**STAFF HANDBOOK**

**St. Mary the Virgin, Hayes**

[St Mary the Virgin](http://www.stmaryshayeskent.co.uk/)

- Hayes, Kent

**TABLE OF CONTENTS**

|  |  |  |
| --- | --- | --- |
|  |  | **Page No** |
| **Introduction** | |  |
|  | **Welcome** |  |
| **Part I – Terms and Conditions of Employment** | |  |
|  | **Salaries and Benefits** |  |
|  | **Hours of work** |  |
|  | **Overtime** |  |
|  | **Pensions** |  |
|  | **Annual and public holidays** |  |
| **Part II – Policies, Procedures and Processes** | |  |
|  | **Absence due to sickness or injury** |  |
|  | **Family and other leave** |  |
|  | **Time off for Dependents** |  |
|  | **Flexible Working** |  |
|  | **Time off for Public Duties** |  |
|  | **Diversity Policy** |  |
|  | **Alcohol and Drugs Policy** |  |
|  | **Bullying and Harassment Policy** |  |
|  | **Anti- Bribery & Corruption** |  |
|  | **Whistleblowing Policy** |  |
|  | **Internet & Communications Policy** |  |
|  | **Social Media Policy** |  |
|  | **Data Protection** |  |
|  | **Health and Safety Policy** |  |
|  | **Code of Conduct** |  |
|  | **Disciplinary Guide & Procedure** |  |
|  | **Capability Procedure** |  |
|  | **Grievance Procedure** |  |
|  | **Performance Review Process** |  |
|  | **Leaving the Parish** |  |
| **Appendix I** | **Expenses** |  |

**INTRODUCTION**

**WELCOME TO THE PARISH OF ST. MARY THE VIRGIN HAYES**

**OUR MISSION**

**Our Vision:  To know Christ and to make Him known to all**

**Our Mission:  Bringing people together knowing that all are invited and welcome to share our love and worship of our Lord Jesus Christ**

**THE PURPOSE OF THIS STAFF HANDBOOK**

This staff handbook contains information about terms and conditions of employment for employees and further codes of practice, policies and procedures for all staff to ensure that clear standards exist and are clearly communicated in order to assist the PCC in the efficient achievement of its goals.

Part I of this handbook therefore applies to employees only unless otherwise indicated and it forms part of the terms of the employees’ contract.

Part II applies to all staff, unless otherwise indicated and applies to managers, officers, directors, employees, consultants, contractors, trainees, volunteers. Part II does not form part of the terms of contract for any staff and will be updated on a regular basis.

**READING THIS HANDBOOK**

It is important that you are familiar with the contents of this handbook as well as the contents of your Statement of Terms and Conditions of Employment and letter offering you employment with the PCC. You should read this handbook and keep it in a safe place so that you can refer to it as necessary and add any future amendments to it.

**CHANGES TO TERMS AND CONDITIONS OF EMPLOYMENT**

The PCC reserves the right to amend or vary Part I of handbook - your employment terms and conditions, but you will be consulted in advance of any such changes.

**KEEPING THE PCC UP TO DATE ABOUT PERSONAL DETAILS**

In order that up-to-date records are maintained for emergencies and for administrative purposes, you are responsible for informing the Incumbent of all changes of your address, your telephone number, your marital status, your bank details, the person to be notified in case of an emergency and your next of kin.

If there are any points that you do not fully understand or if you need further clarification, please feel free to raise them with your immediate manager if you wish.

**PART I**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**SALARIES AND BENEFITS**

SALARIES

Information about your salary and any salary reviews is provided in the individual Statement of Terms and Conditions of employment.

SALARY ADMINISTRATION

Information about the method and frequency of salary payments and how deductions and underpayments are handled is provided in the Statement of Terms and Conditions of Employment.

When these payments are made, staff will receive a statement itemising the amount of the payment made to them together with the deductions that have been made. On receipt of this statement staff members should check it carefully. Any queries should be directed to the Incumbent.

**National Insurance and Income Tax:**

Members of staff are responsible for providing their National Insurance (NI) number and income tax details. New members of staff should ensure that they provide their P45 on their first day of employment.

Income tax is deducted from staff salaries at the rate notified to the PCC in writing by the HMRC. Details regarding the Income Tax office handling the PCC are as follows:

**The tax reference number for the PCC:** 120 EB 65630

**Tax Office address:**

HMRC

Pay As You Earn and Self Assessment

HM Revenue and Customs

BX9 1AS

**Telephone number:** 0845 3000 627

When contacting this office, staff will need to be prepared to quote the above tax reference number and their NI number.

**HOURS OF WORK**

NORMAL WORKING HOURS

Children’s, Youth and Family Worker

The normal hours of work will be 37 per week, but you may be required to work additional hours on occasions for which time off in lieu will be granted by agreement with your manager in advance of time worked.

Working hours will be determined by the need of the parish and community and will include evening and weekend duties. The regular working pattern will be agreed by the line manager and may vary in accordance with the needs of the PCC.

Church Administrator

The normal hours of work will be 10 per week, but you may be required to work additional hours on occasions for which time off in lieu will be granted or if preferred you can ask for the payment. The rate will be the same as your normal hourly rate. This should be by agreement with the Incumbent or Churchwardens in advance of time worked.

Further information about hours of work, can be found in the individual Statement of Terms and Conditions of Employment.

OVERTIME

All members of staff are appointed on the basis that they may be required to work additional hours and will be given as much advance notice as possible when such an overtime situation occurs.

There is no payment for overtime. Instead, time off in lieu is given when appropriate.

TIME OFF IN LIEU

Staff are appointed on the basis that additional hours may be required on occasions, e.g. Meetings. Time off taken in lieu of additional hours must fit in with individual and departmental workloads and requires the approval of a staff member’s line manager.

Cases where time off in lieu for additional duties may be appropriate will be treated on their merits. As a general rule, staff will be given an hour for an hour worked.

1. **Meetings – Required or Requested Attendance:**

* Evening meetings – hour for an hour worked
* Saturday meetings – hour for an hour worked
* Residential meetings – hour for an hour worked

For meetings where your attendance has been **requested** you need to obtain the approval of your line-manager before confirming attendance

(2) **Sundry Meetings – Seminars etc:**

Where attendance at such seminars etc. results in additional hours being worked the following applies:

* **Attendance own choice**, ie. area of interest or personal development – **no** additional time off is accrued
* **Attendance on behalf of St. Mary the Virgin**, eg requested by Synod, Committee – time off as indicated in (1) above

PENSIONS

Information regarding pensions is contained in the individual Statement of Terms and Conditions of Employment.

Pension Provider:

The People’s Pension

Membership Number - 249847

[www.thepeoplespension.co.uk](http://www.thepeoplespension.co.uk)

**ANNUAL AND PUBLIC HOLIDAYS**

Annual holiday entitlement:

The holiday year runs from January to January.

The annual leave entitlement including Bank Holidays) for full time staff (working 35 hours per week) shall be as follows:

On entry 25 days

After one years’ service completed at the start of the leave year 25 days

after ten years’ service completed at the start of the leave year 25 days

The entitlement is adjusted pro-rata for part-time staff

*The minimum statutory holiday entitlement is 5.6 weeks per year, for a full time employee working 5 days per week this is 28 days.*

**Arrangement of holidays:**

Staff should agree the dates of their proposed holiday with their line manager.

Holiday may be refused if insufficient cover is available or for other operational reasons.

Other information relating to entitlement to annual holidays, together with the administrative requirements relating to them can be found in the Statement of Terms and Conditions of Employment.

**Public holidays:**

The PCC will additionally observe all the usual eight Bank Holidays in England.

**PART II**

**POLICIES, PROCEDURES AND PROCESSES**

**Unless stated otherwise, policies in this Part II are applicable to all Staff and are all non- contractual and therefore subject to variation, amendment or withdrawal.**

**ABSENCE DUE TO SICKNESS OR INJURY**

ENTITLEMENT TO STATUTORY SICK PAY

To qualify for Statutory Sick Pay (SSP) you must:

* be classed as an employee and have done some work for your employer
* have been ill for at least 4 days in a row (including non-working days)
* earn at least £112 (before tax) per week
* follow the correct reporting procedure

You won’t qualify if you:

* have received the maximum amount of SSP (28 weeks)
* are getting Statutory Maternity Pay

If you are absent from work due to sickness for 4 or more days and meet the above criteria, you will receive the current statutory rate of SSP.

