuse of this goodwill will likely result in disciplinary action.

The Council may ask you to record your arrival and departure times and may keep such records of your working time as it thinks appropriate. Failure to record time accurately may be treated as gross misconduct.

Where it is clear that you are going to be late for work you must contact your line manager as soon as possible to explain the situation and give an estimate of your arrival time. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If personal or domestic circumstances make it difficult for you to attend work on time then you should discuss this with your line manager. In some cases, the Council may be able to accommodate a reasonable need for flexibility, but this will be subject to the needs of the business and the need to avoid placing an unfair burden on your colleagues (see Section 4).

2.4 Time Off In Lieu (TOIL)

Your contractual hours of work are detailed within your terms and conditions of employment.

Any hours worked in addition to these must be reasonable and appropriate and can be taken as time off in lieu. Additional hours will only be paid where specified in your contract of employment. Both TOIL and overtime must be recorded on your timesheet.

Time off in lieu will be compensated at the following rates

- Monday to Friday - on an hour-by-hour basis;
- Saturday – time and a half;
- Sunday and Bank Holidays – Double time.

The timing for taking time off in lieu must be reasonable and appropriate. The time will be calculated on your timesheet. Ideally, time off in lieu should be taken as soon as possible.

You should not accumulate more than two weeks equivalent of your usual hours.

Time off in lieu will be subject to regular review via supervision with your Line Manager.

2.5 Adverse Weather and Traffic Disruption

Adverse Weather

Adverse weather conditions can cause road closures and public transport disruption.

The Council's primary duty is to provide a safe place of work. If adverse weather means that this cannot be achieved, and the workplace needs to close then all employees will be sent home or told not to come in. In these circumstances, where possible, employees may be required to work from home and will be paid as normal. If home working is not a suitable alternative arrangement, employees will be paid in full for any working time that they have lost.

If the need to close the workplace persists, the Council may invoke any lay-off clause in employees' contracts.

Traffic Disruption

We understand that events such as industrial action, road traffic accidents and road works can cause difficulties for employees attempting to travel into the workplace. In these circumstances we are prepared to take a flexible approach to working arrangements while still keeping the business running as effectively as possible.

You must make a genuine effort to report for work at your normal start time. You may need to leave home earlier to give yourself extra time for the journey or taking an alternative route. Travel on foot or by bicycle should be considered where appropriate and safe.

If you are unable to get into work, you should check the situation throughout the day in case it improves. Information may be available from local radio stations, the police, transport providers or the internet. If conditions improve sufficiently to allow you to travel in to work, you should report this to your manager and attend work unless told otherwise.

Delayed Return from holidays

You should make every effort to return to work as planned at the end of any period of authorised annual leave and should ensure that travel arrangements are made that would best ensure this is possible. However, we recognise that employees may be delayed when returning from holidays due to cancellations/ delays. You should make every effort to keep your line manager updated and discuss how your work may be covered. You will not be entitled to be paid for any time lost.

If you are unable to travel into work

If the workplace is open, it is the responsibility of employees to attend work if they possibly can.

Employees who are absent from work due to adverse weather or other travel disruptions are not entitled to be paid for the time lost.

Where it is clear that you are not going to be able to get to work you must contact your line manager as soon as possible to explain the situation. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If you are unable to attend work due to severe weather or other travel difficulties, then you will be required to take time from your annual leave allowance to cover any absence or to take unpaid time off by agreement with your manager.

There may be circumstances in which employees are able to work at home or from an alternative place of work, if available, but this will be entirely at the discretion of the Council. If you do this, you will receive your normal pay.

If travel disruption or adverse weather causes you to arrive at work late or requires you to leave work early you will usually be expected to make up any lost time.

2.6 Rest Breaks

The Council encourages all employees to take full advantage of scheduled rest breaks. These are provided not only for comfort, but also to protect the health of employees and prevent excessive fatigue from causing accidents.

A rest break should be taken away from your workstation wherever possible. If you leave the premises you should bear in mind the time that it will take you to return from the break so that you can ensure that you begin work again on time.

Different areas of the business may have different arrangements for ad hoc breaks such as to make a cup of tea or coffee. These arrangements are in place to ensure the smooth running of the business and to prevent putting unfair pressure on colleagues. You are required to comply with any requirements relating to such breaks as may be in place from time to time.

2.7 Smoking

The Council operates a smoke-free workplace. Smoking (which includes the use of e-cigarettes and personal vaporisers) is therefore strictly prohibited throughout all Council premises, including any Council vehicle. Smoking is only permitted in the designated outside areas.

Employees should try to keep smoking breaks to a minimum and should be aware of the amount of time they spend on smoking breaks over the course of the day. Employees should be particularly careful to avoid taking smoking breaks at busy periods or at a time that will cause increased work or pressure for colleagues.

2.8 Computer Use - Including the use of email/Internet

It is very important that the Council is able to keep its data secure and ensure that computer systems are used only for their proper purpose. To assist with this, all employees are required to comply with instructions that may be issued from time to time regarding the use of Council-owned computers or systems.

You should ensure that when leaving a computer for any lengthy period, that you lock your terminal, or log off if appropriate.

You must not attach any device to Council IT equipment without authorisation from the Town Clerk and you must not open attachments or click on links unless you know you can trust the source. Council portable IT devices must be kept secure and password protected at all times.

Your computer password is an important piece of confidential information and you should treat it that way. Do not share it with others, and make sure that it is not written down anywhere where an unauthorised person can find it.

Unauthorised access to any of the Council's systems will amount to gross misconduct.

Internet Use

Employees with access to the internet on Council-owned devices should use that access responsibly.

Reasonable personal use is permitted provided the rest of this policy is complied with.

From time to time the Council may block access to sites which it considers inappropriate but whether or not a specific site has been blocked, employees must not use the internet to view or download offensive or sexually explicit material. Any attempt to do so may, depending on the circumstances, amount to gross misconduct leading to dismissal.

Employees must not download any software, plugins or extensions on to Council-owned devices unless this is first cleared by an appropriate manager. Employees should also refrain from downloading music, video or any other entertainment content on any Council-owned device.

Firewalls and anti-virus software may be used to protect the Council's systems. These must not be disabled or switched off without express permission from management.

Email

All email correspondence should be dealt with in the same professional and diligent manner as any other form of correspondence.

If you have a Council email account, you should be mindful of the fact that any email that you send will be identifiable as coming from the Council. You should therefore take care not to send anything via email that may reflect badly on the Council. In particular, you must not send content of a sexual, racist or discriminatory nature, junk mail, chain letters, cartoons or jokes from any email address associated with work.

Using a Council/work email address to send inappropriate material, including content of a sexual, racist, discriminatory or harassing nature, is strictly prohibited and may amount to gross misconduct resulting in summary dismissal. Should you receive any offensive or inappropriate content via email you should inform a member of management of this as soon as possible so that they can ensure that it is removed from the system. You should also report such breaches in accordance with our Harassment and Bullying or Grievance policies.

You should also take care that emails will be seen only by the person intended. Particular care should be taken when sending confidential information that the email has been correctly addressed, marked 'private' /'confidential' and not copied in to those not authorised to see the information. Sending confidential information via email without proper authorisation or without taking sufficient care to ensure that it is properly protected will be treated as misconduct.

Privacy

Monitoring of email and internet usage may take place without notice. You should have no expectation of privacy in respect of personal and business use of email and the internet whilst at work.

Your work email remains the property of the Council and therefore you should not use your work email to send or receive any information that you regard as private. The Council may, in the course of its business, read emails that you have sent or received - although in the absence of evidence of wrongdoing the Council will try to avoid reading personal emails if possible.

2.9 Social Media

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of a social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on the Council.

You must avoid making any social media communications that reflect badly on the Council or which could damage our business interests or reputation, even indirectly, or which could damage working relationships. You must not use social media to:

- defame or disparage or make any other inappropriate comment about us, our staff or any customer, client or other third party;
- harass (including sexually harass), bully or unlawfully discriminate against staff, customers, clients or other third parties;
- make false or misleading statements; or
- impersonate colleagues or third parties.

Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Council will take a particularly serious view of any misconduct that occurs through the use of social media.

You should make it clear in social media postings, or on your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal email address. Be respectful to others when making any statement on social media and be aware that you are personally responsible for all communications which will be published on the internet for anyone to see.

You must not operate a social media account or profile or express an opinion that purports to be operated/made on behalf of the Council without express permission to do so from your manager. You must not comment on social media about sensitive business-related topics, such as our performance, or do anything to jeopardise our trade secrets, confidential information and intellectual property. You must not include our logos or other trade marks in any social media posting or in your profile on any social media.

You should not attempt to access social networking sites, such as Facebook/X (formerly known as Twitter) or similar on Council computers or devices (unless for a legitimate work-related purpose). This includes during break times.

Any misuse of social media that you see should be reported to your manager.

Breach of this policy may result in disciplinary action up to and including dismissal. You may be required to remove any social media content that we consider constitutes a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

2.10 Telephones

Council telephones must be used for legitimate business purposes only.

Calls and texts on personal mobile phones should wherever possible be restricted to formal rest breaks.

2.11 Alcohol and Drugs

The Council's approach to the consumption of alcohol, drugs, and other substances (including new psychoactive substances) that have intoxicating and/or behaviour-altering effects or impair judgement (referred to in this policy as "other substances") is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of the rules in this area will be treated as gross misconduct which will usually result in dismissal.

An employee will be regarded as 'under the influence' of alcohol, drugs, or other substances if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. An employee will also be regarded as under the influence if they fail a drug, other substance, or alcohol test.

Dependency

Employees who have a dependency on alcohol, drugs or other substances may be offered support and encouraged to seek appropriate counselling or medical help. Absence arising from treatment or counselling related to drug, alcohol or other substance abuse will be treated as sickness absence under the Council's absence management policy. However, while the Council will always try to be supportive toward employees with a drug, alcohol, or other substance problem, this will not prevent disciplinary action being taken when employees act in breach of the rules laid out in this policy.

Wherever an employee informs the Council that they have a drug, alcohol, or other substance problem this will, as far as possible, be treated in the utmost confidence. However the Council may need to disclose particular circumstances to managers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

Drugs

The consumption, storage, distribution or sale of illegal drugs or any other behaviour-altering and/or intoxicating substance, including new psychoactive substances, on Council premises or during working time is strictly prohibited. The Council will report any illegal activities to the police or other relevant authorities.

You must not present yourself for work under the influence of illegal drugs or any other substance taken for non-medical purposes.

Medicines and Prescription Drugs

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform the Town Clerk of this so that steps can be taken to ensure that the work can be done

safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

Alcohol

Consumption of even a small amount of alcohol may be sufficient to adversely affect the work of an employee and could pose a risk to health and safety. Remember that alcohol remains in the bloodstream for up to 24 hours following consumption and that the consumption of a significant amount of alcohol in the evening may leave you unfit to work in the morning.

You must not present yourself for work under the influence of alcohol.

You must not consume any alcohol during working time, lunchtime or during any break unless this has been specifically authorised by the Town Clerk.

Where alcohol is available at Council organised events or occasions when you are representing the Council – even outside working hours - it is important to behave responsibly and not drink to excess. Behaviour that reflects badly on the Council will be a disciplinary matter and in serious cases may amount to gross misconduct.

Drug, alcohol and other substance testing

The Council may require you to submit to drug, alcohol and/or other substance testing where there is reason to believe that you may have acted in breach of this policy.

Because of the safety-critical nature of the business, the Council may subject any employee to random drug, alcohol and/or other substance testing when they arrive at work or at any stage during the working day.

This may include a standard breathalyser test administered by your manager. Arrangements for blood or urine testing may vary from time to time, but such tests will always be carried out by suitably qualified, independent professionals or specially trained staff.

An employee will be treated as having failed a drug or alcohol test if the test shows the presence of illegal drugs or a level of alcohol in excess of the drink driving limit applicable in England & Wales (80 mg of alcohol per 100 ml of blood, 35 mcg per 100 ml of breath or 107 mg per 100 ml of urine).

An employee who refuses, without proper excuse, to undergo a test required under this policy will be treated as having failed the test. This failure will be treated as gross misconduct.

Whether a test needs to be conducted is a matter for the Council to decide. In cases where an employee is clearly under the influence of alcohol, drugs, or other substances there is other clear evidence of a breach of this policy then disciplinary action may still be taken even if no test is carried out.

2.12 Driving

Where driving is required as part of your job, it is your responsibility to ensure that you are legally qualified to drive.

Licences will go through the Council inspection procedure which requires us to check individual licences once a year with the DVLA, or as otherwise requested. The Council

will require you to share your driving licence information by supplying it with your driving licence number and a check code provided by the DVLA. If you receive any points on your licence you must inform the Council of this immediately.

If you use your own vehicle to drive on Council/work-related business (this does not include travel to and from work), it is your responsibility to arrange to be insured for that business use as the Employer will not be liable for any costs in the event of an accident. The Council may require you at any time/annually to allow a copy of your insurance and any MOT test certificate to be made and kept in our records.

You are responsible for any driving offences committed while driving as part of your duties, including any parking fines. Dangerous, careless, inconsiderate, or aggressive driving as well as causing a risk to others can be damaging to the Council's reputation and can amount to gross misconduct. If you are banned from driving for any reason, the Council is not obliged to find alternative work for you and may choose to dismiss you if the ban renders you incapable of performing your duties as required.

It is illegal to use your mobile phone whilst driving. This includes texting etc.

Employees should **never** use their mobile phone whilst driving on Council business.

Any journey carried out on Council business must be scheduled in such a way as to allow adequate rest breaks – usually one break of 15 minutes for two hours of driving. Where possible, driving on Council business should be avoided either late at night or very early in the morning.

Safety is the Council's prime responsibility, and you should not be required to compromise safety in any way when driving on Council business. If you are concerned about any driving requirements you may have, then you should discuss these with your line manager and appropriate arrangements will be made to ensure that any work-related journey can be completed safely.