OCCUPATIONAL SICK PAY

**For the avoidance of doubt, only Employees will be entitled to occupational sick pay. Other staff may be entitled to Statutory Sick Pay (SSP) if they satisfy the relevant statutory requirements.**

Entitlement to occupational sick pay is discretionary and may be altered or withdrawn at any time. Any entitlement will be based upon Employees’ length of service as follows:

|  |  |
| --- | --- |
| **Employee’s Length of service with the PCC** | **Entitlement to sick pay (which includes any entitlement to statutory sick pay)** |
| Less than 2 years | 2 months’ **full pay**  followed by -  2 months’ **half pay** in any 12 month period |
| 2 or more years | 6 months’ **full pay**  Followed by –  6 months’ **half pay** within any period of 4 years. |

If you are ill and unable to attend work you, or someone on your behalf, should inform their line manager or a senior member of staff by 10.00a.m. on the first day of illness.

**Self-certification**

If you are absent due to sickness for up to 7 calendar days, the period of absence must be covered by a self-certification form, completed and signed by you. It must be forwarded to your line manager.

**Statement of Fitness**

If you are absent due to sickness for more than 7 calendar days, you must send a completed ‘Statement of Fitness’ from your GP to your line manager immediately, and not wait to bring it in when you return to work.

You should submit further certificates to cover continuous absence for the same sickness.

**Medical examinations**

If you are or have been, unable to perform your duties as a consequence of illness or injury you may be required to undergo a medical examination by a medical practitioner or occupational health specialist nominated by the PCC (at the PCC’s expense), and to authorise your own medical practitioner if necessary to discuss your illness or injury with the nominated medical practitioner appointed by the PCC, in order to assess its probable effect on future attendance at work or ability to do the job at an acceptable standard.

Where the PCC requires a medical examination and/or a medical report, as stated above, the employee will be asked to give their written consent. At the time of the request for consent being made, you will be advised of their rights under the Access to Medical Reports Act 1988.

**FAMILY AND OTHER LEAVE**

**These policies apply to Employees only**

**INTRODUCTION**

The intention of the PCC is to operate policies on family and other leave that comply with the relevant statutes. The legal provisions in these areas can be extremely complex and lengthy. In view of this, the following sections provide a general guide and do not cover all statutory provisions. Therefore, staff will be advised on an individual basis. If a member of staff wishes to make an application for family or other leave they should discuss the matter with their immediate manager.

**MATERNITY LEAVE AND PAY**

MATERNITY LEAVE

**General position**

From the first day of employment every female member of staff who is pregnant has the right under current legislation to 52 weeks statutory maternity leave (SML). This is made up of 26 weeks’, ordinary maternity leave (OML) and 26 weeks’ additional maternity leave (AML).

**Qualifying conditions for maternity leave**

Every pregnant member of staff is entitled to take OML and AML regardless of length of service and hours worked.

To qualify for this leave, the staff member concerned must comply with the following rules and procedures:

**Starting ordinary maternity leave**

The earliest date on which the woman can start her maternity leave is the beginning of the 11th week before the EWC (Expected Week of Childbirth), except following premature birth. The latest date that the leave can start is no later than the day following the actual date of birth (of a living child or, in the case of a stillborn infant, after 24 weeks of pregnancy).

**Requirements before leave starts**

No later than the 15th week before her EWC (or, if that is not reasonably practicable, as soon as is reasonably practicable) the staff member must give the PCC notice of the following:

* her EWC. The PCC requires confirmation by certificate from a registered medical practitioner or a registered midwife. This should be sent to the HR Officer.
* the date on which she intends to start her maternity leave. The PCC requires her to provide this in writing. She may change her mind about when she wants to start her leave providing she informs the PCC at least 28 days in advance (unless this is not reasonably practicable).

The PCC will respond to the above notification of leave plans within 28 days unless the staff member has varied that date, in which case the PCC will respond within 28 days of the start of maternity leave. The PCC will advise her of the date that her maternity leave will end.

**Sickness of staff member and commencement of maternity leave**

The staff member’s SML will start automatically if she is absent from work for a pregnancy-related illness during the four weeks before the start of her expected week of childbirth (EWC), but before the date of commencement of leave that she has notified to the PCC. The SML will start on the day after the first day of pregnancy-related absence.

**When a baby dies**

If the baby is born alive at any point in the pregnancy but later dies, the staff member is still entitled to SML.

**When a baby is stillborn**

A member of staff is entitled to SML if the birth happens after 24 weeks of pregnancy.

**Compulsory Maternity Leave**

A member of staff may not work immediately after childbirth. The period of compulsory maternity leave lasts for 2 weeks from the date of childbirth. During this period the contract of employment remains as for ordinary maternity leave (see ‘Contract of employment’ under ‘ordinary maternity leave’ below).

THE WHOLE PERIOD OF MATERNITY LEAVE

**Duration**

The duration of the whole period of maternity leave is 52 weeks. It is made up of 26 week’s OML and 26 week’s AML.

**Contract of employment**

The staff member’s contract of employment continues throughout the whole period of SML unless she or the PCC expressly terminates it or it expires.

**What happens to terms and conditions?**

During the whole 52 week period of maternity leave, a woman is entitled to receive all her normal contractual benefits, except remuneration. The period of maternity leave counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority e.g. pay increments.

A staff member on maternity leave will continue to accrue statutory and any annual contractual annual holiday entitlement. Annual leave cannot be taken at the same time as maternity leave so the staff member will be allowed to take untaken annual leave before and/or after her SML.

During the period of OML, the staff member is entitled to benefit from the employer contributions to the Pension Scheme, but there is no statutory entitlement for her to do so during AML.

CONTACT DURING THE WHOLE PERIOD OF MATERNITY LEAVE

The PCC and/or staff member may make reasonable contact with each other during the period of maternity leave (ordinary and additional) in order to discuss issues such as return to work plans or any developments in the workplace. During the period of SML, the PCC will keep her informed about any relevant promotion opportunities, organisational changes and any other information that she would normally be made aware of if she were at work.

Before the staff member goes on maternity leave the PCC will agree with her the most appropriate way of keeping in touch, such as by telephone, email, letter, attendance at the workplace or some other way.

“KEEPING IN TOUCH” DAYS

Staff may, by agreement with management, do up to 10 days’ work under their contract of employment. These days are called “Keeping in Touch” Days. They are different from the reasonable contact time described under “contact” above because a member of staff can actually do paid work for the PCC if it wants her to do it and she agrees. These days may be worked at any time during the period of maternity leave (ordinary and additional) except for the first two weeks. She may be paid for up to 10 days without losing her SMP.

RETURN TO WORK AFTER MATERNITY LEAVE

**Staff who want to return to work - notice**

A staff member does not need to give any notice of her return to work if she simply returns at the end of the 52 week period, provided she has not indicated that she wishes to return at any other time. If, however, she wishes to change the date of her return to work, she can do so at any time but she must give the PCC a minimum of 8 weeks’ notice of the date of her return. If she fails to do so, the PCC may postpone her return to a date that will achieve that full notice period as long as it does not extend past the date of the end of her maternity leave.

**Staff who return to work after OML – job**

A member of staff who decides to return to work after OML (i.e. after taking no more than the 26 weeks), is entitled to return to the job in which she was employed before her absence on terms and conditions not less favourable than those that would have applied had she not been absent. However, if a redundancy situation has arisen, she is entitled to be offered a suitable alternative job.

**Staff who return to work after AML – job**

A member of staff who decides to return to work after AML (i.e. after taking more than the 26 weeks maternity leave) is entitled to return to the job in which she was employed before her absence on terms and conditions not less favourable than those that would have applied had she not been absent. However, where it is not reasonably practicable, for a reason other than redundancy for the PCC to permit the staff member to return to her old job, the PCC will aim to offer her another job, which is both suitable and appropriate for her in the circumstances and on terms no less favourable than the original job. Special provisions will apply if there is a redundancy situation.

**Staff members who decide not to return to work at the end of their maternity leave**

If the staff member decides not to return to work at the end of her maternity leave she is entitled to receive the full amount of statutory maternity leave and pay. She must give the PCC at least the notice as specified in her statement of terms and conditions of employment.

STATUTORY MATERNITY PAY

**Qualifying conditions**

All pregnant staff members are entitled to receive Statutory Maternity Pay (SMP) from the PCC if they have been continuously employed for at least 26 weeks ending with the 15th week before the EWC, and satisfy the conditions below. The member of staff must:

* have been continuously employed by the PCC for at least 26 weeks up to and into the 15th week before the EWC
* have average weekly earnings at least equal to the lower earnings limit for National Insurance contributions (although they do not actually have to have paid any contributions) in the eight weeks up to the 15th week before the EWC
* give the PCC a minimum of 28 days’ notice of the date that she expects SMP to start
* provide the PCC with medical certification of her EWC

SMP is payable for up to 39 weeks. The first six weeks are payable at the higher rate which is equivalent to 90 per cent of average weekly earnings. The remaining 33 weeks are payable at the lesser of the annually published weekly flat rate or 90 per cent of her average weekly earnings.

ANTENATAL CARE

Pregnant staff members are entitled to take paid time off during working hours to receive antenatal care. After the first antenatal appointment, they are required to provide a Certificate of Expected Childbirth, signed by their doctor or registered midwife, as well as an appointment card.

**PATERNITY LEAVE AND PAY**

Members of staff are entitled to ordinary paternity leave (OPL) where the purpose of the absence is to care for a newborn child, or to support the child’s mother. However, the member of staff concerned must also satisfy the conditions set out below.

ORDINARY PATERNITY LEAVE

**Duration of ordinary paternity leave**

Eligible staff can choose to take either 1 week or 2 consecutive weeks’ ordinary paternity leave (OPL), but may not take odd days. Only one period of leave is available to employees irrespective of whether more than one child is born as a result of the same pregnancy.

**Qualifying conditions**

In order to have an application for paternity leave considered the member of staff must:

* have or expect to have responsibility for the child’s upbringing
* be the biological father of the child or the mother’s husband or partner (including same sex partner or civil partner)\*
* have been continuously employed by the PCC for 26 weeks ending with the 15th week (qualifying week) before the EWC (Expected Week of Childbirth)
* provide the PCC with a completed self-certificate as evidence of his/her entitlement to paternity leave no later than the end of the 15th week before the EWC.
* be working for the PCC from the qualifying week up to the date of birth
* be taking the time off to support the mother and/or care for the baby

\*A partner is someone who lives with the mother of the baby in an enduring family relationship but is not an immediate relative.

**When a baby dies**

If the baby is born alive at any point in the pregnancy but later dies, the staff member is still entitled to OPL.

**When a baby is stillborn**

A member of staff is entitled to OPL if the birth happens after 24 weeks of the mother’s pregnancy.

**Starting paternity leave**

Paternity leave can start on any day of the week on or following the child’s birth but must be completed:

* within 56 days of the actual date of birth of the child, or
* if the child is born early, within the period from the actual date of birth up to 56 days after the first day of the expected week of birth.

Within these parameters, the staff member can choose to begin the leave on:

* the date on which the baby is born
* a date (pre-notified to the PCC) falling a specified number of days after the birth
* a predetermined date which is after the first day of the EWC. If the baby is born later than this date, they must delay their leave until the date of the actual birth.

**Notification of intention to take paternity leave**

Staff must inform the PCC of their intention to take paternity leave by the end of the 15th week before the EWC, unless this is not reasonably practicable.

Staff must notify the PCC of the following:

* the EWC
* whether they wish to take one or two weeks’ consecutive leave
* when they want their leave to start.

Staff can change their mind about the date on which they want their leave to start providing that they inform the PCC at least 28 days in advance (unless this is not reasonably practicable). They must complete a new self-certificate.

CONTRACT OF EMPLOYMENT

During OPL, the staff member is entitled to receive all his/her normal contractual benefits, except remuneration. The period of OPL counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority.

The staff member is also entitled to benefit from any general improvements to the rate of pay or other terms and conditions introduced while he/she was away.

**Returning to work from ordinary paternity leave**

The staff member is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent on OPL.

They are also entitled to benefit from any general improvements to the rate of pay or other terms and conditions introduced while they were away.

ORDINARY STATUTORY PATERNITY PAY

**Qualifying conditions**

Staff members are entitled to receive Ordinary Statutory Paternity Pay (OSPP) from the PCC if they have been continuously employed by the PCC for at least 26 weeks ending with the 15th week before the EWC, and satisfy the conditions below. The member of staff must fulfil the qualifying conditions noted above for leave and, in addition, they must:

* have average earnings at least equal to the lower earnings limit for National Insurance contributions in the eight weeks up to the 15th week before the EWC
* give the PCC a minimum of 28 days’ notice of the date they expect their OSPP to start
* provide the PCC with a completed self-certificate as evidence of their entitlement to SPP.

**Payment to OSPP**

OSPP is payable for either 1 or 2 consecutive weeks as chosen by the staff member. The rate of OSPP is the lesser of the annually published weekly flat rate or 90 per cent of average weekly earnings.

ADDITIONAL PATERNITY LEAVE

**Duration of Additional Paternity Leave**

Eligible staff may take additional paternity leave (APL) of a minimum of 2 and a maximum of 26 weeks to care for their new baby. This leave is only available to qualifying staff members where the mother has returned to work and must have finished by the child’s first birthday.

**Qualifying conditions for Additional Paternity Leave**

For a staff member to qualify for APL they must:

* be the father of the baby and/or the husband or partner (including same-sex partner or civil partner) of a woman who is due to give birth\*
* have, or expect to have, the main responsibility for the baby's upbringing, apart from any responsibility of the mother
* have at least 26 weeks' continuous employment with the PCC ending with the qualifying week - the 15th week before the expected week of childbirth
* continue to work for the PCC from the qualifying week into the week before they wish to take additional paternity leave - weeks run Sunday to Saturday
* be taking the time off to care for the baby

\* A partner is someone who lives with the mother of the baby in an enduring family relationship but not an immediate relative.

The baby's mother must also:

* be entitled to statutory maternity leave, statutory maternity pay or maternity allowance
* resume working at least two weeks after the child's birth

**Notification of additional paternity leave and pay**

To qualify for additional paternity leave (APL) and pay (ASPP) the staff member must give the PCC notice, in writing, at least eight weeks before the start of the leave. This may be provided on the form SC7 which is available on the HM Revenue & Customs (HMRC) website. It contains a declaration for the staff member to sign and also for the child’s mother to sign.

**Requesting additional information from the staff member**

The PCC may request additional information from the staff member to support their claim for additional paternity leave or pay. In such cases, within 28 days of receiving the written notification the PCC may request:

* a copy the child's birth certificate
* the name and address of the mother's employer, or their business address if they are self-employed

If the PCC requests this information the staff member must provide it within 28 days of the request in order for the claim to be valid.

**Confirmation of entitlement**

The PCC will confirm the dates of the staff member’s APL and ASPP within 28 days of receiving a completed notice from that staff member.

**Starting additional paternity leave**

Staff may start their APL any time from 20 weeks after the baby is born.

CONTRACT OF EMPLOYMENT DURING ADDITIONAL PATERNITY LEAVE

The staff member’s contract of employment continues throughout the whole period of APL unless he/she or the PCC expressly terminates it or it expires.

**What happens to terms and conditions?**

During the whole period of APL, the staff member is entitled to receive all their normal contractual benefits, except remuneration. The period of APL counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority e.g. pay increments.

A staff member on APL will continue to accrue statutory and any annual contractual annual holiday entitlement. Annual leave cannot be taken at the same time as APL so the staff member will be allowed to take untaken annual leave before and/or after APL. The staff member will also continue to accrue contractual leave during the period of APL.

During the period of paid APL, the staff member is entitled to benefit from the employer contributions to the Pension Scheme.

CONTACT DURING ADDITIONAL PATERNITY LEAVE

The PCC and/or staff member may make reasonable contact with each other during the period of APL in order to discuss issues such as return to work plans or any developments in the workplace. During the period of APL, the PCC will keep them informed about any relevant promotion opportunities, organisational changes and any other information that they would normally be made aware of if they were at work.

Before the staff member goes on APL the PCC will agree with them the most appropriate way of keeping in touch, such as by telephone, email, letter, attendance at the workplace or some other way.

“KEEPING IN TOUCH” DAYS

Staff may, **by agreement** with management, do up to 10 days’ work under their contract of employment. These days are called “Keeping in Touch” Days. They are different from the reasonable contact time described under “contact” above because a member of staff can actually do paid work for the PCC if it wants them to do it and they agree. These days may be worked at any time during the period of APL. The staff member may do a maximum of up to 10 days’ paid work without losing ASPP or ending the period of APL.

RETURN TO WORK AFTER ADDITIONAL PATERNITY LEAVE

**Staff members returning to work after 26 weeks’ or less APL**

Staff members returning to work after 26 weeks’ or less APL are entitled to return to the same job on the same terms and conditions as if they had not been on APL. They are also entitled to benefit from any general improvement in pay rates or other terms and conditions introduced while they were away.

**Staff members returning to work after more than 26 weeks APL**

Staff members returning to work after more than 26 weeks APL are entitled to return to the same job on the same terms and conditions as if they had not been absent. However, if this is not reasonably practicable the PCC will aim to offer an alternative job which is:

* both suitable and appropriate for them to do in the circumstances
* on terms and conditions no less favourable than their original job

Special rules will apply if there is a redundancy situation.