Council Vehicles

If a Council vehicle is provided to you as part of your contract of employment or you are required to drive a Council vehicle as part of your job, it is your responsibility to take care of the vehicle, keeping it in a clean and roadworthy condition, including checking the oil/water levels are at the required levels. You should report any damage or fault immediately. The Council will arrange for appropriate maintenance or servicing to be carried out. If you incur any reasonable expenses in connection with the vehicle then these will be reimbursed, but you must check with the Town Clerk first and comply fully with our expenses policy. The Council will not be obliged to reimburse any expenses incurred without authorisation.

Any personal use of a Council vehicle, other than a vehicle provided for your exclusive use as part of your contract is at the sole discretion of the Council and must in any event be kept within reasonable limits. Your manager may at any time instruct you not to use – or to cease using - a Council vehicle for private purposes.

If you have possession of a Council vehicle overnight or at the weekend then you must ensure that it is securely parked in an appropriate location. In general, equipment or stock should not be left in a vehicle overnight. Where this is unavoidable then you must ensure that the vehicle is parked in a locked garage. If this is not possible then you should discuss appropriate parking and security arrangements with your line manager.

2.13 Expenses

You will be reimbursed for authorised and legitimate expenditure reasonably incurred in the course of the proper performance of your duties, i.e. travel, accommodation, agreed out-of-pocket expenditure.

In order to claim expenses you must complete an expense claim form and support the claim by submitting valid receipts.

2.14 Council Property

You are not permitted to use Council property for any purpose other than its intended use. Council property must not be removed from the premises unless with prior approval.

Damage to Council Property

Any damage to or loss of Council property must be immediately reported to your manager.

If, following an investigation, it is found that as a result of your carelessness, negligence, or failure to comply with Council procedures, or by wilful act, the Council suffers loss or damage of cash, stock, fixtures and fittings or property (including vehicles) , this will be construed as serious breach of the rules, which could result in your summary dismissal on grounds of gross misconduct.

You may also be liable to pay the full, or part, cost of making good the Council's loss in respect of cash, stock, fixtures and fittings, or property (including vehicles).

In the event that the Council makes a claim to its insurers, for repair or replacement, or other losses incurred, it reserves the right to require you to pay any insurance excess that may accrue.

If Council property is damaged, lost or stolen through your negligence or fault, then the Council may deduct the cost of repair or replacement from your salary.

Before any decision is made to deduct, the matter will be fully investigated, and you will be given an opportunity to state your case and appeal any decision.

Return of Council Property

Upon termination of employment for whatever reason, you must return to the Council all property belonging to the Council including Council vehicle, computer, equipment, mobile phone, keys, uniform, records and documents within your possession or control belonging or relating to the affairs and business of the Council and its customers.

The Council may deduct the cost of replacement of any items not returned, or repair of items that are returned damaged, on termination of your employment from your salary or any monies owed to you.

Employees' Property

The Council does not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises, and in particular, not to leave any items overnight.

Any loss or theft of items must be reported to your manager.

Lost Property

If you find any items of lost property they should be handed to your immediate Manager, who will retain the items for two months. The property will either be handed over to the police or disposed of accordingly.

2.15 Relationships at Work

This policy covers all employees of the Council. It is intended to provide guidance in areas where personal relationships overlap with working relationships and is intended to ensure that individual members of staff are not open to allegations of impropriety, bias, and abuse of authority or conflict of interest. It is also intended to set out employees' rights and responsibilities to one another.

The Council values the integrity of professional relationships between its employees. In order that the Council's business is conducted in a professional manner and perceived to be conducted in a professional manner, it is necessary to distinguish between, and take account of, personal relationships which overlap with professional ones.

In the context of this policy, a personal relationship is defined as:

- a family relationship; or
- a sexual/romantic relationship.

Both the Council and any Employees who are in personal relationships with any other Employee shall take all reasonable steps to ensure that personal relationships neither advantage nor unfairly disadvantage those involved.

If an Employee becomes involved in a personal relationship with a fellow Employee, it is the responsibility of both individuals to deal appropriately with any potential conflicts of interest. Ideally, such relationships should be reported, in confidence, to the Town Clerk, particularly where the relationship is between a Manager and their subordinate.

Employees should take care that financial, familial, or personal relationships entered into on a consensual basis do not advantage or unfairly disadvantage any member of staff or other individuals.

Employees involved in personal relationships should exercise due regard for the professional nature of the workplace and behave in a professional manner at all times, paying due consideration to colleagues, customers, and clients.

Where a personal relationship exists between employees who are in a line management or supervisory relationship at work, they must not be involved in recruitment, selection, appraisal, promotion or in any other management activity or process involving the other party whereby there may be a conflict of interest or perceived conflict of interest as a result of the personal relationship. In such circumstances, the relevant the Town Clerk should be informed and will, where appropriate, make alternative arrangements and confirm them in writing. The Town Clerk will treat these matters in confidence.

If there is any inequality or perceived inequality in the relationship, extra care should be taken, and employees' attention is drawn to the sexual harassment policy. Sexual

harassment is defined as “any form of unwanted verbal, non-verbal or physical conduct of a sexual nature which occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment”. Employees involved in personal relationships at work should ensure that any such relationships are fully consensual and are not and cannot be perceived as an exploitation of one party’s position in relation to another.

Any employee who is, or who has been, involved in a sexual/romantic relationship with another member of staff, and who does not consider their involvement to be truly consensual, will have the right to complain under the Council’s grievance procedure.

Applicants for employment within the Council will be asked to declare whether they are in a personal relationship with any existing employee of the Council. The existence of a relationship between an applicant and an employee will not bar anyone from applying to the Council for employment, but relationships must be declared at the outset.

External and internal applicants for posts will be asked to declare relevant personal relationships when applying for the post to ensure that the member of staff they are related to / in a relationship with is not involved in the application process.

Managers and staff who are uncertain about whether they should act regarding a personal relationship (whether their own or someone else’s relationship that is affecting them) are invited to seek guidance in confidence from the Town Clerk.

Employees should be aware that a breach of this policy could lead to disciplinary action being taken.

2.16 General

Statements to the Media

Any statements to reporters from newspapers, radio, television etc. in relation to our business will be given only in accordance with the Council’s Media Policy.

Parking

If parking is provided by the Council, all cars parked in such parking areas are parked at the owner’s risk and must be parked so as not to obstruct access. It is your responsibility to ensure that your vehicle is parked in a safe area.

CCTV/Security Cameras

The Council reserves the right to use closed circuit television (CCTV) systems throughout its premises as deemed necessary and employees should expect all areas (other than those where use would contravene common decency) to be visible on a television monitoring system. Information obtained from systems will only be used in appropriate circumstances and with strict adherence to Data Protection Laws. This may include using recorded images as evidence in disciplinary proceedings.

Buckingham Town Council

3 ABSENCE

This section sets out the approach the* Council *takes when you are unable to attend work, are taking annual leave or need time off.

3.1 Unauthorised Absence

Employees who deliberately fail to attend work without proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu and/or non-payment of hours not worked.

3.2 Medical Appointments

In general, appointments to see a GP, dentist or optician should be made for outside working hours. Paid leave will not normally be granted for non-emergency visits.

The Council appreciates that it is not always possible to avoid appointments during the working day and will judge each case individually in deciding whether any paid time off should be granted. In most cases, employees will be required either to use part of their annual holiday entitlement, TOIL, or to make up any lost time.

Employees who have a medical condition which will require regular appointments during the working day should discuss their situation with their manager so that appropriate arrangements can be made.

You may be required to provide evidence of any appointment for which time off is needed.

Necessary paid time off will be granted for cancer screening.

3.3 Ante-natal Care/Adoption Appointments

Pregnancy Related Appointments

Employees who are pregnant are entitled to paid-time off to attend ante-natal appointments provided that attendance is based on medical advice. For second and subsequent appointments you may be required to produce an appointment card or similar evidence of the date and time of the appointment.

While there is no limit on the number of appointments that an employee can attend, the Council does have the right to refuse time off where it is reasonable to do so. Employees are therefore expected to take reasonable steps to arrange antenatal appointments at a time that will require the minimum amount of time off. Part-time workers should attempt to arrange appointments for days when they are not required to work and all employees should try to avoid appointments in the middle of the working day in order to minimise disruption.

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right you should notify your manager of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

Adoption Appointments

Employees who are adopting on their own or have elected to be the primary adopter may take paid time off to attend up to five adoption appointments in certain circumstances.

If you are the partner of the primary adopter, you may take unpaid time off on up to two occasions to attend an adoption appointment.

3.4 Sickness Absence

Regular and reliable attendance at work is an important commitment that the Council asks all employees to make. Unjustified or excessive absence can put unfair pressure on colleagues and seriously damage the Council's business, to everybody's detriment.

Nevertheless, the Council will always try to be supportive when an employee is genuinely too ill to attend work. This policy sets out the Council's approach and the steps that you need to take if you are off sick.

Infectious Disease

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay whilst absent from work in consequence of this. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

If an employee contracts an industrial disease or is involved in an accident or assault arising out of, or in the normal course of their employment, this will be considered entirely separately from normal sickness absence and therefore will not be offset against an employee's sick pay entitlement under the sick pay scheme.

Reporting Sickness Absence

If you are too ill to come into work you should personally inform your line manager of this fact as soon as possible and in any event by no later than your designated start time. If you work outside of office hours, you should telephone your line manager as soon as possible after 9am, and no later than 10am. If your line manager is unavailable telephone the office number and speak to another manager. The following details should be provided:

- The nature of your illness or injury.
- The expected length of your absence from work.
- Contact details.
- Any outstanding or urgent work that requires attention.

When you phone in sick you must make every effort to speak to your manager directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for your manager then they (or another member of the management team) will contact you during the day to discuss your absence with you.

It is important that you keep in touch with your manager about the likely length of your absence so that appropriate arrangements can be made for cover, and you should phone in sick on every day of your absence unless either you have previously informed

your manager that you will be off sick for a particular period of time, or your absence is certified by a 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

The Council requires any absence of up to and including 7 calendar days to be certified by a 'self-certification form' (Form SC2). Any absence of more than 7 calendar days must be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Council may require such absence to be certified by a medical professional at your own expense.

A false declaration of reporting sickness/incapacity or false declaration on a self-certification form will result in disciplinary action and may lead to summary dismissal.

Where you are absent for an extended period of time (three weeks or more) or where you have high levels of short-term absences the Council may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this may include understanding the likely timescales for a return to work where your absence is ongoing, identifying any underlying health condition that may be contributing to frequent short-term absence, and considering any reasonable adjustments or other support measures that may help you return to, and remain in, regular attendance.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

The Council will maintain regular contact with employees who are off sick for an extended period.

Employees will be required to attend a return to work meeting after any period of sickness absence. The purpose of the meeting is to check on the employee's general health and wellbeing, see if any support or adjustments are required, to catch up with regards to anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

Annual Leave and Sickness Absence

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence you should inform your manager of this fact in advance and provide contact details. The Council does not expect employees to take holidays while off sick. In exceptional cases only, where this may assist in an employee's recovery, the Council may agree to holidays being taken during sick leave. It is essential however that any such holidays are agreed in advance with the Council following the normal holiday request procedure.

Phased Return to Work

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

Alternative Work

The Council may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached then the Council may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

Disability and Reasonable Adjustments

The Council is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments the Council needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with their line manager. Any such discussions will be in the strictest confidence although when an adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. The Council is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment. Nor will the Council agree to an adjustment which will not result in a commercially practicable working arrangement.

Sick Pay

If you are sick we will pay you Statutory Sick Pay (SSP), if you are eligible. Details of your entitlement to sick pay are contained within your contract of employment.

Contractual Sick Pay

In addition to Statutory Sick Pay (SSP) the Council also offers an enhanced Sick pay scheme in line with the Green book provisions. An employee's entitlement under this scheme is linked to their length of service, and will be as follows:

- During 1st year of service: 1 month's full pay, which after having completed 4 months continuous service, also increases by 2 months' half pay;
- During 2nd year of continuous service: 2 months' full pay and 2 months' half pay;
- During 3rd year of continuous service, 4 months' full pay and 4 months' half pay;
- During 4th and 5th years of continuous service, 5 months' full pay and 5 months' half pay; and
- After 5 years' continuous service, an employee would be entitled to 6 months' full pay and 6 months' half pay.

NB: **'Full Pay'** period = Sick Pay shall include SSP and any Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit.

'Half Pay' period = Half pay plus SSP and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit, so long as this total does not exceed an employee's normal pay.

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

For the purposes of sick 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.

If you exhaust or do not qualify for the sick pay entitlement above you will receive any SSP entitlement. For the purposes of SSP your qualifying days shall be your normal working days.

The payment of sick pay is dependent on you keeping the Council informed in relation to your absence and complying in full with the requirements of this policy. You will not be entitled to Council sick pay if you refuse to cooperate with referrals to occupational health or other measures aimed at helping you to return to work. The fact that an employee has not exhausted Council sick pay will not prevent the Council from proceeding to dismissal under the procedure for dealing with long-term absence described in Section 5.2.

If your sickness absence is the result of reckless behaviour on your own part – such as arising from disorderly conduct - then any payment of Council sick pay will be entirely at the Council's discretion.

3.5 Jury Service/Other Time Off

There are a number of circumstances in which employees have a right to time off from work either with or without pay. These include jury service and certain public duties such as serving as a local councillor, magistrate, or school governor. Where a need for such time off arises you should discuss the matter with the Town Clerk who will consider what arrangements should be put in place.

While the Council will do its best to accommodate time off in these circumstances, the requirements of an employee's role may mean that the amount of time off granted may be limited.

Where serving on a jury would lead to a level of absence that would be detrimental to the business, the Council may require you to seek a deferment.

Employees undertaking jury service or serving on public bodies, or undertaking public duties, will be entitled to paid time off. Where an allowance is available for loss of earnings, the employee should claim and pay the allowance to the employing authority.

3.6 Compassionate/Bereavement Leave

In the event an employee suffers a bereavement in their immediate family, the Council will exercise its discretion to allow reasonable time off to attend a funeral. What is reasonable will be determined on a case by case basis and the type of leave, whether paid or unpaid, will depend on the circumstances and the relationship the employee had with the individual.

In addition, there may be occasions where it may be necessary for an employee to take compassionate leave. Again, this will be considered on a case-by-case basis and dependant on circumstances, may be paid or unpaid.