ADDITIONAL PATERNITY PAY

**Qualifying conditions**

Additional statutory paternity pay (ASPP) is payable to staff members who meet the eligibility criteria for additional paternity leave and:

* they are taking time off to care for their child during the 39 week period covered by their partner's statutory maternity pay, maternity allowance
* their partners have returned to work and at least two weeks of their statutory maternity pay or maternity allowance remain
* they have average weekly earnings at or above the lower earnings limit for National Insurance contributions in force at the end of the qualifying week\*
* at least two weeks of the mother's statutory maternity pay or maternity allowance period remain

\* The qualifying week is the 15th week before the expected date of birth

**Payment of ASPP - amount**

The rate of ASPP is the lesser of the annually published weekly flat rate or 90 per cent of average weekly earnings.

**ADOPTION LEAVE AND PAY**

The provisions in this policy apply to an individual member of staff who adopts or to the member of the couple (employed by the PCC) who chooses to take the adoption leave and pay, where a couple adopt jointly.

ORDINARY ADOPTION LEAVE

**Duration of ordinary adoption leave**

Adoption leave entitlement is 52 weeks. This is made up of 26 weeks’ ordinary adoption (OAL) leave and 26 weeks’ additional adoption leave (AAL).

If a member of staff starts adoption leave before the placement of the child and is then advised that the placement will not be made, the period of adoption leave will normally finish 8 weeks after the end of the week in which they were advised. The same applies to a situation in which during adoption leave either the child dies or returns to the adoption agency.

**Qualifying conditions for adoption leave**

**UK adoptions**

To qualify for statutory adoption leave (SAL), a member of staff must:

* be matched with a child to be placed with them
* have notified the agency that they agree that the child should be placed with them, and the date of the placement
* have worked continuously for the PCC for 26 weeks ending with the week in which they are notified of being matched with a child for adoption
* notify the PCC in writing of when they want to start their adoption leave within 7 days of the date on which they are notified of having been matched with the child.

**Overseas adoptions**

* have received official notification from the relevant UK authority of their eligibility to adopt a child from abroad
* have worked for the PCC continuously for at least 26 weeks by the time they have received official notification or by the time their SAL is due to begin, whichever is later.
* have given the PCC the correct notification – see below
* be the child’s adopter

**Official notification for overseas adoptions**

Official notification is written notification issued by or on behalf of the relevant domestic authority stating that the authority either is prepared to issue a certificate to the overseas authority dealing with the adoption of the child, or has issued a certificate and sent it to that authority.

In either case, the certificate confirms that the adopter has been approved by them as being a suitable adoptive parent to adopt a child from overseas.

**Joint and individual adoptions**

Where a couple are adopting jointly, they can choose who will take SAL and who will take statutory paternity leave (SPL). They cannot both take SAL or SPL.

If an employee is adopting individually, only they are eligible for SAL - although their partner may be eligible for SPL.

**Foster parents who adopt a child**

A foster parent may be able to take SAL if they go on to adopt a child, but only if:

* the child that the employee fostered is then matched with them for adoption by a UK adoption agency (adoption via a court order does not count)
* the child is then actually placed with them for adoption

**Starting adoption leave – UK adoptions**

The earliest date that adoption leave can commence is 14 days before the expected date of placement, but within this parameter the staff member can choose:

* the date on which the child is placed with the staff member for adoption, or
* a predetermined date no more than 14 days before the date on which the child is expected to be placed for adoption and no later than the day of placement.

**Starting adoption leave – Overseas adoptions**

The staff member may start their SAL from either the date the child enters the UK or on a fixed date as notified to the PCC no later than 28 days after the date the child enters the UK.

**Requirements before adoption leave starts – Notification - UK adoptions**

Within 7 days\* of being matched with a child, the member of staff must provide the PCC with written notification of the following:

* that they intend to take adoption leave
* the date they intend to take the adoption leave
* the date that the child is expected to be placed with them for adoption

\*Unless this is not reasonably practicable.

The member of staff is also required by the PCC to provide the following documentary evidence from the adoption agency:

* the name and address of the adoption agency
* the date that they were notified of having been matched with the child
* the date on which the child is expected to be placed with the member of staff.

The PCC will respond to the above notification of leave plans within 28 days unless the staff member has varied the date, in which case the PCC will respond within 28 days of the start of their adoption leave. The PCC will advise the staff member of the date that their 52 weeks’ adoption leave will end.

THE WHOLE PERIOD OF ORDINARY ADOPTION LEAVE

**Contract of Employment**

During the whole 52 week period of adoption leave (both OAL and AAL), the member of staff is entitled to receive all their normal contractual benefits, except remuneration. The period of ordinary adoption leave counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority e.g. pay increments.

A staff member on adoption leave will continue to accrue statutory and any contractual annual holiday. Annual leave cannot be taken at the same time as adoption leave.

**Contact during the whole of adoption leave**

The PCC and/or the staff member may make reasonable contact with each other during the period of SAL in order to discuss issues such as the staff member’s return to work plans or any developments in the workplace. The PCC will keep them informed about any relevant promotion opportunities or job vacancies that arise during the period.

Before the staff member goes on adoption leave the PCC will agree with them the most appropriate way of keeping in touch, such as by telephone, email, letter, attendance at the workplace or some other way.

**Keeping in touch days (KIT days)**

Staff may, by agreement with management, do up to 10 days’ work under their contract of employment. These days are called ‘Keeping in Touch Days’. They are different from the reasonable contact time described under ‘contact’ above because a member of staff can actually do paid work for the PCC if it wants the staff member to do it and the staff member agrees. These days may be worked at any time during the period of SAL.

RETURN TO WORK AFTER ADOPTION LEAVE

**Staff who want to return to work – notice**

A staff member does not need to give any notice of their return to work if they simply return at the end of the 52 week period, provided they have not indicated that they wish to return at any other time. If, however, they wish to change the date of their return to work, they can do so at any time but they must give the PCC a minimum of 8 weeks’ notice of the date of their return. If they fail to do so, the PCC may postpone their return to a date that will achieve that full notice period as long as it does not extend past the date of the end of their adoption leave.

**Staff who return to work after ordinary adoption leave – job**

A member of staff who decides to return to work after OAL (i.e. after taking no more than the 26 weeks), is entitled to return to the job in which they were employed before their absence on terms and conditions not less favourable than those that would have applied had they not been absent.

**Staff who return to work after additional adoption leave-job**

A member of staff who decides to return to work after AAL (i.e. after taking more than the 26 weeks’ adoption leave), is entitled to return to the job in which they were employed before their absence on terms and conditions not less favourable than those that would have applied had they not been absent. However, where it is not reasonably practicable, for a reason other than redundancy, for the PCC to permit the staff member to return to their old job, the PCC can offer them another job, which is both suitable and appropriate in the circumstances and on terms no less favourable than their original job. Special provisions apply if there is a redundancy situation.

**Staff members who decide not to return to work at the end of their adoption leave**

If the staff member decides not to return to work at the end of her adoption leave they are entitled to receive the full amount of statutory adoption leave and pay. They must give the PCC at least the notice as specified in their statement of terms and conditions of employment.

STATUTORY ADOPTION PAY

Statutory adoption pay (SAP) is payable for one or two weeks as requested by the staff member.

**Qualifying conditions – UK adoptions**

A staff member is entitled to receive SAP from the PCC if they have been continuously employed for at least 26 weeks into the week in which they were notified of having been matched with a child for adoption, and satisfy the conditions below. The member of staff must:

* have average weekly earnings at least equal to the lower earnings limit for National Insurance contributions (although they do not actually have to have paid any contributions) in the 8 weeks up to and including the last normal pay day to fall before the first day of the week following the week in which the adopter is notified of having been matched with a child for adoption

**Qualifying conditions – overseas adoptions**

A staff member is entitled to receive (SAP) from the PCC if they have been continuously employed for at least 26 weeks into the week in which they were notified by the adoption agency that they had been matched with a child for adoption, and satisfy the conditions below. The member of staff must:

* have average weekly earnings at least equal to the lower earnings limit for National Insurance contributions (although they do not actually have to have paid any contributions) in the 8 weeks up to and including the last normal pay day to fall before the first day of the week following the week in which the adopter is notified of having been matched with a child for adoption

**Evidence required before SAP is implemented – UK adoptions**

The member of staff must provide the following written evidence issued by the adoption agency:

* the name and address of the adoption agency
* the date that they were notified of having been matched with the child
* the date on which the child is expected to be or was placed for adoption with the member of staff.