An employee will not be eligible to receive paid bereavement or compassionate time-off benefits while off, or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

3.7 Parental Bereavement Leave

Employees are entitled to statutory parental bereavement leave (SPBL) if a child for whom they have or were due to have parental responsibility has died or been stillborn after 24 weeks of pregnancy.

Leave can be taken as one week, two consecutive weeks, or two separate weeks, at any time within the first 56 weeks after the child's death.

Notification

During the first eight weeks after a child has died, you, or someone on your behalf as necessary, need only give notice to the Council to take SPBL before you are due to start work on the first day of leave. If you have already started work, then officially your SPBL period will start on the following day. If you want to cancel it at any time during the first seven weeks you can do so as long as it has not started.

After eight weeks, you need to give at least a week's notice to the Council to take SPBL. You can cancel it with a week's notice, or re-book it by giving a week's notice.

When giving notice to take SPBL, you must tell the Council: the date of the child's death; when you want your leave to begin; and whether you want to take 1 or 2 weeks leave. You can give notice by telephone or by email or by letter.

Parental Bereavement Pay

To qualify for statutory parental bereavement pay (SPBP) during such leave you must have at least 26 weeks' continuous employment ending on the Saturday before the

child died and normal weekly earnings of at least the lower earnings limit. It is paid at the same rate as other statutory family leave pay, which is subject to change every year. You can check the most up-to-date figure with the Town Clerk.

To claim SPBP, you must confirm the following information in writing within 28 days of starting any period of SPBL: your name; your entitlement to SPBP; the dates of SPBL you want to claim the pay for; the date of the child's death; and your relationship to the child. You can provide this information at the same time as giving notice to take SPBL, as set out above, so long as it is in writing.

Other leave entitlements

In addition to parental bereavement leave if you qualified for:

- maternity or paternity leave and pay and your child has died or been stillborn, you are still entitled to such leave and pay.

- adoption leave and pay, then the adoption leave entitlement runs for another eight weeks from the end of the week in which the child died (unless it would already have ended sooner).

If your planned period of SPBL coincides with another statutory family leave right, your SPBL will end at the start of that other leave. If you wish to take SPBL at the end of the other statutory family leave period, then a fresh notice to take the leave will be required, as per the above notice requirements.

Compassionate, Bereavement or Dependants leave may be available, at our discretion, under our separate policies. Please speak to your manager if you require time off in addition to parental bereavement leave.

3.8 Emergency Time Off for Dependants

The Council recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to your manager.

Provided the reasons for such a request are genuine and you inform the Council as soon as possible that you need this time off, you will be allowed reasonable unpaid time off work to deal with such emergencies.

The right to time off only covers emergencies. If you know in advance that you are going to need time off, you will not qualify for this type of leave and you therefore should arrange this with the Council by taking another form of leave, such as annual leave, parental leave etc.

If an emergency occurs and it is not possible for you to inform your manager in advance of any absence you should contact your manager as soon as possible to inform them of the situation. Appropriate arrangements may then be put in place.

If you suffer some other personal emergency you should talk to the Town Clerk who will discuss what arrangements can be made to grant you compassionate leave. These arrangements will always be at the discretion of the Council and will depend on the circumstances of the case and the impact that any absence on your part may have on

the business. However, the Council will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

3.9 Annual Leave

Your individual holiday entitlement, including the calculation of any holiday pay, is set out in your contract of employment. This section of the handbook outlines the general approach taken by the Council to requests for annual leave.

All annual leave must be agreed in advance with your line manager or the Town Clerk. You should not make firm travel plans or commitments until a request for leave has been granted and the Council will not take such plans into account when dealing with conflicting holiday requests.

Further, no more than two consecutive weeks' holiday can be taken at one time. In certain circumstances, and at the discretion of the business, a longer period may be permitted. If this is required, you should discuss this with the Town Clerk, to establish whether this can be accommodated.

What notice do I need to give?

All requests for leave should be made at least twice as many days in advance of the intended leave. The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

Your manager may refuse any request for leave if it would result in the workplace being understaffed or otherwise prejudice the business. Leave is likely to be refused if it is requested for a particularly busy period or a time when other employees have already had leave approved.

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the business, leave will be granted on a first come first served basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

Our Holiday Year

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 01 April to 31 March. However it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

By mutual agreement, no more than five days leave may be carried forward to the next leave year unless you have been prevented from taking it in the relevant holiday year by one of the following: a period of sickness absence or statutory maternity, paternity, adoption, shared parental, parental, parental bereavement, carer's, neonatal care, or bereaved partner's paternity, leave. In cases of sickness absence, carry-over is limited to four weeks' holiday per year less any leave taken during the holiday year that has just ended. Any such carried over holiday which is not taken within eighteen months of the end of the relevant holiday year will be lost.

If you do not take your annual leave within the leave year in which it accrued, you will lose the right to take it, unless one of the carry forward provisions referred to above applies.

Employees who leave their employment during the course of a holiday year will be entitled to a pro-rata payment reflecting leave accrued but not taken. Where an employee has, at the time their employment ends, taken a larger proportion of their leave entitlement than the proportion of the holiday year that has expired, then a deduction will be made from the final payment of salary to reflect the holiday which has been taken but not accrued.

The Council may insist on annual leave being taken at particular times depending on the needs of the business and these are set out in your contract of employment. Alternatively, we will give reasonable notice of any such requirement (the length of the notice given will be at least twice the duration of the leave the Council requires the employee to take).

The Council may require you to take (or not to take) any outstanding accrued holiday entitlement during your notice period.

3.10 Reserve Forces

The Council supports employees who are also members of the reserve forces. Such employees have specific entitlements relating to time off including arrangements for them returning to work after a period of deployment. Employees who are members of the reserve forces or who are considering joining should discuss the implications with the Town Clerk.

3.11 Carer's Leave

All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long-term care need. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at the time of making the request. How that is calculated will depend on whether you have non-variable or variable hours of work.

A dependant is:

- your spouse, civil partner, child or parent;
- someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or;
- anybody else who reasonably relies on you to provide or arrange their care.

A dependant has a long-term care need if:

- they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months;
- they have a disability for the purposes of the Equality Act 2010, or
- they require care for a reason connected with their old age.

The minimum period of carer's leave that can be taken at one time is half a working day, with the maximum period being one continuous week. Leave need not be taken on continuous days.

You must give notice of your request to take a period of carer's leave. This can relate to all or part of the leave to which you are entitled. The notice must:

- Specify that you are entitled to take carer's leave;

- Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and
- Be given with the following minimum notice periods depending on how many days of leave you want to take: Half a day to 1 day - 3 days' notice; 1.5 to 2 days - 4 days' notice; 2.5 to 3 days - 6 days' notice; 3.5 to 4 days - 8 days' notice; 4.5 to 5 days - 10 days' notice; or 6 days (if you work 6 days a week) - 12 days' notice.

The notice does not need to be in writing, but it would be helpful if it was in order to maintain an accurate record of what is being requested.

The Council may, in our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.

If the Council reasonably considers that the operation of the business would be unduly disrupted if your request was granted, we may postpone the start of the carer's leave after consulting with you to agree an alternative date(s) which is/are no later than one month after the earliest day or half day of the request. In these circumstances, the Council will give written notice to you of the postponement, setting out the reason for the postponement and the agreed dates you can take the leave. This notice will be given no later than the earlier of: (a) seven days after your notice was given to the Council, or (b) before the earliest day or half day requested in your notice.

Buckingham Town Council

4 FLEXIBLE WORKING AND FAMILY RELATED LEAVE

The Council understands the particular issues faced by employees trying to balance their work and family life. This section sets out the Council's policies in this area and the specific rights given to new parents.

4.1 Flexible Working

The Council will try, subject to the needs of the business, to accommodate requests from employees who wish to make changes to their working hours or place of work.

Requests for a change in working arrangements can be made by any employee. Two requests per employee may be made in any 12-month period (which includes requests that have been withdrawn). However, you may have only one live request for flexible working with the Council at any one time. The request must:

1. be made in writing and state this is a flexible working request;
2. be dated;
3. set out the change requested, including when you would like the change to come into effect; and
4. set out if and when you have made a previous request for flexible working to the Council.

When a request is received, you will be invited to a meeting to discuss the potential change.

The meeting will normally be conducted by your line manager.

You are entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

1. a burden of additional cost;
2. a detrimental effect on ability to meet customer demand;
3. an inability to re-organise work among existing staff;
4. an inability to recruit additional staff;
5. a detrimental effect on quality;
6. a detrimental effect on performance;
7. an insufficiency of work during the periods you propose to work;
8. a planned structural change; and
9. any other ground allowed by regulations.

Before refusing a request, the Council will consult with you to discuss the application further, which may include exploring any alternatives that may be available. If no agreement is reached and the request is rejected, this will be confirmed in writing and your terms and conditions will remain unchanged, subject to your right to appeal the decision. The process (including any appeal) will be concluded within 2 months of the request being made, unless a longer period is agreed.

Any meetings should take place in a spirit of cooperation with both sides seeking to reach agreement on an appropriate way forward.

Any change in working arrangements which results from this process will be confirmed to you in writing.

This policy will not prevent managers agreeing to ad hoc arrangements from time to time. However, any such arrangement will not amount to a variation in your terms and conditions of employment unless specifically agreed to the contrary and confirmed in writing. The Council may terminate any such ad hoc agreement at any time and require you to revert to your agreed working arrangements.

As there will inevitably be a limit to the amount of flexibility the Council can tolerate without detriment to its interests, employees must accept that the fact that a particular working arrangement has been granted to one employee does not oblige the Council to grant it to another.

4.2 Maternity Leave

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least 26 week's continuous service immediately before the 15th week prior to the expected week of childbirth will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to a member of the management team who will make sure that you have all the appropriate information.

Notification

To qualify for maternity leave you must provide the Council, no later than the end of the 15th week before your EWC (when you are approximately 6 months' pregnant) with the following information:

1. that you are pregnant;
2. the date of the week your baby is due (your expected week of childbirth or EWC);
3. when you intend your maternity leave to start (this date can be changed later – see below); and
4. you must also provide the Council with the original Maternity Certificate (MAT B1) issued by your doctor.

In some circumstances the Council may be able to accept other medical evidence of when your baby is due, so if there is any difficulty in providing the MATB1 certificate you should discuss this with your manager.

If you intend to take advantage of the right to shared parental leave, you should inform the Council of this fact at the same time as you notify the intended start date of your leave.

Start of Maternity Leave

Generally it is up to you to decide when to start your maternity leave. However, your leave cannot begin any earlier than the beginning of the 11th week before your EWC.

Where it is safe to do so, you may choose to continue working right up to your child's birth. However, your maternity leave will begin automatically if you are off sick for a pregnancy-related reason at any stage in the four weeks immediately before your EWC.

If your baby is born before the date that you have notified as the start date for your maternity leave then your maternity leave will begin on the day following the birth.

You may change the date on which you intend to start your maternity leave, but you must notify the Council of your new start date at least 28 days before the original date given (or the new date, if that is sooner). If there is a reason why you cannot give this notice then you should explain the situation to an appropriate manager and the Council will attempt to accommodate your changed circumstances. However, the Council may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

When your baby is born you should inform the Council of this fact as soon as is reasonably practicable.

Duration of Maternity Leave

The standard length of maternity leave is 52 weeks. Once you indicate the intended start date of your leave, the Council will send you a written notification of your expected date of return.

Unless you give due notice to the Council of an earlier date of return, it will be assumed that you intend to take your full 52-week entitlement and you will not be expected back at work before your leave ends. You do not then have to give any notice of your return although it would be sensible to contact your manager some time in advance to discuss any arrangements that may need to be made.

At the end of your maternity leave you are generally entitled to return to the same job as you had before your leave began. If you are away for more than 26 weeks, however, there may be circumstances in which that is not reasonably practicable. In that case, the Council will provide you with a suitable and appropriate role at the same level of seniority and on no-less favourable terms and conditions.

Dismissal or Resignation

While on maternity leave you remain employed by the Council and bound by your contract of employment. If you decide that you want to leave your employment you will need to submit your resignation in the normal way.

The Council will not dismiss you for any reason related to your pregnancy or your exercise of any right which arises from it. However, if separate circumstances require your dismissal (for instance, because of redundancy) then that will bring your maternity leave to an end.

If your position becomes redundant during your maternity leave then you will be offered any suitable alternative work that is available.

Statutory Maternity Pay

Statutory Maternity Pay (SMP) is paid to employees who have at least 26 weeks' service immediately before the 15th week before the expected week of childbirth and whose pay is above the Lower Earnings Limit for paying National Insurance Contributions (this changes each year). Employees who earn below that amount may be entitled to a state

benefit called Maternity Allowance. The Council will provide you with an appropriate form (SMP1) to help you claim this, where appropriate.

To pay SMP, the Council needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform the Council of your intended start date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings (this is based on an average of your total earnings in the eight weeks immediately preceding the 14th week before your expected week of childbirth) and the remaining 33 weeks are paid at a flat rate specified in legislation (this changes each year).

Your entitlement to SMP will be affected if you undertake any paid work (other than 'Keeping in Touch' days, described below) or are taken into legal custody at any time during your period of SMP entitlement. You should inform the Council immediately of any such change in your circumstances.

Enhanced Maternity Pay

The Council offers enhanced maternity pay in line with the provisions of the Green book. An employee who meets the other qualifying criteria listed in this policy, and who have one or more years' continuous local government service at the 11th week before the expected week of childbirth will be entitled to enhanced Maternity pay as follows:

- 6 weeks' leave payable at 90% of normal pay offset against SMP
- 12 weeks' leave payable at 50% of normal pay, plus SMP at the relevant rate, capped at 100% of normal pay and provided the employee declares in writing she intends to return to work*; and
- 21 weeks' leave payable at the relevant rate of SMP

NB: 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. Any reference above to SMP is replaced by any Maternity Allowance and any dependant's allowances if the employee if not eligible for SMP.

* Payments made by the Council during maternity leave under the second bullet point above shall be made on the understanding that the employee will return to employment for a period of at least three months, which may be varied by the Council on good cause being shown and, in the event of her not doing so, she shall refund the monies paid, or such part thereof, if any, as the Council may decide.