**Evidence required before SAP is implemented –overseas adoptions**

The member of staff must provide the following written evidence issued by the adoption agency:

* a copy of the official notification from the relevant UK authority that they have agreed that the staff member is suitable to adopt a child from overseas
* a declaration that they are claiming SAP
* evidence of the child’s date of entry into the UK, e.g. a copy of the air ticket or entry clearance document

**Entitlement to SAP**

SAP is payable for a continuous period of 39 weeks. The first six weeks are payable at the higher rate which is equivalent to 90 per cent of average weekly earnings. The remaining 33 weeks are payable at the lesser of the annually published weekly flat rate or 90 per cent of her average weekly earnings. If more than one child is placed for adoption at the same time the amount is exactly the same as if there were one child.

**Commencement of SAP**

The earliest date that SAP can commence is 14 days before the expected date of placement, but within this parameter the staff member can choose:

* the date on which the child is placed with the staff member for adoption, or
* a predetermined date no more than 14 days before the date on which the child is expected to be placed for adoption and no later than the day of placement.

**PATERNITY (ADOPTION) LEAVE AND PAY**

ORDINARY PATERNITY (ADOPTION) LEAVE

**Duration of ordinary paternity (adoption) leave**

Eligible staff can choose to take either 1 or 2 consecutive weeks’ ordinary paternity (adoption) leave (OPAL), but may not take odd days. Only one period of leave is available to staff irrespective of whether more than one child is placed with the adopter.

**Qualifying conditions – UK adoptions**

In order for staff to be entitled to take OPAL when adopting a child from the UK, they must:

* be either one of two parents jointly adopting a child or the partner of someone adopting a child individually
* have - or expect to have - responsibility for the child's upbringing with the other joint adoptive parent or the individual adopter
* not be taking statutory adoption leave and pay
* have been continuously employed by the PCC for at least 26 weeks ending with the week in which they are notified of having been matched with the child - the qualifying week. The qualifying week starts on a Sunday and ends on a Saturday
* continue to work for the PCC from the qualifying week to the date of the child's placement
* have notified the PCC when they want to take OPAL no more than seven days after the adopter is notified that they've been matched with a child
* be taking time off to support the adopter and/or to care for the child, but for no other purpose.

**Qualifying conditions - overseas adoptions**

In order for staff to be entitled to take OPAL when adopting a child from overseas, they must:

* be either one of two parents jointly adopting a child or the partner of someone adopting a child individually
* have - or expect to have - responsibility for the child's upbringing with the other or main adopter
* not be taking statutory adoption leave and pay
* have worked for the PCC continuously for at least 26 weeks into the week that the adopter receives official notification or by the time they want their OPAL to begin, whichever is later
* have given the PCC the correct notification
* continue to work for the PCC up until the point the child enters Great Britain
* be taking time off to support the adopter and/or to care for the child, but for no other purpose.

**Evidence required before the commencement of paternity (adoption) leave – Notification – UK adoptions**

No more than 7 days after the adopted has been notified that they have been matched with a child, the member of staff must provide the PCC with a signed declaration of:

* their intention to take OPAL
* when they want their leave to start
* how much leave they expect to take
* the date the adopter was notified that they had been matched with the child.
* the date on which the child is expected to be placed for adoption. This date is shown on the matching certificate from the adoption agency.

**Evidence required before the commencement of paternity (adoption) leave – Notification – overseas adoptions**

There are 3 stages of notification for OPAL. At each stage the staff member is required to produce written evidence as set out below.

**Stage 1**

The staff member must provide the PCC with the following information:

* the date on which the other or main adopter received official notification.
* the date the child is expected to enter the UK.

Where the staff member already has the necessary 26 weeks' qualifying service when the adopter receives official notification, they must give the PCC this information within 28 days of the adopter receiving official notification. At this point, the staff member should know roughly when the child will enter the UK.

Where the staff member receives official notification before they have the necessary qualifying service, they must give the PCC notice within 28 days of completing the 26 weeks' qualifying service. Again, at this point, the staff member should know roughly when the child will enter the UK.

**Stage 2**

The staff member must give the PCC at least 28 days' notice of the actual date they want their OPAL to start. They can give this notice at the first notification stage if they know the date. OPAL cannot start before the child has entered the UK.

Staff members can change their mind about the date on which they want their leave to start providing they tell the PCC at least 28 days in advance of the new date, or as soon as is reasonably practicable.

**Stage 3**

After the child has entered the UK, the staff member must tell the PCC the date the child entered the UK. They must tell the PCC this within 28 days of the child's date of entry.

**Starting paternity (adoption) leave – UK adoptions**

A member of staff can only take OPAL in the period of 56 days (8 weeks) beginning with the date on which the child is placed for adoption. The member of staff may choose to begin their leave on:

* the date on which the child is placed with the adopter or
* a predetermined date falling after the expected date of placement or
* a date falling a specified number of days after the expected date of placement.

**Starting paternity (adoption) leave –overseas adoptions**

A member of staff can only take OPAL in the period of 56 days (8 weeks) beginning with the date on which the child enters the UK. The member of staff may choose to begin their leave on:

* the date on which the child enters the UK
* a fixed date which is later than the date that the child enters the UK.

**Contract of employment**

During paternity leave, the member of staff is entitled to receive all their normal contractual benefits, except remuneration. The period of paternity leave counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority.

**Returning to work from ordinary paternity (adoption) leave**

A staff member is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent on OPAL.

They are also entitled to benefit from any general improvements to the rate of pay or other terms and conditions introduced while they were away.

STATUTORY PATERNITY (ADOPTION) PAY

**Ordinary statutory paternity (adoption) pay**

Ordinary statutory paternity (adoption) pay (OSPAP) is payable to an eligible staff member if their partner adopts a child. It is paid for one or two weeks as requested by the staff member.

**Qualifying conditions – UK adoptions**

In order to qualify for OSPAP the staff member must:

* have responsibility for the adopted child's upbringing
* be jointly adopting the child, or be the partner of a person adopting the child on an individual basis
* have at least 26 weeks' continuous service with the PCC by the 'matching week' - this is the week (beginning on Sunday and ending on Saturday) in which the adopter is notified of having been matched with the child
* continue to work for the PCC from the matching week to the date of the child's placement
* have average weekly earnings at or above the lower earnings limit for National Insurance which applied at the end of the matching (for adoption) week
* provide written notification (a completed form SC4) declaring their eligibility at least 28 days before they want their OSPAP to start

**Qualifying conditions – overseas adoptions**

In order to qualify for OSPAP the staff member must:

* have provided the PCC with official notification from the relevant UK authority (usually the Department of Health) confirming that the adopter(s) have been deemed suitable to adopt a child from overseas
* be responsible for the adopted child's upbringing
* be either jointly adopting the child or the partner of someone adopting the child individually
* have worked for the PCC continuously for at least 26 weeks by the later of the week that official notification is received or the time they want payment of OSPAP to begin
* continue to work for the PCC until the point the child enters the UK
* have declared their eligibility for OSPAP by giving written notification (a completed form SC5) at least 28 days before they want their OSPAP to start (or as soon as is reasonably practicable)
* have average earnings at least equal to the National Insurance contributions lower earnings limit

**Entitlement to OSPAP**

OSPAP is payable for the period of 1 or 2 weeks’ leave as appropriate. The rate of SPAP is the lesser of the annually published weekly flat rate or 90 per cent of average weekly earnings. If more than one child is placed for adoption at the same time the amount is exactly the same as if there were one child.

ADDITIONAL PATERNITY (ADOPTION) LEAVE

**Duration of Additional Paternity (adoption) Leave**

Eligible staff may take additional paternity (adoption) leave (APAL) of a minimum of 2 and a maximum of 26 weeks to care for their new child. This leave is only available to qualifying staff members where the mother has returned to work and must have finished by the child’s first birthday.

**Qualifying conditions for Additional Paternity (adoption) Leave**

For a staff member to qualify for APAL they must:

* be married to or the partner or civil partner of the child's co-adopter (the co-adopter is the adopter who has chosen to take adoption leave)
* have been matched with a child for adoption (for UK adoptions) - the qualifying week is the week they are matched for adoption. For overseas adoptions, the child must have entered the UK - the qualifying week is the later of either the week official notification was received, or the week the staff member had been employed by the PCC for 26 weeks
* not have taken statutory adoption leave or pay
* have been continuously employed by the PCC for at least 26 weeks ending with their qualifying week - for overseas adopters this must be before the child entered UK
* continue to work for the PCC from the qualifying week into the week before they wish to take additional paternity leave (which runs Sunday to Saturday)
* be taking time off to care for the child

The co-adopter must also:

* be entitled to statutory adoption leave or pay
* resume working at least two weeks after the child's placement for adoption

**Overseas adoptions**

The staff member must also:

* have received official notification relating to the adoption
* have, or expect to have, main responsibility for the child's upbringing (apart from the co-adopter)

**Notification of additional paternity adoption leave and additional statutory paternity adoption pay**

To qualify for additional paternity leave APAL and ASPAP the staff member must give the PCC notice, in writing, at least eight weeks before the start of the leave. This may be provided on the form SC8 which is available on the HM Revenue & Customs (HMRC) website. It contains a declaration for the staff member to sign and also for the child’s mother to sign.

**Requesting additional information from the staff member**

The PCC may request additional information from the staff member to support their claim for APAL or ASPAP.

In such cases, within 28 days of receiving the written notification the PCC may request:

* a copy of the child's birth certificate
* the notification from the adoption agency, including the name and address of the agency. the date on which the staff member was notified of having been matched for adoption and the date that the agency was expecting the placement to begin
* the official notification from the relevant domestic authority (usually the Department for Education in England or the Welsh or Scottish Ministers) and documentation proving that the child entered the UK.
* the name and address of the mother's employer, or their business address if they are self-employed

If the PCC requests this information the staff member must provide it within 28 days of the request in order for the claim to be valid.

**Confirmation of entitlement**

The PCC will confirm to the staff member the dates of their APAL and ASPAP within 28 days of receiving a completed notice from that staff member.

**Starting APAL – UK adoptions**

Staff may start their APAL any time between 20 and 52 weeks after the child starts living with the adopter.

**Starting APAL – overseas adoptions**

Staff may start their APAL any time between 20 and 52 weeks after the child arrives in the UK from overseas.

CONTRACT OF EMPLOYMENT DURING ADDITIONAL PATERNITY (ADOPTION) LEAVE

The staff member’s contract of employment continues throughout the whole period of APAL unless she or the PCC expressly terminates it or it expires.

**What happens to terms and conditions?**

During the whole period of APAL, the staff member is entitled to receive all their normal contractual benefits, except remuneration. The period of APAL counts towards continuity of employment for the purposes of statutory employment rights and to any contractual terms relating to seniority, e.g. salary increments.

A staff member on APAL will continue to accrue statutory and any annual contractual annual holiday entitlement. Annual leave cannot be taken at the same time as APAL so the staff member will be allowed to take untaken annual leave before and/or after APAL. The staff member will also continue to accrue contractual leave during the period of APAL.

During the period of paid APAL, the staff member is entitled to benefit from the employer contributions to the Pension Scheme.

**Contact during Additional Paternity (Adoption) Leave**

The PCC and/or staff member may make reasonable contact with each other during the period of APAL in order to discuss issues such as return to work plans or any developments in the workplace. During the period of APAL, the PCC will keep them informed about any relevant promotion opportunities, organisational changes and any other information that they would normally be made aware of if they were at work.

Before the staff member goes on APAL the PCC will agree with them the most appropriate way of keeping in touch, such as by telephone, email, letter, attendance at the workplace or some other way.

**Keeping in touch days (KIT days)**

Staff may, by agreement with management, do up to 10 days’ work under their contract of employment. These days are called “Keeping in Touch” Days. They are different from the reasonable contact time described under “contact” above because a member of staff can actually do paid work for the PCC if it wants them to do it and they agree. These days may be worked at any time during the period of APAL. The staff member may do a maximum of up to 10 days’ paid work without losing ASPAP or ending the period of APAL.

RETURN TO WORK AFTER ADDITIONAL PATERNITY (ADOPTION) LEAVE

**Staff members returning to work after 26 weeks’ or less APAL**

Staff members returning to work after 26 weeks’ or less APAL are entitled to return to the same job on the same terms and conditions as if they had not been on APAL. They are also entitled to benefit from any general improvement in pay rates or other terms and conditions introduced while they were away.

**Staff members returning to work after more than 26 weeks APAL**

Staff members returning to work after more than 26 weeks APAL are entitled to return to the same job on the same terms and conditions as if they had not been absent. However, if this is not reasonably practicable the PCC will aim to offer an alternative job which is:

* both suitable and appropriate for them to do in the circumstances
* on terms and conditions no less favourable than their original job

Special rules will apply if there is a redundancy situation.

ADDITIONAL STATUTORY PATERNITY (ADOPTION) PAY

**Qualifying conditions**

Additional statutory paternity pay (ASPAP) is payable to staff members who meet the eligibility criteria for APAL and:

* are taking time off to care for their child during the 39 week period covered by their partner's statutory adoption pay
* their partner has returned to work and at least two weeks of their statutory adoption pay remain
* has average weekly earnings at or above the lower earnings limit for National Insurance contributions in force at the end of the qualifying week\*

\* The qualifying week is:

**UK adoptions**

* the week the adopter was matched with a child for adoption

**Overseas adoptions**

* the later date of either the end of the week in which official notification is received or the end of the week in which they complete 26 weeks' continuous employment with you (for overseas adoptions)

**Payment of ASPAP - amount**

The rate of ASPAP is the lesser of the annually published weekly flat rate or 90 per cent of average weekly earnings.

**Payment of ASPAP – when to pay**

Providing that the adopter has returned to work, ASPAP is payable from 20 weeks after the child was placed for adoption, but where the adopter has died, it can in some circumstances be paid from the date of her death.

The staff member is only entitled to be paid ASPAP during the adopter’s statutory adoption pay period. It runs from 39 weeks from the date that the adopter started receiving her pay.

**PARENTAL LEAVE**

ABOUT THIS POLICY

This policy summarises the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Entitlement to parental leave

To be eligible for parental leave, you must:

* have at least one year's continuous employment with us;
* have or expect to have responsibility for a child; and
* be taking the leave to spend time with or otherwise care for the child.

You have responsibility for a child if you are the biological or adoptive parent or have legal parental responsibility in some other way, for example under a court order.

Eligible employees are entitled to take up to 18 weeks' parental leave in relation to each child.

You must tell us of any parental leave you have taken while working for another employer as this counts towards your 18-week entitlement.

Taking parental leave

In most cases, parental leave can only be taken in blocks of a week or a whole number of weeks, and you may not take more than four weeks' parental leave a year in relation to each child. Parental leave can only be taken up to the child's eighteenth birthday.

Special rules apply where your child is disabled, which for these purposes means entitled to a disability living allowance, armed forces independence allowance or personal independence allowance. You can take parental leave in respect of that child in blocks of less than one week. However, there is still a limit of 4 weeks a year for each child and 18 weeks in total for each child.

Notification requirements

You must notify the Incumbent of your intention to take parental leave at least 21 days in advance. It would be helpful if you can give this notice in writing. Your notification should include the start and end dates of the requested period of leave.

If you wish to start parental leave immediately on the birth of a child, you must give notice at least 21 days before the expected week of childbirth.

If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement, or if this is not possible, give as much notice as you can.

Evidence of entitlement

We may ask to see evidence of:

* your responsibility or expected responsibility for the child such as birth certificate, adoption or matching certificate, parental responsibility agreement or court order;
* the child's date of birth or date of adoption placement; and
* if applicable, the child's entitlement to a disability living allowance, armed forces independence allowance or personal independence allowance.

Our right to postpone parental leave

Although we will try to accommodate your request for parental leave, we may postpone your requested leave where it would unduly disrupt our business (for example, if it would leave us short-staffed or unable to complete work on time).

We will discuss alternative dates with you, and notify you in writing of the reason for postponement and the new start and end dates, within seven days of receiving your request for parental leave.

We cannot postpone parental leave if you have requested it to start immediately on the birth or adoption of a child.

We cannot postpone parental leave for more than six months, or beyond the child's 18th birthday (if sooner).

Terms and conditions during parental leave

Parental leave is unpaid. You will not be entitled to employer pension contributions in respect of the period of leave.

Your employment contract will remain in force, and holiday entitlement will continue to accrue. You will remain bound by your duties of good faith and confidentiality, and any contractual restrictions on accepting gifts and benefits, or working for another business.

**SHARED PARENTAL LEAVE (BIRTH) POLICY**

GENERAL PRINCIPLES

This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. If you are adopting a child please see the Shared Parental Leave (Adoption) Policy instead.

This policy applies to employees. It does not apply to agency workers or self-employed contractors.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

FREQUENTLY USED TERMS

The definitions in this paragraph apply in this policy.

**Expected week of childbirth (EWC):** the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.

**Parent:** One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).

**Partner:** spouse, civil partner or someone living with another person in an enduring family relationship, but not a sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

**Qualifying Week:** the fifteenth week before the expected week of childbirth.

WHAT IS SHARED PARENTAL LEAVE?