Returning to Work Early

Not every employee will want to take the full 52 weeks of maternity leave. Some may simply want to return to work early and others may wish (with their partner) to take advantage of the right to shared parental leave (see below).

In order to make arrangements to accommodate an early return the Council is entitled to ask for 8 weeks' notice of the new date, and if that is not given may delay your return until 8 weeks have passed since your notification.

In any event the law requires that you must not be permitted to return to work during the two weeks immediately following the birth.

Returning to Work Late

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date then you should follow the sickness absence reporting procedure set out in Section 3.4 of this handbook.

If you are entitled to begin some other period of leave (such as annual leave or parental leave) then you should ensure that you have followed the appropriate procedure for taking such leave as set out in this handbook.

Maternity Suspension (Health and Safety Reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that the Council has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy then the Council will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

4.3 Adoption Leave

Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave.

Adoption leave is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

Where two parents are adopting a child, only one of them may take adoption leave, and the other (regardless of gender) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

The arrangements for taking adoption leave are similar to the arrangements for taking maternity leave, but there are several important differences. The key ones are set out below, but if you believe you are entitled to adoption leave you should discuss the situation with an appropriate manager who will ensure that you have all the necessary information.

Notification

If you intend to take adoption leave you should notify the Council of this within seven days of being notified that you have been matched with a child for adoption (or as soon as is reasonably practicable).

Your notification should set out:

- the date when the child is expected to be placed with you; and
- the date when you want to start your adoption leave.

As with maternity leave, you can change your mind about the start date provided the Council is given at least 28 days – or as much notice as is reasonably practicable.

The Council is entitled to require proof of the adoption which usually takes the form of a matching certificate provided by the agency placing the child.

Adoption leave is the same in duration as that of maternity leave and will last for 52 weeks unless you choose to return early or take advantage of shared parental leave. You may choose to start the leave from the date when the child is placed with you or at any time in the preceding two weeks.

If, for any reason, the placement is brought to an end – for example because the match turns out to be unsuitable – then adoption leave will continue for 8 weeks beyond the end of the placement. After that period you will be expected to return to work as normal.

Statutory Adoption Pay

The arrangements for statutory adoption pay are similar to those for SMP (set out above).

Enhanced Adoption Pay

The Council offers enhanced Adoption pay on the same basis as our enhanced Maternity pay scheme, set out above.

Returning to Work Following Adoption Leave

Your return to work at the end of your adoption leave is on the same basis as for the end of maternity leave (set out above).

4.4 Paternity Leave

Employees are entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the child's father or partner of the mother/primary adopter. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent.

There are a number of administrative requirements that must be met in relation to taking paternity leave and employees should discuss their plans with the Town Clerk at as early a stage as possible. The following paragraphs set out the basic requirements, but there are additional requirements that must be met when adopting a child from overseas and employees in this position should talk to their manager who will make sure that full information is provided.

Employees entitled to take paternity leave are entitled to two weeks of leave, which can be taken as two consecutive weeks, or two non-consecutive blocks of one week.

Paternity leave cannot start before a child is born or placed and must be taken at some stage within the first year following birth or adoption (except when the child is born prematurely in which case the leave must be taken within the 52 weeks following the expected week of childbirth).

Most new parents choose to begin paternity leave on the date their child is born, but you may if you wish begin the leave at any time you choose provided that the whole of the leave is taken by the end of that year.

In order to qualify for paternity leave with regards to birth, you must notify the Council at least 15 weeks before the expected week of your child's birth, and give at least 28 days' notice before the date you would like to take each period of leave. As an exception to this, if your expected week of childbirth falls between 5 April and 25 July 2026 and you had less than 26 weeks' continuous employment at the end of the 15th week for the expected week of childbirth, 28 days' notice can be given before the date you would like

to start paternity leave in order to qualify for paternity leave. For adoption cases, you must notify the Council within 7 days of having been notified that a child will be placed for adoption. Your notification should specify how much leave you intend to take and when you intend the leave to begin. Should your plans change, you will need to give the Council 28 days' notice of any revision.

Statutory paternity pay (SPP) is payable during paternity leave, provided you have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth or the week in which the adoption agency notified you of a match, and your average earnings are not less than the lower earnings limit set by the government each tax year. Paternity leave is payable at the statutory rate, which is subject to change every year, or 90% of your average weekly earnings (whichever is lower). You can check the most up-to-date figure with the Town Clerk.

Maternity Support Leave

Paid Maternity support leave of 5 days (deemed inclusive of any statutory paternity pay) will also be granted to the child's father or the partner or the nominated carer of the expectant mother at or around the time of the birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

Adoption Support Leave

Paid Adoption support leave of 5 days (deemed inclusive of any statutory paternity pay) will also be granted to the partner or the nominated carer of the primary adopter at or around the time of placement. A nominated carer is the person nominated by the primary adopter to assist in the care of the child and to provide support to the primary adopter at or around the time of placement.

4.5 Bereaved Partner's Paternity Leave

Employees are entitled to take statutory bereaved partner's paternity leave (BPPL) if a child's mother/primary adopter has died within 52 weeks of the child's birth/adoption placement and the employee is the child's father or partner of the mother/primary adopter and they have the main responsibility for the child's upbringing and be taking the leave to care for the child.

Leave can start at any time after your bereavement and be taken as a single period that can last up to 52 weeks after the date of birth/adoption placement. If the bereavement takes place at any point in the last two weeks of that 52-week period, you can take the leave for up to two weeks after the bereavement.

Notification

To start BPPL in the first eight weeks after the bereavement

You, or someone on your behalf as necessary, need only give notice to us to do so before you are due to start work on the first day of leave. Notice can be given verbally or in writing. You must tell us: the bereavement date; the child's date of birth/adoption placement; and the leave start date. If you have already started work, then officially your leave period will start on the following day.

In addition, and no more than eight weeks after the bereavement and at least one week before the return date, you must tell us in writing how long you intend to be absent and the date you intend to return to work. If you intend to return to work more than eight

weeks after the bereavement, you must also include, in this written notification, the child's date of birth/adoption placement and a declaration that you meet the necessary relationship condition to the child or to the mother/primary adopter and that you are taking the leave to care for the child.

If you want to cancel starting such leave or change the start date to another date also falling within the first eight weeks after the bereavement, you can do so by giving notice no later than the day before it was due to start or the day before the new date (if earlier). If you want to change the start date to a date falling more than eight weeks after the bereavement, the notice must be in writing and given before it was due to start and at least a week before the new date.

To start BPPL more than eight weeks after the bereavement

To do so, you need to give us at least a week's written notice which contains all the information above, namely: the bereavement date; the child's date of birth/adoption placement; the leave start date; how long you intend to be absent; the date you intend to return to work; and a declaration that you meet the necessary relationship condition to the child or to the mother/primary adopter (including having the main responsibility for the child's upbringing) and that you are taking the leave to care for the child.

You can cancel starting such leave, or change the start date, with at least a week's written notice before it was due to start or before the new date (if earlier).

Changing the return to work date

You can change your return to work date by giving us one week's, or eight weeks' where it was more than eight weeks after the bereavement, written notice before that date or before the new date (if earlier). Your return date cannot be later than 52 weeks after the date of birth/adoption placement.

Pay and other leave

BPPL is unpaid, save for, if you are entitled to statutory paternity pay and have not yet claimed it, you may do so during your BPPL. Please see our Paternity Leave policy.

If you are eligible for statutory shared parental leave and pay, this is likely to be more beneficial than BPPL. Please see our Shared Parental Leave policy.

Compassionate, Bereavement or Dependants leave may be available, at our discretion, under our separate policies.

4.6 Parental Leave

Parental leave is a flexible form of unpaid leave designed to help employees spend time caring for their children. Parental leave can be taken up until the child's 18th birthday and is available to employees who have formal parental responsibility for a child.

The basic entitlement is to 18 weeks of unpaid leave in respect of each child.

Parental leave must usually be taken in blocks of one week or more and no more than four weeks' leave will be granted in a single year. However, more flexibility is available in respect of disabled children and you should discuss your requirements with the Town Clerk if this applies to you.

A request to take parental leave should be submitted 21 days in advance. While the Council will always try to accommodate requests for parental leave, it has the right to postpone any leave for up to six months in order to accommodate business need.

No postponement will be required if you choose to take your first instalment of leave immediately after the birth or adoption of your child. In such circumstances you need only inform the Council of your intention 21 days before the expected date of birth or placement. The leave will then begin automatically when your child is born or placed with you.

Parental leave is an entitlement that can be transferred from one employment to another. You may therefore join the Council with some outstanding parental leave attaching to a particular child.

4.7 Shared Parental Leave

Shared parental leave is a flexible form of leave available to both parents designed to encourage shared parenting in the first year of a child's life. It allows a more flexible pattern of leave than the traditional arrangement under which the mother takes extensive maternity leave and the father takes a short period of paternity leave.

Employees who give birth or adopt remain entitled to take the full 52 weeks of leave if they choose to do so and the arrangements described above for maternity and adoption leave continue to apply. However, an employee may choose to share part of that leave with their partner provided that certain qualifying conditions are met. When leave is shared in this way, there is no need for the 'primary' leave taker to have returned to work. Both parents can be on leave at the same time, provided that the combined amount of leave taken by the parents does not exceed 52 weeks and provided that all of the leave is taken before the end of 52 weeks following the birth of the child or its placement for adoption.

Generally, parents will qualify for shared parental leave provided that both are working and that each has at least 26 weeks' service with their respective employers. To exercise the right, both parents must inform their employer that they intend to take shared parental leave – usually at the same time as the employer is notified that an employee is pregnant or plans to adopt. They must also give an indication of the pattern of leave that they propose to take.

A parent proposing to take a period of shared parental leave must give the Council 8 weeks' notice of any such leave. Depending on the circumstances, it may be possible for the Shared Parental Leave to be taken in intermittent blocks, with one parent returning to work for a time before taking another period of shared parental leave. Such an arrangement can only be made with the agreement of the Council. While every effort will be made to accommodate the needs of individual employees, the Council may insist on shared parental leave being taken in a single instalment. Any decision as to whether to permit intermittent periods of leave is entirely at the Council's discretion.

An employee absent on shared parental leave will be entitled to a weekly payment equivalent to the lower fixed rate of SMP. The number of weeks for which payment will be made will vary depending on the amount of SMP paid to the mother while on maternity leave. Essentially, if the mother ends (or proposes to end) her leave with 10 weeks of SMP entitlement remaining, the parent taking shared parental leave will be entitled to be paid for the first 10 weeks of leave.

Because of the number of options available, shared parental leave can be quite a complicated entitlement. If you want to take advantage of shared parental leave, you should discuss this with your line manager, who will check that you qualify and help guide you through the procedure.

4.8 Keeping in Touch Days/Shared Parental Leave Days

Employees during a period of maternity and adoption and bereaved partner's paternity leave are entitled to 10 keeping in touch days (KIT days). These allow the employee to attend work to catch up on the latest developments, undergo training or some other development activity, or to take part in important meetings without losing their right to subsequent pay entitlements. Employees on shared parental leave are also entitled to 20 shared parental leave in touch days (SPLIT days).

KIT days and SPLIT days are entirely voluntary and employees will not be required to take part, nor is the Council under any obligation to arrange for KIT or SPLIT days.

Payment, or equivalent paid time off in lieu for working on such days, will be as agreed between the Council and the employee at the time the KIT or SPLIT day is arranged, but will be deemed inclusive of any statutory pay entitlement and will not be less than the national minimum wage.

4.9 During Maternity/Adoption/Bereaved Partner's Paternity or Shared Parental Leave

The Council is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the business. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, your manager may, before your leave begins, discuss with you how best we can keep in touch while you are away.

Please be aware, however, that if an important issue arises on which you need to be consulted, the Council may have a legal obligation to discuss the issue with you and keep you informed.

4.10 Homeworking and Hybrid Working Policy

We support homeworking in appropriate circumstances, either occasionally (to respond to specific circumstances or particular tasks) or on a regular (full or part-time) basis. Homeworking can also be a means of accommodating a disability and can be requested as a means of flexible working under our Flexible Working Policy. If you are permitted to work from home, you must comply with this policy.

We recognise that there are a number of homeworking arrangements that you may request, and that these arrangements may be requested as part of a flexible working application, such as:

a) working from home as your main place of work;
b) working from home on a part-time basis on fixed days of the week; or
c) splitting your working time between the workplace and your home subject to business factors and manager approval.

If you want to vary your working arrangements so that, either permanently or temporarily, you work from home for all or part of your working week, you will need to make a flexible working request in accordance with our Flexible Working Policy. Any request to work from home must meet the needs of our business as well as your needs.

A hybrid working arrangement is an informal flexible working arrangement which allows you to split your working time between the workplace and an agreed remote working location, such as your home. Hybrid working arrangements will differ depending on the nature of your role, duties and responsibilities and so are discretionary and subject to agreement in writing with the Town Clerk. Any hybrid working arrangement is subject to you spending a minimum of such proportion, as agreed in writing with your line manager, of your work time working from your workplace. Your remaining working time may be worked from your workplace or your remote working location, as agreed in writing with the Town Clerk.

Any agreed hybrid working arrangement is subject to the requirement for you to attend the workplace on our reasonable request to accommodate the needs of our business, such as to attend training or meetings. All hybrid working arrangements are subject to ongoing review and may be modified for reasons including a change in business needs or performance concerns.

Conditions Necessary For Homeworking/Hybrid Working

Not all roles and not all jobs are suitable for homeworking/hybrid working. You should not assume that a flexible working application to work from home will automatically give you the right to amend your working hours or any other aspect of your working arrangements.

A request for homeworking or hybrid working is unlikely to be approved, on either an occasional or permanent basis, if:

a) you need to be present in the workplace to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties, or involves equipment that is only available in the workplace);
b) your most recent appraisal identifies any aspect of your performance as unsatisfactory;
c) the Town Clerk/your line manager has advised you that your current standard of work or work production is unsatisfactory;
d) you have an unexpired warning, whether relating to conduct or performance; or
e) you need training or supervision to deliver an acceptable quality or quantity of work.