Shared parental leave (SPL) is a form of leave available to working parents following the birth of a child. It applies in respect of children who are expected to be born on or after 5 April 2015.

SPL allows parents to take up to 52 weeks leave in total on the birth of a child. They may be able to take this leave at the same time or at different times.

ENTITLEMENT TO SPL

You are entitled to SPL in relation to the birth of a child if:

* you are the child's mother, and share the main responsibility for the care of the child with the child's father (or your partner, if the father is not your partner);
* you are the child's father and share the main responsibility for the care of the child with the child's mother; or
* you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

* you must have at least 26 weeks continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
* the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and had average weekly earnings of at least £30 during 13 of those weeks; and
* you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking SPL. Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement.

OPTING IN TO SHARED PARENTAL LEAVE

Not less than eight weeks before the date you intend your SPL to start, you must give us a written opt-in notice giving:

* your name and the name of the other parent;
* if you are the child's mother, the start and end dates of your maternity leave;
* if you are the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
* the total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken;
* how much of that will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
* if you are claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP or MA period taken or to be taken);
* how much of that will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
* an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions; and
* declarations by you and the other parent that you meet the statutory conditions for entitlement to SPL and ShPP.

ENDING MATERNITY LEAVE

If you are the child's mother and are still on maternity leave, you must give us at least eight weeks' written notice to end your maternity leave (a curtailment notice) before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see above) or a written declaration that the child's father or your partner has given his or her employer an opt-in notice and that you have given the necessary declarations in that notice.

The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

The curtailment notice is usually binding and cannot be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:

* if you realise that neither you nor the other parent are in fact eligible for SPL or ShPP, you can revoke the curtailment notice in writing up to eight weeks after it was given;
* if you gave the curtailment notice before giving birth, you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
* if the other parent has died.

Once you revoke a curtailment notice you cannot submit a second curtailment notice, unless the revocation was given in the in circumstances set out above.

If you are the child's father or the mother's partner, you will only be able to take SPL once the mother has either:

* returned to work;
* given her employer a curtailment notice to end her maternity leave;
* given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
* given a curtailment notice to the benefits office to end her MA (if she is not entitled to maternity leave or SMP).

EVIDENCE OF ENTITLEMENT

You must also provide on request:

* A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
* The name and address of the other parent's employer (or a declaration that they have no employer).

NOTIFYING US OF YOUR SPL DATES

Having opted into the SPL system you will need to give a period of leave notice telling us the start and end dates of your leave. This can be given at the same time as your opt-in notice, or it can be given later, as long as it is given at least eight weeks before the start of your leave. You must also state in your period of leave notice the dates on which you intend to claim shared parental pay, if applicable.

If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.

You can give up to three period of leave notices. This may enable you to take up to three separate blocks of shared parental leave. In exceptional circumstances we may agree to accept more than three period of leave notices.

PROCEDURE FOR REQUESTING SPLIT PERIODS OF SPL

In general, a period of leave notice should set out a single continuous block of leave. We may, in some cases, be willing to consider a period of leave notice where the SPL is split into shorter periods (of at least a week) with periods of work in between. It is best to discuss this with your manager and HR in advance of submitting any formal period of leave notices. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

You must submit a period of leave notice setting out the requested pattern of leave at least eight weeks before the requested start date. If we are unable to agree to your request straight away, there will be a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached an agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, you will be entitled to one 12-week period of leave). Alternatively, you may:

* choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
* withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

CHANGING THE DATES OR CANCELLING YOUR SPL

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the dates for a period of leave by giving us at least eight weeks' notice before the original start date and the new start date.

You do not need to give eight weeks' notice if you are changing the dates of your SPL because your child has been born earlier than the EWC, where you wanted to start your SPL a certain length of time (but not more then eight weeks) after birth. In such cases please notify us in writing of the change as soon as you can.

A notice to cancel or change a period of leave will count as one of your three period of leave notices, unless:

* the variation is a result of your child being born earlier or later than the EWC;
* the variation is at our request; or
* we agree otherwise.

SHARED PARENTAL PAY

ShPP of up to 39 weeks (less any weeks of statutory maternity pay or adoption pay claimed by you or the other parent) may be available provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

OTHER TERMS DURING SHARED PARENTAL LEAVE

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

Annual leave entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. You should try to limit carry over to one week's holiday or less. Carry-over of more than one week is at your manager's discretion. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the HR Officer that you wish to make up any shortfall.

KEEPING IN TOUCH

We may make reasonable contact with you from time to time during your SPL although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with your line manager.

You will be paid at your normal basic rate of pay for time spent working on a KIT day and this will be inclusive of any shared parental pay entitlement.

RETURNING TO WORK

If you want to end a period of SPL early, you must give us eight weeks' prior notice of the return date. It is helpful if you give this notice in writing.

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

You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

* if your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
* if you took SPL consecutively with more than four weeks of ordinary parental leave (under our Parental Leave Policy).

If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

**TIME-OFF FOR DEPENDENTS**

**This policy applies to Employees only**

QUALIFYING CONDITION

All employees regardless of their age, length of service or working hours have a statutory entitlement to **unpaid** time-off in relation to dependents as defined below.

DEFINITION OF DEPENDENT

A dependent is defined as a spouse, civil partner, child, parent or some other person living in the same household as the member of staff other than as an employee, tenant, lodger or boarder. This would include a partner or grandparent, for example. In addition, a dependent is also defined as any person who reasonably relies on the staff member for assistance if they fall ill or are injured or assaulted or to make arrangements for the provision of care in the event of illness or injury or any person who reasonably relies on the staff member to make arrangements for the provision of care. The staff member may be the primary carer or the only person who can help in an emergency.

THE NATURE OF THE ENTITLEMENT

Members of staff are entitled to take **reasonable unpaid** time-off to take action which is necessary to deal with certain unexpected or sudden emergencies as set out below:

* to provide assistance on an occasion when a dependent:
  + falls ill, or is injured or assaulted, including mental illness or injury, or
  + goes into labour
* to make care arrangements for a dependent who is ill or injured
* to arrange or attend a dependent’s funeral or in consequence of the death of a dependent
* as a result of the unexpected disruption or termination of arrangements for the care of a dependent
* to deal with an unexpected incident at school involving the staff member's child during school hours e.g. suspension from school

WHEN THIS RIGHT DOES NOT APPLY

Staff do not have the right to time off for every problem. A burst boiler at home or problems with a pet do not count as they do not involve a dependent. Such time should be arranged by taking leave or agreeing in advance with your line manager to make up the time.

NOTIFYING MANAGEMENT

Staff must inform their immediate manager as soon as is reasonably practicable of the reason for their absence and how long they reasonably expect to be away from work, either by telephoning as soon as possible or, if suddenly called away from work, by notifying management of the situation before leaving their workplace.

The staff member should inform their line manager as soon as they can should their original estimate be insufficient time. Their line manager will

RETURN FROM TIME-OFF

On return from their time-off a staff member’s line manager will inform payroll of the total time taken and the amount that is to be with pay, or the amount that is to be taken from the annual leave entitlement or accrued TOIL, or the amount that is to be without pay, or combination of the three.

SPECIAL DISCRETIONARY COMPASSIONATE LEAVE

The PCC recognises that events such as bereavement, a serious family problem or the need to tend to a sick dependent may mean that staff members need to spend time away from work. The needs of each staff member in situations such as these will depend upon the nature of the problem and the circumstances concerned.

BEREAVEMENT LEAVE

At its sole discretion, the PCC will grant reasonable **paid** bereavement leave following the death of a close family member (parents, grandparents, spouse, civil partner, children, siblings), to enable the staff member to make arrangements for the funeral (if appropriate) and/or to attend the funeral.

Usually one day’s paid leave is available for those attending the funeral of a close blood relative (i.e. member of the immediate family of the employee or their partner, including grandparents).

OTHER SPECIAL LEAVE

In certain special circumstances, at its sole discretion, the PCC may grant leave **with or without pay** for matters not covered by any of the above provisions. This is to enable the member of staff to deal with domestic or personal problems.

Each case and application for compassionate leave is therefore dependent upon its merits. The amount of leave granted and whether it is paid or not will be decided by the incumbent with a recommendation from the line manager.

**STATUTORY RIGHT TO REQUEST FLEXIBLE WORKING**

This flexible working policy gives eligible employees an opportunity to request a change to their working pattern.