If you wish to apply to work from home or are working under a hybrid working arrangement, you will need to be able to show that you can:

a) have a suitable working environment at your home that enables you to carry out your role effectively;
b) continue to work the hours required by your contract of employment;
c) work independently, motivate yourself and use your own initiative;
d) manage your workload effectively and complete work to set deadlines;
e) identify and resolve any new pressures created by working at home;
f) adapt to new working practices, including maintaining contact with the Town Clerk, your line manager, and colleagues at work;
g) make arrangements for the care of any children or other dependants when you are working from home; and
h) determine any resulting tax implications for yourself.

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Location

If a homeworking arrangement is in place, you will be required to work from your home address. If you wish to work from a different location at any time, you will need to agree this with the Town Clerk in advance and that request is subject to their written approval.

Under a hybrid working arrangement, your primary remote working location should be agreed with the Town Clerk in advance and is subject to their written approval. Your primary remote working location must be within commuting distance of your workplace unless written approval has been provided by the Town Clerk. You will be required to finance any travel and/or related expenses incurred when travelling to and from your remote working location and your workplace.

Management, Training and Workplace Attendance

Your line manager/the Town Clerk will remain responsible for supervising and assessing you in the same way as staff based in the workplace and will agree the best way to appraise your performance and provide ongoing supervision in a remote way. Your line manager/the Town Clerk will regularly review your working arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with any changes to the workplace or information relevant to your work.

You will be subject to the same performance measures, processes and objectives that would apply if you worked permanently in the workplace.

If you receive an unsatisfactory grade in an appraisal or informal review, or are subject to a written warning for any reason, your homeworking/hybrid working arrangements may be terminated immediately, in which case you will be expected to return to work in the workplace.

You will be provided with the same opportunities for training, development and promotion as provided to staff based in the workplace. If your working arrangements will impact on your ability to apply for certain roles, your line manager/the Town Clerk will discuss this with you to ensure that you are not denied any opportunity unfairly.

You agree to attend the workplace or other reasonable location for meetings, training courses or other events which we expect you to attend.

You understand that when you do attend the workplace, you may have to hot desk or share a desk with someone else.

Health And Safety

When working at home, you have the same health and safety duties as other staff. You must take reasonable care of your own health and safety and that of anyone else who might be affected by your actions and omissions. You must attend our usual health and safety courses, read the Health and Safety Policy, which is on the intranet and undertake to use equipment safely. If you do not have access to the intranet an email copy can be requested.

To identify any potential health and safety hazards in the home and take appropriate steps to minimise risk, we retain the right to carry out a health and safety risk assessment (either remotely or by arranging a home visit) before or shortly after you begin homeworking. We will contact you to arrange completion of the risk assessment. The need for these inspections will depend on the circumstances, including the nature of the work you undertake.

You must not have meetings in your home with customers or give customers your home address or telephone number.

You must ensure that your working patterns and levels of work when working at home are not detrimental to your health and wellbeing. If you have concerns about your health or wellbeing arising as a result of your workload or working pattern, you should inform your line manager/the Town Clerk without delay so that we can discuss measures to deal with this.

You must use your knowledge, experience and training to identify and report any health and safety concerns to the Town Clerk or your line manager.

Equipment and Suitable Workspace

We will provide the equipment that we consider you reasonably require to work from home. We will make all necessary arrangements for and bear the cost of installing, maintaining, repairing or replacing (where necessary), and removing equipment from your home. Where equipment is provided, it remains our property and you must:

a) ensure it is only used by you and only for the purposes for which we have provided it;
b) take reasonable care of it and use it only in accordance with any operating instructions and our policies and procedures;
c) make it available for collection by us or on our behalf when requested to do so; and
d) not use any personal device or computer for work.

When travelling between your remote working location and your workplace, you agree to keep equipment provided by us secure at all times.

On termination of your homeworking/hybrid working arrangement or on termination of your employment, you must return all equipment provided by us. Where necessary, we may need to arrange a home visit to reclaim equipment and will contact you to make the appropriate arrangements.

It is your responsibility to ensure that you have a suitable workspace at home with adequate lighting for working from home. We are not responsible for the associated costs of you working from home, including the costs of heating, lighting, electricity, broadband internet access, mobile or telephone line rental, or calls.

If you have a disability, you should inform us if you require any specialised equipment to work from home comfortably.

Insurance Requirements

We are responsible for taking out and maintaining a valid policy of insurance covering any equipment we provide against fire, theft, loss and damage throughout your employment.

We are not liable for any loss, injury or damage that may be caused by any equipment that is not provided by us but required by you to work from home.

You are responsible for ensuring that working from home will not invalidate the terms of your home insurance. You should ensure that you check your home insurance policy before commencing homeworking and inform your home and contents insurance provider of your working arrangements as required.

You should check the terms of your mortgage, lease or rental agreement before commencing working from home to ensure this does not breach any of the terms. It is your responsibility to inform your bank, mortgage provider or landlord that you are working from home and seek any necessary approval before commencing homeworking.

When you are working at or from home, you are covered by our insurance policy. Any accidents must be reported immediately to the Town Clerk or your line manager in accordance with our Health and Safety Policy.

Data Security and Confidentiality

Your line manager/Town Clerk must be satisfied that you are taking all reasonable precautions to maintain confidentiality of material in accordance with our requirements.

You are responsible for ensuring the security of confidential information in your home and when travelling to and from your workplace. You must not use your personal computer equipment for storing any confidential information.

When working from home, you undertake to:

a) comply with our instructions relating to software security and to implement all updates to equipment as soon as you are requested to do so;
b) send work-related emails and messages through our designated communication facilities;
c) share data only through our designated systems;
d) make all work-related calls through our designated video-conferencing software or work mobile phone;
e) maintain a private space for confidential work calls;
f) ensure that any display screen equipment is positioned so that only you can see it or a privacy screen is used;
g) lock your computer terminal whenever it is left unattended;
h) ensure no one else in your home has access to confidential information stored on our equipment.
i) ensure any wireless network used is secure;
j) ensure your wireless network is password protected and ensure that your wireless network router has software security updates applied;
k) keep all papers containing confidential information in filing cabinets that are locked when not in use, and ensure that no one else in your home has access to those papers; and
l) shred or otherwise dispose securely of confidential information when it is no longer required and at all times comply with our instructions on document retention.

To comply with data protection obligations, you will only store or process Council data or personal data on equipment which has been provided by or authorised by us.

To comply with data protection legislation, we retain the right to conduct a data protection impact assessment (DPIA) to assess the risks involved with data processing in the home. Where this is necessary, we will contact you to arrange the DPIA.

If you discover or suspect that there has been a data breach or an incident involving the security of information relating to us, our clients/customers, or anyone working with or for us, you must report it immediately to your line manager or the Town Clerk.

Termination Of Homeworking or Hybrid Working Arrangement

We reserve the right to terminate your homeworking or hybrid working arrangement, for example, due to a change in business needs, performance concerns or if your role changes such that homeworking or hybrid working is no longer suitable, subject to the notice period specified in the original agreement.

If you want to terminate your homeworking or hybrid working arrangement, you must give us as specified in the original agreement to allow us to arrange a desk space for you in the workplace and collect any equipment that is no longer required.

4.11 Neonatal Care Leave

This policy is intended to reflect the statutory provisions and provides guidelines only. If there is any conflict between this policy and the statutory provisions, the latter will prevail.

Employees are entitled to statutory neonatal care leave (SNCL) if a child, for whom they have parental responsibility, is receiving, or has received, “neonatal care” which started within 28 days of birth and has lasted for seven full consecutive days, not counting the day on which the care starts (and in adoption cases, not counting any time spent in neonatal care before being placed/entering GB) (the “qualifying period”). “Neonatal care” means medical care in hospital or any continuing hospital outpatient care (including monitoring and home visits from healthcare professionals directed by a consultant and arranged by the hospital), or palliative/end-of-life care. The SNCL must be taken for the purpose of caring for the child (save for a subsequent bereavement).

SNCL can be taken in weekly blocks for every uninterrupted week their child received neonatal care, starting no earlier than the day after the qualifying period (as above), up to a maximum of 12 weeks, and must be taken within 68 weeks of the birth. So, for the first week of SNCL taken, the earliest it can start is on day 9 of being in neonatal care.

Up until the 7th day after the child stops receiving neonatal care (including if it stops but starts again within 28 days of birth and providing the qualifying period is met), the weekly blocks can be taken either continuously or non-continuously. After that, the weekly blocks must be taken continuously.

Notification

Up until the 7th day after the child stops receiving neonatal care you only need to give notice to us to take SNCL before you are due to start work on the first day of each week of leave or, where this is not possible, as soon as reasonably practicable. If you have already started work, then officially your SNCL period will start on the following day.

When giving notice you must specify: the child's date of birth; in adoption cases, the date of placement or the date the child entered GB; the date(s) the child started to receive neonatal care; if it stopped, the date(s) it ended; the date(s) you wish SNCL to begin and how many weeks for; confirmation you are taking the leave to care for the child; and if it is the first notice for that child, confirmation you meet the eligibility requirements as to family relationship with the child.

Where the neonatal care is ongoing, you must notify us of the date the care ends, as soon as is reasonably practicable. If the child starts to receive neonatal care again, you must notify us of the start date and the end date, as soon as reasonably practicable in each case.

You can give the above notice by telephone or by email or by letter. However, if telephoning, it would be helpful if it was subsequently put in writing at least within 28

days of the first day of your SNCL in order to maintain an accurate record of what is being requested, and in any event must be done so if claiming statutory neonatal care pay (see below).

After 7 days after the child stops receiving neonatal care, you need to give us at least 15 days notice if you want to take a single week of SNCL, or at least 28 days notice if you want to take two or more consecutive weeks' of SNCL. The notice must be in writing and specify the same information as set out above. You can cancel it and/or rebook it with the same amount of notice.

Neonatal Care Pay

To qualify for statutory neonatal care pay (SNCP) during SNCL, you must have average weekly earnings of at least the lower earnings limit and at least 26 weeks' continuous employment by the end of the relevant week, which is: the 15th week before the expected week of childbirth (in birth and surrogacy cases); the week in which the adoption agency or local authority notified you of a match (in UK adoption cases); or the week before the neonatal care starts (in any other case). You will already meet these criteria if you have qualified for statutory maternity/paternity/adoption/shared parental pay. It is paid at the same rate as statutory paternity pay, which is subject to change every year. You can check the most up-to-date figure with your line manager.

Up until the 7th day after the child stops receiving neonatal care, to claim SNCP you must give notice in writing stating the week(s) in respect of which the payments are to be made and with the same information specified as when claiming SNCL, within 28 days of starting any period of SNCL you are claiming SNCP for. You can provide this information at the same time as giving notice to take SNCL, so long as it is in writing.

After 7 days after the child stops receiving neonatal care, to claim SNCP you must give us the same amount of notice and same information, in writing, as you must give if you want to take SNCL and state the week(s) in respect of which payments are to be made.

Interaction with other family leave

SNCL is in addition to other forms of statutory leave, so long as it is taken within 68 weeks of the child's birth. So, for example, if you are taking maternity / adoption / paternity leave, you may add a period of SNCL onto the end of that leave. It acts as a "top up" to give back an amount of statutory family leave that an employee has effectively lost while their child is receiving neonatal care.

If your SNCL is interrupted by the start of another pre-booked period of statutory family leave (such as paternity leave, parental leave or shared parental leave) then the interrupted SNCL period will resume straight away after the end the other leave, provided the neonatal care is still ongoing or has ended within the last week. If the neonatal care ended more than a week ago, the remainder of the interrupted NCL must be taken consecutively with any further period of NCL that you are intending to take. Also, if the neonatal care ended more than a week ago and you want to book NCL, you should ensure that it will not be interrupted by the start of another period of family leave you have booked.

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5 HOW WE RESOLVE ISSUES

When problems arise in the employment relationship it is important that they are dealt with fairly and promptly. This section sets out the procedures that the Council will follow in such cases.

Recording of meetings: Due to the confidential nature of disciplinary and grievance proceedings you must not make electronic or audio recordings of any meetings or hearings conducted under the procedures set out in section 5. You should ensure that any companion you may bring with you to such meetings is also aware of this rule.

5.1 Performance Improvement Procedure

It is in everybody's interest for employees to perform well at their jobs and the Council aims to ensure that all employees are given the support needed to ensure that they do so. Where there are issues with performance then the employee should receive constructive feedback from their manager setting out any concerns. Discussions should take place about how that performance can be improved. This procedure is designed to be used when such informal discussions do not lead to the employee's performance improving to an acceptable level.

Where an employee's poor performance is believed to be the result of deliberate neglect, or where serious errors have been made to the detriment of the Council then it may be more appropriate to use the disciplinary procedure. Which procedure to use shall be at the discretion of the Council.

The Council also reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Council.

The Right to be Accompanied

Employees are entitled to be accompanied at any formal meeting held under this procedure by a fellow employee or trade union official of their choice. The Council will provide any chosen companions with appropriate paid time off to allow them to attend the meeting. It is, however, up to the employee in question to arrange for a companion to attend the meeting.

If your chosen companion cannot attend on the day scheduled for the meeting then the Council will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The Companion's role is to advise you during the meeting and make representations on your behalf. However, both you and your companion are required to cooperate in ensuring a fair and efficient meeting. The companion is not entitled to answer questions on your behalf.

Stage One

The employee's manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a formal performance management

hearing to discuss the issues raised by the manager's concerns. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard. The hearing will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the line manager may choose to take no further action; to refer the matter for investigation under the disciplinary procedure (if it appears the issues are linked to conduct rather than performance) or to issue a **written warning** and Performance Improvement Plan which will remain current for a period of 12 months.

Performance Improvement Plan

A Performance Improvement Plan (PIP) is a series of measures designed to help improve the employee's performance. Each measure will ideally be agreed with the employee, though the Council reserves the right to insist on any aspect of the PIP in the absence of such agreement.

Each PIP will be tailored to the particular situation, but will contain the following elements:

Timescale: the overall timescale in which the necessary improvement must be achieved will be set out, together with the timescale for reaching individual milestones where appropriate.

Targets: The PIP will specify the particular areas in which improvement is needed and set out how and on what criteria the employee's performance will be assessed. Where appropriate, specific targets will be set which will need to be achieved either by the end of the plan or at identifiable stages within it.

Measures: The PIP will specify what measures will be taken by the Council to support the employee in improving their performance. Such measures may include training, additional supervision, the reallocation of other duties, or the provision of additional support from colleagues.

Feedback: As part of the PIP the employee will be given regular feedback from their line manager indicating the extent to which the employee is on track to deliver the improvements set out in the plan

If at any stage the Council feels that the PIP is not progressing in a satisfactory way, a further meeting may be held with the employee to discuss the issue. As a result of such a meeting the employer may amend or extend any part of the plan.

Review

At the end of the PIP the employee's performance will be reviewed. If satisfactory progress has been made the employee will be notified of this fact in writing. If the manager feels that progress has been insufficient then they may decide to extend and/or amend the PIP to such extent as seems appropriate. Alternatively the manager may refer the matter to a meeting under Stage Two of this procedure.

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage during the lifetime of the first written warning the

employee's performance again starts to fall short of an acceptable standard, their line manager may decide to institute stage two of this procedure.

Stage Two

If a PIP has not led to sufficient improvement in the employee's performance, the employee will be invited to attend a formal performance management hearing. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard.

The hearing will be conducted by a member of the senior management team.

At the hearing, the employee will be given an opportunity to respond to any criticism of their performance and to make representations about any aspect of the way in which the process has been managed.

If the hearing concludes that reasonable steps have been taken which should have allowed the employee to perform to an acceptable standard but that these measures have not worked then a **formal final warning** may be issued. The warning will explain the nature of the improvement which is required in the employee's performance and state that the improvement must be immediate and sustained. It will also explain that if this improvement does not take place then the employee may be dismissed. Where it is appropriate, the warning may be accompanied by an extended or revised PIP.

The warning will remain current for a period of 12 months, after which time it will cease to have effect.

Stage Three

If an employee has been issued with a warning under Stage Two which remains current, and the appropriate manager believes that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

The employee will be informed in writing of the grounds of which the hearing is being convened and in particular will be told of the respects in which their performance continues to fall below an acceptable standard.

The hearing will be conducted by an appropriate manager.

At the meeting the employee will be able to respond to any criticisms made of their performance and make representations about how the situation should be treated.

The manager conducting the meeting may take such action as is judged appropriate up to and including a decision to dismiss the employee.

Any dismissal under this procedure will be with notice or payment in lieu of notice and the decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

Appeals

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing stating your full grounds of appeal within one week of the decision being communicated. An appeal hearing will then be convened to consider

the matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

The outcome of the appeal will be confirmed to the employee in writing explaining the grounds of which the decision was reached. The outcome of the appeal will be final.

Redeployment

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within the Council. However, any offer to redeploy the employee will be entirely at the Council's discretion and will only be made when the Council is confident that the employee will be able to perform well in the redeployed role and where there is a suitable available vacancy.

Redeployment may be offered as an alternative to dismissal where the Council is satisfied that the employee should no longer be allowed to continue to work in their current role. While the employee is free to refuse any offer of redeployment, the only alternative available in these circumstances will usually be dismissal.

5.2 Sickness Absence Procedure

The Council may need to dismiss an employee whose attendance does not meet an acceptable standard either because of a long-term absence or because of a series of short-term absences. Such dismissals do not depend on any wrongdoing on the employee's part and do not mean that the Council does not accept that their absences are genuinely due to illness or injury. Rather, dismissal is recognition that unfortunately the employee is no longer able to perform their role or attend work on a sufficiently regular basis to make their continued employment a viable option.

Short-term Absence

An employee who is absent on more than three occasions within a 3-month period, is absent for longer than 2 continuous weeks or if there is an unacceptable pattern of absence, for example, regular time off; may be invited to a meeting to discuss their attendance.

The meeting will usually be conducted by the employee's line manager and the employee will have a right to be accompanied by a fellow employee or a trade union official on the same basis as set out in the performance management procedure.

At the meeting the employee will be asked to explain the level of their absence. Where there is any indication that the absences are caused by an underlying medical condition then the matter may be dealt with under the procedure for long-term absence set out below. The Council may also seek medical evidence from either the employee's doctor or an occupational health specialist in which case the meeting will be adjourned for a report to be obtained

Subject to any medical evidence, the manager conducting this first-stage meeting may decide to issue a warning to the employee setting out the Council's expectations regarding attendance and indicating the level of improvement needed. A review period will normally be set which may range from one month to 12 months depending on the circumstances.

If the employee's attendance does not improve to the extent required they may at any stage in the review period be invited to attend a second-stage meeting to discuss the matter. The meeting will again be conducted by the line manager and the employee

will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period, or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

If the employee does not meet this standard and there is no underlying condition where reasonable adjustments would assist the employee to attend then they may be dismissed. A final meeting will be convened which shall be conducted by a manager with appropriate authority to dismiss and will consider any representations made by or on behalf of the employee who will once again have the right to be accompanied by a fellow employee or trade union official.

Any dismissal arising out of this meeting will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised in writing stating your full grounds for appeal within one week of the decision being communicated.

Long-term Sickness Absence

Where an employee is absent for an extended period – or it is clear that their absence is likely to continue for some time – then the Council will want to investigate the prospects for their return and consider what actions can be taken to facilitate this. The extent to which the Council can continue to accommodate an employee's absence will depend on a range of factors, including the role of the employee and the prevailing circumstances of the business.

The Council may seek medical advice as to the employee's condition either from the appropriate professionals caring for the employee or from a specialist occupational health practitioner. The focus will be on ascertaining when the employee will be able to return to work and what steps the Council can take to facilitate this.

An employee is not obliged to consent to any medical reports or records being shared with the Council as part of this process. However, in the absence of medical evidence the Council will have to work on the basis of what information is available in reaching its decision.

One or more meetings will be arranged with the employee to discuss their condition, the prospects for any return to work, and whether anything more can be done by the Council to help. The employee will be entitled to be accompanied at the meeting by a fellow employee or trade union official.

Every effort will be made to make suitable arrangements for the meeting to allow the employee to attend. Where the employee is simply too ill to take part in the process, however, the Council may proceed to dismissal in the absence of a meeting taking into account any representations made on the employee's behalf.

Where it appears that the employee will be unable to return to work within a reasonable time frame then the Council may need to consider dismissal. Any dismissal will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within one week of the decision being communicated. You should submit your appeal in writing stating your full grounds of appeal.

The Council reserves the right not to follow these procedures in full for employees who are within their first two years of employment with the Council.

5.3 Disciplinary Procedure

The Council always tries to deal with disciplinary issues fairly and promptly. This procedure sets out the framework under which allegations of misconduct will be investigated and considered. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens the Council will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

The Council reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Council.

Definition of Misconduct

Behaviour which is disruptive, disrespectful to colleagues, or which falls short of the requirements set out in this handbook will be treated as misconduct under the disciplinary procedure. While employees will not usually be dismissed for a first offence a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

Definition of Gross Misconduct

Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to the Council and their colleagues. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will normally fall into this category – some of which are then explained in more detail below:

- Theft;
- Fraud, forgery, or other dishonesty, including fabrication of expense claims and time sheets;
- Unlawful discrimination, harassment, including sexual harassment, or victimisation;
- Refusal to carry out reasonable instructions;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Causing loss, damage, or injury through serious negligence;
- Serious misuse of our property or name;
- Serious insubordination;
- Reckless behaviour posing a risk to health and safety;
- Any act or omission constituting serious or gross negligence/or dereliction of duty;
- Sleeping on duty;
- Bringing the organisation into serious disrepute;
- Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;

- Recording audio and/or video of any meeting, conversation or discussion with another person or people without the express prior consent of the person or people being recorded;
- Making untrue allegations in bad faith against a colleague;
- Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;
- Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of management;
- Failing to work your contractual hours while working from home or as part of a hybrid working arrangement, or giving false or misleading information relating to your hours of work and activities while working from home;
- Any illegal act during working time or on Council premises; and
- Any act described as gross misconduct elsewhere in this handbook.

Dishonesty

It is important to stress that any form of dishonesty, however minor, will be regarded as gross misconduct. This includes theft of property, whether belonging to the Council, colleagues or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false claim for expenses or overtime, falsely claiming to be sick or falsely claiming to have completed a particular task.

It does not matter if any amount of money at issue is small. The Council regards any dishonesty by employees as gross misconduct which will usually result in dismissal.

Refusal to carry out instructions

The Council expects employees to work in a spirit of cooperation with their colleagues and managers for the good of the business as a whole. Employees are required to carry out their managers' reasonable and lawful instructions and a deliberate and wilful refusal to do so will be gross misconduct.

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable or unsafe then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 5.4). However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

Informal Action

Most minor acts of misconduct can be dealt with informally through discussions between an employee and their line manager. This may consist of management guidance, or an informal warning given orally or in writing. These steps are an everyday part of the management process, and no formal procedure needs to be followed in respect of them.

Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

Investigation

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as

part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

Suspension

If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with. The Council will make every effort to ensure that any period of suspension is kept as short as possible. The purpose of a suspension is either to allow an unhindered investigation to take place, or to protect the interests of the Council and its employees. During any period of suspension you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you. This is not a disciplinary sanction and should not been seen as a predetermination of any disciplinary process.

Hearing

Once the investigation has been carried out, the investigating officer will make a decision about whether there is sufficient evidence to warrant a disciplinary hearing. If there is you will be informed of this and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

To ensure that you have adequate time to prepare for the hearing, the Council will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases the Council may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of the Council and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, the Council will generally try to give at least two days' notice of any hearing and in complicated cases a longer period of notice may be given.

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by an appropriate manager who, wherever possible, has not previously been involved in the case and who was not responsible for carrying out the investigation.

The Right to be Accompanied

Employees are entitled to be accompanied at any disciplinary hearing by a fellow employee or trade union official of their choice. The Council will provide any chosen companion with appropriate paid time off to allow them to attend the hearing. It is, however, up to the employee in question to arrange for a companion to attend the hearing.

If your chosen companion cannot attend on the day scheduled for the hearing then the Council will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The companion's role is to advise you during the hearing and make representations on your behalf; it is not to answer questions for you. However, both you and your

companion are required to cooperate in ensuring a fair and efficient hearing. The companion cannot answer questions on your behalf.

Evidence

The hearing will consider any evidence you choose to present. Should witnesses be prepared to appear on your behalf they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided. The Council will not compel or require any employee to appear as a witness on your behalf and in most circumstances evidence arising from the investigation will be presented in written form. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

Disciplinary Action

After considering all of the evidence, including any submissions made by you or on your behalf, the manager conducting the hearing will decide on the outcome. If misconduct is found to have taken place then the usual outcome will be a **written warning** which will be placed on your personnel file.

A warning will stay active for a period of 1 year, after which it will not be taken into account in any future disciplinary action.

If however a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.

A **final written warning** will usually remain active for one year, but a longer period may be specified if the manager conducting the hearing feels that the circumstances warrant it.

An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

Dismissal

An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred then dismissal without notice or payment in lieu will be the usual outcome.

Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee. If you are accused of gross misconduct this will be made clear when you are invited to a disciplinary hearing. A wide range of behaviours can amount to gross misconduct but the most common involve dishonesty, violent or aggressive behaviour, the wilful destruction of Council property or a deliberate refusal to obey a reasonable instruction.

Appeal

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing stating your full grounds of appeal within one week of being notified of the outcome. The person to whom an appeal should be directed will be detailed in the

disciplinary outcome letter. An appeal hearing will be convened and conducted by an appropriate member of the senior management team.

The appeal will consider any grounds the employee chooses to put forward and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.

Employee Absence

It is important that disciplinary issues are dealt with promptly. The Council may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend. Before hearing the matter in an employee's absence, the Council will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

Internal recruitment and applications where there is live disciplinary action

There will be a presumption against employees with a current warning on their file applying for other roles.

5.4 Grievance Procedure

The Council aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with your line manager or in the case of the Town Clerk this should be addressed to the Chair of the Council on an informal basis. If that is not possible then you should speak to another manager who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

Any written complaint or grievance raised which alleges that a member or co-opted member of the authority has failed to comply with the authority's Code of Conduct will be dealt with under the Code of Conduct Procedure.

Examples of issues that could be dealt with under the grievance procedure include:

a. terms and conditions of employment;
b. health and safety;
c. work relations;
d. bullying and harassment;
e. new working practices;
f. working environment;
g. organisational change; and
h. discrimination.

The Grievance Procedure should not be used to complain about issues which do not directly relate to, or impact on, you and your work/ working environment.

The Grievance Procedure should not be used to complain about disciplinary action, reasonable action taken under the Performance Management Procedure or Sickness Absence Procedure. Any such complaints should be dealt with under the relevant appeal procedure.

Raising a Grievance

If you feel that the matter needs to be raised formally you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

A grievance will normally be dealt with by your line manager and should be addressed to them directly. In the case of the Town Clerk this should be addressed to the Chair of the Council on a formal basis. Where the grievance is directly concerned with your line manager's behaviour, however, you should submit your grievance to another member of the management team who will arrange for somebody who is not directly involved in the issue to deal with it.

Grievance Hearing

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. There may be some cases where your grievance can be dealt with in writing, subject to your agreement. You will have the right to be accompanied by a fellow employee or trade union official to any grievance hearing. The manager conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited to a reconvened meeting, to have the opportunity to consider and respond to the findings of the investigation. Following this a decision on the outcome of your grievance will be made.

Allegations of Misconduct

Where an employee is making allegations of misconduct on the part of other employees then the Council may need to carry out an investigation into the allegations and pursue the matter through the disciplinary procedure. Where this happens the grievance will be held over until the disciplinary process has been concluded and it may not be possible for the Council to provide you with specific detail in relation to what disciplinary action, if any, has been taken.

Relationship with Other Procedures

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then the Council may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

Appeals

If you are dissatisfied with the outcome of a grievance then you may appeal. You should submit your appeal in writing stating your full grounds of appeal within one week of being informed of the outcome of your grievance. Your appeal should be directed to the Town Clerk who will conduct an appeal hearing. Should the Town Clerk have already been involved in the process, then the appeal should be directed to the Chair of the Council. An appeal hearing will then be convened and conducted by the Staffing (confidential matters) Committee. You will have the right to be accompanied at the appeal by a fellow employee or trade union official as described in Section 5.1. The outcome of any appeal will be final.

Buckingham Town Council

6 EQUAL OPPORTUNITIES & BULLYING AND HARASSMENT POLICY

6.1 Equal Opportunities Statement

We are committed to encouraging equality, diversity and inclusion among our workforce, The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

We are fully committed to:

- Treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.
- Creating a working environment that is free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- Training managers and all other employees about their rights and responsibilities under this equal opportunities, diversity & inclusion policy.
- Employing, training and promoting employees on the basis of their experience, abilities, and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this Policy these are known as the "Protected Characteristics".
- Making opportunities for training, development and progress available to all employees, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the Council.
- Complying with our obligations under the Equality Act 2010 in respect of our Public Sector Equality Duties to:
    - Have 'due regard' to the need to eliminate discrimination, harassment and victimisation
    - Have 'due regard' to the need to advance equality of opportunity
    - Have 'due regard' to the need to foster good relations
    - Publish equality information
    - Publish equality objectives.

We will not condone any form of bullying, harassment, or unlawful discrimination whether engaged in by employees or by outside third parties who do business with us, such as clients, customers, contractors and suppliers.

Employees have a duty to co-operate with us to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under our Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

All employees should understand they, as well as the Council, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

You should draw to the attention of the Town Clerk any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct. Employees should support colleagues who suffer such treatment and are making a complaint.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers, and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers, or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination – when someone is treated less favourably than another person because of a Protected Characteristic.

- Associative discrimination or discrimination by association – direct discrimination against someone because they associate with another person who possesses a Protected Characteristic.

- Discrimination by perception – direct discrimination against someone because it is thought that they possess a particular Protected Characteristic even if they do not actually possess it.

- Indirect discrimination - occurs where an individual's employment is subject to an unjustified provision criterion or practice which e.g. one sex or race or nationality or age group finds more difficult to meet, although on the face of it the provision, criterion or practice is 'neutral'.

- Harassment – unwanted conduct related to a relevant Protected Characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. You may complain of such offensive behaviour even if it is not directed towards you personally.

- Victimisation – when an employee is treated less favourably because they have made or supported a complaint or raised a grievance about unlawful discrimination or are suspected of doing so.

- Disability discrimination: this includes direct and indirect discrimination, any unjustified unfavourable treatment because of something arising in consequence of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Our Commitment

Recruitment

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant abilities and qualifications. We are committed to applying our equal opportunities policy statement at all stages of recruitment and selection.

Recruitment publicity will aim to positively encourage applications from all suitably qualified people when advertising job vacancies, in order to attract applications from all sections of the community.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular Protected Characteristics. However, where having regard to the nature and context of the work, having a particular Protected Characteristics is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, we will apply that requirement to the job role, and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. We will ensure that this equal opportunities policy is available to all staff, and in particular is given to all staff with responsibility for recruitment, selection, and promotion.

The selection of new staff will be based on job requirements and the individual's suitability and ability to do, or to train for, the job in question. Person specification and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment, promotion or transfer will be assessed objectively against the requirements of the job.

With disabled job applicants, we will have regard to our duty to make reasonable adjustments to work provisions, criteria, and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

All applications will be processed consistently. The staff responsible for short listing, interviewing, and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. All questions that are put to the applicants will relate to the requirements of the job.

Training, transfer, and promotion

We will take such measures as may be necessary to ensure the proper training, supervision, and instruction for all line managers in order to familiarise them with our policy on equal opportunities, and in order to help them identify discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible. The training will also enable line managers to deal more effectively with complaints of bullying and harassment.

We will also provide training to all employees to help them understand their rights and responsibilities under the equal opportunities and anti-harassment policies and what they can do to create a work environment that is free of bullying and harassment.

All persons responsible for selecting new employees, employees for training or employees for transfer or promotion to other jobs will be instructed not to discriminate because of one or more of the Protected Characteristics. Where a promotional system is in operation, the assessment criteria will be examined to ensure that they are not discriminatory. The promotional system will be checked from time to time in order to assess how it is working in practice.

When a group of workers who predominantly have a particular Protected Characteristic appear to be excluded from access to promotion, transfer, and training and to other benefits, our systems and procedures will be reviewed to ensure there is no unlawful discrimination.

Terms of employment, benefits, facilities, and services

All terms of employment, benefits, facilities, and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination on the grounds of one or more of the Protected Characteristics.

Equal pay and equality of terms

We are committed to equal pay in employment. We believe our male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

6.2 Menopause Policy

We are committed to supporting staff affected by the menopause. We recognise that many members of staff will experience the menopause and that, for some, menopause will have an adverse impact on their working lives.

All women will experience menopause at some point during their life. Menopause can also impact trans and non-binary people who may not identify as female. Most of those who experience menopause will do so between the ages of 45 and 55. However, some start experiencing symptoms much earlier. Often, symptoms last between four to eight years, but they can continue for longer.

The majority of those going through menopause will experience some symptoms, although everyone is different, and symptoms can fluctuate. Symptoms can include, but are not limited to, sleeplessness, hot flushes, memory loss or poor concentration, headaches, muscle and joint pains, depression, and anxiety.

Menopause is preceded by perimenopause, during which the body prepares itself for menopause. Perimenopause can also last several years and can involve similar symptoms to menopause itself. For the purpose of this policy, any reference to menopause includes perimenopause.

Open Conversations

Menopause is not just an issue for women. All staff should be aware of menopause so that they can support those experiencing it or otherwise affected by it.

We encourage an environment in which colleagues can have open conversations about menopause. We expect all staff to be supportive of colleagues who may be affected by menopause in the workplace.

Anyone affected by menopause should feel confident to talk to their line manager about their symptoms and the support they may need to reduce the difficulties menopause can cause them at work.

Line managers and the HR Department should be ready to have open conversations with staff about menopause and what support is available. These conversations should be treated sensitively, and any information provided should be handled confidentially and in accordance with our Data Protection Policy.

Risk Assessments

We are committed to ensuring the health and safety of all our staff and will consider any aspects of the working environment that may worsen menopausal symptoms. This may include identifying and addressing specific risks to the health and well-being of those experiencing menopause.

Support and Adjustments

While many who experience menopause are able to carry on their working lives as normal, we recognise that others may benefit from adjustments to their working conditions to mitigate the impact of menopause symptoms on their work. If you believe that you would benefit from adjustments or other support, you should speak to your line manager in the first instance.

Physical adjustments could include temperature control, provision of electric fans or access to rest facilities. Depending on individual and business needs, adjustments such as flexible working, we may also consider more frequent rest breaks or changes to work allocation. These are examples only and not an exhaustive list.

We may refer you to a doctor nominated by us or seek medical advice from your GP to better understand any adjustments and other support that may help alleviate symptoms affecting you at work.

If you need additional support, you also have access to our confidential employee support helpline 0800 328 1437. The access code is BuckTC.

Buckingham Town Council

6.3 Harassment and Bullying

We are committed to providing a working environment free from harassment and bullying, which includes sexual harassment, and ensuring all staff are treated, and treat others, with dignity and respect. This includes harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions or on social media.

It covers harassment and bullying by staff (which may include consultants, contractors and agency workers) and also by third parties such as clients, customers, suppliers or visitors to our premises.

We have carried out an assessment to assess the risk of sexual harassment and third party sexual harassment and other different forms of harassment occurring in our workforce, including in different roles and departments, the steps we could take to reduce those risks and which of those possible steps are reasonable. This risk assessment will be reviewed annually.

What is harassment?

Harassment is any unwanted physical, verbal or non-verbal **conduct** that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. Harassment can occur whether or not it is intended to be offensive, as it is the effect on the victim which is important, not whether or not the perpetrator intended to harass them. Harassment or bullying is unacceptable even if it is unintentional.

Unlawful harassment may involve **conduct:**

- **related to a protected characteristic** of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;
- of a sexual nature (**sexual harassment**); or
- of **treating someone less favourably because they have submitted, or refused to submit to, sexual harassment or harassment related to sex or gender reassignment** e.g. where a manager gives a junior employee a poor performance review because they rejected the manager's sexual advances.

Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include (this is a non-exhaustive list), for example:

a) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;
b) disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;
c) offensive e-mails, text messages or social media content; or
d) mocking, mimicking or belittling a person's disability.

Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list), for example:

a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
b) continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
c) sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
d) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
e) intrusive questions about a person's private or sex life or a person discussing their own sex life; or
f) sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment; or sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

What is victimisation?

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

a) Bringing proceedings under the Equality Act 2010.
b) Giving evidence or information in connection with proceedings under the Equality Act 2010.
c) Doing any other thing for the purposes of or in connection with the Equality Act 2010.
d) Alleging that a person has contravened the Equality Act 2010.

Victimisation may include (this is a non-exhaustive list), for example:

a) Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
b) Excluding someone because they have raised a grievance about harassment/sexual harassment.
c) Failing to promote someone because they accompanied another staff member to a grievance meeting.
d) Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

Harassment/sexual harassment and victimisation are unlawful and will not be tolerated. The law requires employers to take all reasonable steps to prevent sexual harassment of workers in the course of their employment. All staff are encouraged to report any harassment/sexual harassment or victimisation they are a victim of, or witness, in accordance with this policy. Workers are also entitled to raise concerns about sexual harassment through the whistleblowing procedure instead if they reasonably believe the matter is in the public interest. Harassment/sexual harassment or victimisation may lead to disciplinary action up to and including dismissal without notice if they are committed:

a) In a work situation.
b) During any situation related to work, such as at a social event with colleagues.

c) Against a colleague or other person connected to us outside of a work situation, including on social media.
d) Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any harassment/sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

What is third-party harassment?

Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion or belief, sex or sexual orientation, or unwelcome sexual advances, from a client, customer, supplier or visitor visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

Third-party harassment is unlawful and will not be tolerated. The law requires employers to take all reasonable steps to prevent sexual harassment by third parties. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. Any harassment by a member of staff against a third-party may lead to disciplinary action up to and including dismissal.

We will take active steps to try to prevent third-party harassment of staff. Action may include:

- warning notices to customers/third parties or recorded messages at the beginning of telephone calls;
- information in terms and conditions;
- providing regular training for managers and staff to raise awareness of rights related to sexual harassment and of this policy;
- provide specific training for managers to support them in dealing with complaints;
- take steps to minimise occasions where staff work alone;
- where possible ensure that lone workers have additional support;
- carry out a risk assessment when planning events attended by clients/customers and/or suppliers.

If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other branches of the business.

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What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), for example:

a) physical or psychological threats;
b) overbearing and intimidating levels of supervision;
c) inappropriate derogatory remarks about someone's performance.

However, legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

If you are being harassed/sexually harassed/victimised/bullied

If you are being harassed/sexually harassed/victimised/bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager (or another manager where it concerns them) or the Town Clerk who can provide confidential advice and assistance in resolving the issue informally or formally. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our **Grievance Procedure** and it will be dealt with under that procedure, taking into account the below.

We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship and/or to provide protection between you and between other staff and the person accused during the investigation

If the harasser or bully is a third party such as a customer, supplier or other visitor, we will consider what action may be appropriate to protect you and other staff pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

Once the investigation is complete, we will inform you of our decision. If we consider that there is a case to answer and the harasser or bully is an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. The outcome of our investigation may be put on hold while disciplinary action is taken. Where the disciplinary outcome is that harassment/sexual harassment/victimisation/bullying occurred, prompt action will be taken to address it. We will also consider what additional measures need to be taken to prevent future sexual harassment of staff.

Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Buckingham Town Council

Protection and support for those involved

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

Any disclosure that sexual harassment has occurred, is occurring, or is likely to occur may amount to a protected disclosure under the rules on whistleblowing if you reasonably believe the matter is in the public interest. Workers may raise concerns about sexual harassment under this policy or under our Whistleblowing Policy.

We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of harassment, sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.

We offer access to confidential employee support/counselling, which is available on request for anyone affected by, or accused of, harassment/sexual harassment or bullying. The helpline number is 0800 328 1437 and Online access at Worknest-eap.org.uk using Access Code BuckTC. This is available 24/7.

Support and guidance can also be obtained from the following external services:

a. The Equality Advisory and Support Service (www.equalityadvisoryservice.com)
b. Protect (www.protect-advice.org.uk)
c. Victim support (www.victimsupport.org.uk)
d. Rights of women (England and Wales) (www.rightsofwomen.org.uk)

Record-keeping

Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

6.4 Monitoring Equal Opportunities and Dignity at Work

We will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, we will implement them. We will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Bullying & Harassment Procedure. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately will be treated as misconduct and dealt with under our Disciplinary Procedure.

Related Policies

This policy is supported by the following other policies and procedures (in the Employee Handbook):

(a) Grievance Procedure.

(b) Disciplinary Procedure.

(c) Flexible Working Procedure.

(d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.

(e) Parental Leave Policy.

(f) Time Off for Dependants Policy.

(g) Data Protection Policy.

Buckingham Town Council

EMPLOYEE HANDBOOK RECEIPT

This Handbook has been drawn up by the Council to provide you with information on employment policies and procedures.

The policies and procedures contained within this handbook do not form part of your contract of employment; therefore the Council reserves the right to make amendments as necessary, for example reflecting changes to the law. Any change will be communicated to all staff. However, you are expected to read and comply with the policies and procedures contained within this handbook. Failure to do so could result in disciplinary action.

If you have any questions or any part of the Handbook is unclear to you, please do not hesitate to raise any queries with a member of management.

I acknowledge I have read and understood the policies and procedures contained within this handbook

Received by …… (Employee)

Signed ……..

Date ……..

BTC/42/26

Buckingham Town Council

Full Council

Monday 9th November 2026

Contact Officer: Town Clerk

Town Clerk and Proper Officer

1. Recommendations

1.1. It is recommended that Members note the changes to the Town Clerk's working arrangements as agreed by the Staffing Committee.

1.2. It is recommended that Members consider each of the amendments proposed by the Resources Committee (sections 3 and 4), and resolve whether to adopt, amend or reject each.

1.3. It is recommended that Council appoint a shortlisting and interview panel to recommend an appointment to Full Council. The panel comprising the:

- Mayor
- Chair of the Resources Committee
- Chair of the Environment Committee
- Chair of the Planning Committee
- Chair of the Staffing Matters (Confidential) Committee
- Chair of the Town Centre & Events Committee

2. Background

2.1. The Town Clerk resigned from the Council on the 12th October and gave the one month's notice required by her contract. In addition, she offered to work three days a week for two months after her notice period in order to ensure a smooth handover. The Staffing Committee has accepted this offer (295/26) and the Town Clerk will remain the Proper Officer of the Council, working reduced hours of 22.2 hours a week until the 12th January. This will give time to recruit a replacement and complete the 2027/28 budget.

2.2. In preparation for the recruitment of a new Town Clerk the Resources Committee reviewed the Town Clerk job description and person specification and several amendments were proposed during the meeting that had not been circulated in advance. The changes proposed are substantial enough that in the professional opinion of the Town Clerk, they require the scrutiny of the Full Council as they would change the role of the Proper Officer.

2.3. Several of the proposed amendments to the job description and person specification, when read together, change the relationship between the Town Clerk and the Council. These are the proposed requirement for the Town Clerk to be "loyal", the new duty to report on performance to Members, and the revised wording on relationships, which removes the references to

working autonomously and to the public. Together they place greater emphasis on compliance with Members' wishes. They place correspondingly less emphasis on the Clerk's professional independence, impartiality and responsibility to advise the Council objectively, in accordance with the law and in the public interest. Taken as a whole, the amendments could change how the role is understood, both by future post holders and by Members. Council is therefore advised to be comfortable that the final documents still reflect the Clerk's role as an impartial senior officer who acts in the public interest.

3. Proposed changes to the job description (Appendix C) made by the Resources Committee

3.1. Proposed addition - *To be a passionate, loyal, proactive and innovative leader who advises and obtains advice for Members, and works with them to define clear strategies, policies and principles.*

Town Clerk's note:

a. The word "loyal" is unsuitable

The clerk's duty is to the council as a corporate body, not to Members. The clerk is appointed by the council under section 112 of the Local Government Act 1972. Individual councillors have no authority to direct the clerk. The council acts only by resolution or through lawful delegation. "Loyal" placed in the same sentence as "Members" suggests the clerk owes something to councillors personally or as a group. That is constitutionally wrong, and it invites the very confusion about lines of authority that good governance tries to avoid.

Every employee owes an implied duty of fidelity and good faith to their employer.

For the clerk, that employer is the council as a corporate body. Adding "loyal" therefore adds nothing useful. It only risks moving that duty away from the council and towards the Members.

It conflicts with the Seven Principles of Public Life.

The Nolan Principles apply to everyone who serves the public, officers included. Two of them sit uncomfortably with a loyalty requirement:

- **Objectivity:** decisions and advice must be impartial, based on merit and evidence.
- **Integrity:** holders of public office must not put themselves under any obligation to people who might try to influence them improperly.

A public servant's ultimate obligation is to the public interest and to the law. Where loyalty to Members conflicts with the law or the public interest, the clerk must act lawfully and in the interests of the Council as a whole.".

It cuts across the clerk's statutory and protective functions.

Much of the clerk's value lies in telling Members things they may not want to hear, for example:

- As RFO, under section 151 of the 1972 Act and the Accounts and Audit Regulations 2015, the clerk must ensure proper financial administration and give an honest account to the internal and external auditors.
- As Proper Officer, the clerk must advise when a proposed course of action is unlawful or outside the council's powers.
- The clerk may need to report concerns about conduct or wrongdoing, including under the Public Interest Disclosure Act 1998.
- The clerk may handle complaints and code of conduct matters involving Members.

Any of these could look "disloyal" to Members, so a loyalty duty creates a conflict with core parts of the job.

b. The word "passionate" is unsuitable
"Passionate" is a personal quality, not a duty. It cannot be measured and is difficult to assess consistently.

c. The wording "Advises and obtains advice for Members" should refer to the Council. As written, it could suggest that an individual councillor may ask the clerk to commission legal or professional advice at the council's expense, without a resolution or budget authority.

3.2. Proposed addition: *To act as the official representative of and a high-profile ambassador for the Council as required, and build effective relationships with the public, press and other organisations as appropriate and in partnership with other staff and councillors.*
Town Clerk's note: No comment

3.3. Proposed addition: *To develop and maintain a performance management framework which keeps managers, staff and Members informed of progress against business plan objectives and other key indicators.*
Town Clerk's note:

a. A framework for managing performance against a business plan is reasonable, however this amendment mixes organisational performance with individual staff performance by using the words performance management. It implies Members will see information about how individual staff or teams are performing. Councillors have no role in managing staff below the clerk.

b. **"Other key indicators" has no limit.** Nothing restricts which indicators are reported, how detailed they are or who chooses them.

4. Proposed changes to the person specification (Appendix D) made by the Resources Committee

4.1. Move – ‘able to demonstrate diplomacy and tact’ from ‘Disposition/Attitude’ to ‘Practical and intellectual skills’.
Town Clerk’s note: No comment

4.2. Change - ‘working knowledge’ to replace ‘extensive knowledge’ and ‘good’ IT skills rather than ‘excellent’ in the Skills and Knowledge section.
Town Clerk’s note: Proportionate amendments

4.3. Remove - ‘Ability to lead a team, work autonomously and harmoniously with staff and public’ and add - Able to lead, direct and motivate a team, and secure good relationships with councillors and other stakeholders.
Town Clerk’s note:

a. Removing “work autonomously” is a significant loss. The Town Clerk is the council’s most senior officer and Proper Officer. The post holder needs to use independent professional judgement. Taking out autonomy shifts the emphasis from an independent professional to someone who carries out Members’ wishes.

b. Reference to the public has been removed. The original named the public explicitly. The new version names councillors first and leaves the public under “other stakeholders”. For a public servant whose ultimate duty is to the community, the public should be named.

Appendix C

Job Description

Post Title: Town Clerk
Accountable to: Full Council
Line Manager: Chair of Resources Committee

Job Purpose:

- Undertake the duties of the Proper Officer, Head of Paid Service and Responsible Financial Officer of Buckingham Town Council and act in accordance with the statutory duty to carry out all the functions, and, in particular, to serve or issue all notifications required by law of a local authority's Proper Officer
- Take full responsibility for ensuring that the instructions of the Town Council in connection with its function as a Local Authority are carried out
- Advise the Town Council on Standing Orders and policies to be followed, in respect of the Authority's activities and, in particular, to produce all the information required for making effective decisions
- Be accountable to Buckingham Town Council, for effective management of all its resources
- To ensure an effective organisational structure is developed and implemented to meet the needs of the town council whilst balancing the need for financial efficiencies
- Overall responsibility for all the financial records of the Council and administration of its finances
- Overall responsibility for ensuring compliance with current Health and Safety regulations
- Overall responsibility for Planning and legal implications arising from Planning applications
- Overall responsibility for Cemetery Management and ensuring the council meets the statutory requirements for the safe custody of all documents, deeds, records and burial registers

1. General Duties

- Develop proposals for the long-term strategic vision for Buckingham, taking into account developments in local government policy
- Prepare, in consultation with appropriate members, agendas for meetings of the Town Council and its committees, attend such meetings and prepare minutes for approval
- Manage, monitor and control town council facilities, service agreements and any partnerships entered into by them
- Act as Council's lead officer for future major projects
- Liaise and represent the council with the public, other public bodies and organisations including attending meetings with key stakeholders and positively promoting the council within the local community
- Identify relevant sector-related information and distribute to Councillors
- Receive and deal appropriately with correspondence and documents on behalf of the Council

- Study reports and other data on matters relating to the business of the Council, and discuss matters with specialists where required
- Draw up, both on their own initiative and as a result of suggestions by Councillors, proposals for consideration by the Council and advise on feasibility, practicability and likely impact/effects of specific courses of action
- Act as the Council's press officer in line with the Council media policy
- Attend relevant training courses to maintain continuous professional development
- Attend the Conferences of the Association of Local Councils, Society of Local Council Clerks, and other relevant bodies
- Act as a representative of the Town Council at meetings as required
- Other duties as the Council may reasonably require

2. People Management

- As head of paid service have overall responsibility for all BTC staff, ensuring that all requirements of employment legislation are adhered to. Further to be responsible for all aspects of the management and employment of staff
- Undertake direct line management of specified staff members in keeping with the staffing structure of the Town Council
- Undertake all necessary activities in connection with the management of salaries and conditions of employment

3. Financial / Physical Resources

- Act as Responsible Financial Officer for the Council in respect of expenditure, income and fixed assets
- Overall responsibility for the preparation of the annual budget including precept, and the submission of annual accounts in accordance with financial regulations
- Have delegated responsibility for expenditure as per the scheme of delegation (Currently £10,000 general and £25,000 emergency).
- Take responsibility for annual monitoring and balancing of the Council's accounts and preparation of records for audit purposes and VAT, and ensuring these provide value for money

4. Policy

- Ensure that legal, statutory and other provisions governing or affecting the running of the Council are observed, and ensure that Council members have an up to date understanding of their statutory and other responsibilities
- Responsible for Buckingham's Neighbourhood Development Plan (NDP) and continuously monitor developer adherence to the Buckingham NDP
- Ensure that the Council's obligations to insure are properly met
- Monitor the implemented policies of the Town Council to ensure they are achieving the desired result and, where appropriate, suggest modifications

Person Specification

Post Title: Town Clerk

Accountable to: Full Council

CRITERIA	ESSENTIAL	DESIRABLE	HOW IDENTIFIED
EXPERIENCE	Experience as the Clerk or Deputy Clerk of a large parish or a town council Or Experience of managing a multidisciplinary team at a senior level in the public or private sector	Experience of using a computerised finance package in a local authority context Experience of personnel procedures and record keeping Experience of working as, or supporting, a Responsible Financial Officer, handling precept, budget planning, keeping accounts and generating financial reports and statutory reports, including year-end and audit Experience of Health & Safety at Work Experience of working with Councillors, trustees or governors	Application form Interview
QUALIFICATIONS / TRAINING	Degree or HND/HNC in relevant discipline	Certificate in Local Council Administration	Application form

SKILLS & KNOWLEDGE	Extensive knowledge of local government law, administrative and committee procedures and planning law Excellent IT skills and proficient in the use of Microsoft Office software Confident user of social media	Record keeping Knowledge of managing and updating websites	Application form Interview
PRACTICAL & INTELLECTUAL SKILLS	Good communication skills, both written and verbal. Comfortable dealing with media enquiries Excellent planning and organisational skills, and able to prioritise workload Ability to lead a team, work autonomously and harmoniously with staff and public Able to maintain confidentiality		Application form Interview
DISPOSITION/ ATTITUDE	Flexible attitude to work Mature and confident manner Able to work under pressure Positive 'can do' attitude Able to demonstrate diplomacy and tact		Application form Interview

	Methodical and thorough approach to tasks Able to anticipate problems and solve them		
SPECIAL REQUIREMENTS	Willingness to attend evening meetings and to work at the weekend and bank holidays if necessary	Driving licence	Application form Interview

Appendix E

Minute No.	Action	Action Required	Update	Deadline
454/22	St. Rumbold's Field green spaces	It is recommended that members agree that the adoption is dependent on: a) The completion of all required elements to a sufficient standard, including footpaths, street furniture, planting as per the agreed plans (to be confirmed by BTC officers following legal advice). b) The public right of way crossing St. Rumbold's Park is completed and open to the public and access to Gawcott Road is resolved. c) Means of vehicular access to St. Rumbold's Park is provided from either Penda Road or Oswald Way. It is recommended that Members agree to take specialist legal advice with the costs to come from the commuted sum. It is recommended that Members agree to allow the Town Clerk to negotiate on the Town Council's behalf but not to accept a commuted sum. **AGREED** unanimously.	Waiting on the adoption of drainage and final snagging. Has been chased	Ongoing
357/25 3/11/25	S106 wish list working group	Members **AGREED** the recommendation to establish a working group to review the current s106 wish list and identify potential future projects.	Meetings underway	
451/25 15/12/25	Motion: Cllr. Haydock	Motion **AGREED:** A comprehensive 2026 review of the Climate Emergency Action Plan by a Working Group.	With working group	
608/25 16/3/26	Parish boundary of Buckingham	Motion **AGREED**: Buckingham Town Council notes the emerging Buckinghamshire Local Plan and the likelihood of significant development taking place adjacent to, but outside, the current parish boundary of Buckingham and the area covered by the Buckingham Neighbourhood Plan. This Council therefore resolves to request that the Town Clerk bring a report to a future meeting of the Council outlining the potential implications, options and processes associated with seeking a review of the Buckingham parish boundary, including consideration of the interests of existing residents, future residents of new developments and neighbouring parshes, as well as any financial, governance, and strategic implications.	Informal discussions underway	
127/26 06/07/2026	Make space for girls	establish consultation with girls and gender diverse young people aged 10-18 to identify gaps in current play area, events and leisure provision and suggestions for improvement. Bring a report back to Environment Committee on feedback from the consultation. Bring a report back to TC &E with recommendations from the consultation on seasonal events/activities	Ongoing	
128/26 06/07/2026	Change of signatories to Lloyds and CCLA	Remove and add various councillors as signatories	Completed	

Appendix E

Minute No.	Action	Action Required	Update	Deadline
133/26 06/07/2026	Motion: Cllr. Harvey	This Council resolves to write again to Buckinghamshire Council about the possible transfer of the Castle House Open Space to the Town Council so that we can better manage the ecology and amenity of this area of the town.	Letter sent. New BC devolution officer called 29/9 to acknowledge receipt and will respond by email.	
233/26 21/09/2026	Canal Society Request	Town Clerk/Deputy Town Clerk to write to local MP using the template letter put together by the Canal Society.	Completed	