The PCC will deal with flexible working requests in a reasonable manner and within a reasonable time. In any event the time between making a request and notifying the employee of a final decision (including the outcome of any appeal) will be less than three months unless a longer period has been agreed between the parties.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

THE NATURE OF THE ENTITLEMENT

To be eligible to make a flexible working request, the staff member must:

* be an employee;
* have at least 26 weeks service at the date of request; and
* not have made a flexible working request during the last 12 months (even if the request was withdrawn).

WHAT IS A FLEXIBLE WORKING REQUEST?

A flexible working request under this policy means a request to do any or all of the following:

* to reduce or vary your working hours;
* to reduce or vary the days you work;
* to work from a different location (for example, from home).

MAKING A FLEXIBLE WORKING REQUEST

The employee’s flexible working request should be submitted to the line manager in writing and dated. It should:

* state that it is a flexible working request;
* explain the change being requested and propose a start date;
* identify the impact the change would have on the business and how that might be dealt with; and
* state whether any previous flexible working requests have been made.

MEETING

The PCC will arrange a meeting at a convenient time and place to discuss the request. The Employee will have the right to be accompanied at the meeting by a colleague of their choice. The employee will be entitled to speak and confer privately with them, but they may not answer questions on behalf of the Employee.

The PCC may decide to grant the request in full without a meeting.

DECISION

The employee will be informed in writing of the decision as soon as possible after the meeting with details of the new working arrangements and the date on which they will commence. A trial period may be offered before a final decision has been reached on the request.

Unless otherwise agreed, changes to the terms of employment will be permanent.

The PCC may reject the request for one or more of the following business reasons:

* the burden of additional costs;
* detrimental effect on ability to meet customer demand;
* inability to reorganise work among existing staff;
* inability to recruit additional staff;
* detrimental impact on quality;
* detrimental impact on performance;
* insufficiency of work during the periods that you propose to work; or
* planned changes.

If the PCC is unable to agree to the request, the employee will be informed of the reasons and set out an appeal procedure.

APPEAL

The employee may appeal in writing to the incumbent within 14 days of receiving the written decision. [This includes a decision following a trial period.] The appeal must be dated and must set out the grounds on which the employee is appealing.

A meeting will be held to discuss the appeal. The employee may bring a colleague to the meeting.

The employee will be informed of the final decision as soon as possible after the appeal meeting, including reasons. There is no further right of appeal.

**TIME-OFF FOR PUBLIC DUTIES**

**This policy applies to employees only**

The PCC will grant reasonable time-off during working hours for Employees to carry out the public duties specified below:

* Justice of the Peace
* members of a local authority
* members of a statutory tribunal
* members of a police authority
* members of Prison Independent Monitoring Boards
* members of health bodies (NHS trusts, health authorities, health boards)
* members of education bodies (managing or governing bodies of local authority educational establishments, grant maintained schools, school councils, self-governing schools, colleges of further education, central institutions)
* members of General Teaching Councils
* members of the Environmental Agency
* member of Water Customer Consultation Panels

PURPOSE OF THE TIME-OFF

The purpose of the time-off is to enable the staff member to pursue these duties by attending meetings of the body concerned or any of its committees or sub-committees and by discharging functions on behalf of the body or any of its committees or sub-committees.

REMINDER TO EMPLOYEES

Staff members are reminded that before accepting candidature in Local Government elections or seeking appointment to Justice of the Peace or any of the bodies listed above, they must seek agreement of their line manager and the incumbent.

**DIVERSITY POLICY**

GENERAL PRINCIPLES

The parish of St. Mary the Virgin, Hayes values diversity and recognises that people are an extremely valuable resource. The PCC is committed to providing a working environment in which all staff members are able to work towards realising their full potential and to contribute to the fulfilment of its vision.

The PCC supports and promotes the aims of the Church of England in particular and of the Christian faith in general. The employees of the PCC will be expected to show commitment to those aims.

For certain posts it will necessary for the employee to hold the Bishop’s Licence and they must therefore demonstrate that no bars exist to fulfilling this requirement

For certain posts it will be a requirement that the holder be a communicant member of the Church of England, or of a Church in communion therewith or of a member Church of the Council of Churches for Britain and Ireland or of Churches Together in England and they must therefore demonstrate that this requirement is met.

USE OF TERMS

Where the term “protected characteristic” is used, it refers to The Equality Act 2010 which defines protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

OVERALL OBJECTIVES

* To value the diversity of the workforce by implementing policies, procedures and processes which assist staff to work towards developing to their full potential, whilst achieving the PCC’s goals
* To prevent direct and indirect discrimination
* To prevent discrimination by association
* To prevent perception discrimination
* To stimulate equality of opportunity by the elimination of conditions, requirements, procedures and practices which are unjustified

DIRECT DISCRIMINATION

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

INDIRECT DISCRIMINATION

Indirect discrimination can occur if the PCC has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic; unless the PCC can show that it can be reasonably justified.

DISCRIMINATION BY ASSOCIATION

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

PERCEPTION DISCRIMINATION

Perception Discrimination is direct discrimination against a person because others think that they possess a particular protected characteristic even if the person does not have that characteristic.

SPECIFIC OBJECTIVES

**Recruitment and Selection**

* To achieve a response of appropriate quality to meet the person specification of vacant jobs in the PCC, having regard for the need to ensure that members of all diverse groups have opportunities to make applications
* To ensure that people with appropriate knowledge, skills, qualifications, experience and competencies are selected in accordance with objective, job related criteria

**Training and Development**

* To ensure as far as is reasonably practicable that all staff acquire and develop the knowledge, skills, qualifications, experience and competencies to enable them to perform effectively in their jobs and to work towards realising their full potential

**Performance Management**

* To manage, review and assess individual staff performance against objective and relevant criteria to enable staff to work towards realising their full potential

**Terms and Conditions of Employment**

* To achieve fair and equitable payment of staff
* To provide benefits and facilities which are fair, non-discriminatory and will contribute to giving staff and potential staff equality of opportunity

**The application of Grievance, Disciplinary and Capability Procedures**

* To ensure that grievances, disciplinary and capability issues are handled in a fair and non-discriminatory manner

**Staff Relations**

* To ensure a consistent and effective approach which values diversity and aims at the achievement of proper relationships between members of management and staff

**Monitoring**

* To monitor this policy so that the PCC can assess its effectiveness, the extent to which objectives are being met and the action which needs to be taken

**Communications**

* To communicate this policy clearly and effectively to all staff
* To communicate to potential staff the PCC’s commitment to valuing diversity

GRIEVANCES RELATING TO DIVERSITY ISSUES

Any member of staff who has a problem relating to a diversity issue within the framework of this policy should raise it through the Grievance Procedure.

HOW COMPLAINTS RELATING TO DIVERSITY ISSUES WILL BE DEALT WITH

The PCC is committed to investigating complaints relating to diversity issues thoroughly and with fairness and sensitivity.

WHERE A MEMBER OF STAFF IS ACCUSED OF DISCRIMINATION

Where a member of staff is accused of acting in a discriminatory manner towards another staff member or job applicant, the complaint will be thoroughly investigated. In the course of the investigation the member of staff will be given a reasonable opportunity to answer the allegations made against them and to provide an explanation.

If it is concluded that there was no discrimination this will be the end of the matter. If it is concluded that a false accusation has been made maliciously against the staff member, the person or persons responsible may be subject to disciplinary action.

If it is concluded that a member of staff has acted in a discriminatory manner, management will consider appropriate action. This may range from training to formal disciplinary action, including dismissal in serious cases.

RESPONSIBILITIES

The primary responsibility for the implementation of this diversity policy is that of management.

However, all members of staff are encouraged to value the diversity of the workforce. Staff can contribute to an improved working environment, for example, by not making assumptions about people based on their gender or ethnic origin, by challenging those who express prejudice, by recognising the value of contributions from diverse groups of people, and by making suggestions to management about how the working environment can be improved to contribute to enabling staff to work towards realising their full potential.

Furthermore, they have a responsibility not to discriminate unfairly against groups or individuals; this includes bullying and harassment, which is addressed in a separate policy. Alleged acts of discrimination will be considered within the framework of the disciplinary procedure.

STATUS OF THE POLICY

Whilst the PCC acknowledges its legal obligations relating to diversity issues, the PCC reserves the right to change it from time to time; it does not form part of individual contracts of employment.

**ALCOHOL AND DRUGS POLICY**

INTRODUCTION

The PCC recognises that the use of either alcohol or drugs by staff can impair both their health and the safe and efficient running of the PCC.

OBJECTIVE OF THE POLICY

The objective of this policy is to provide a framework for the handling of alcohol and drug related problems in a fair and sympathetic manner. This policy is not intended to apply to "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which may damage our reputation, and which are likely to be dealt with under our Disciplinary Procedure.

THE PROCESS FOR HANDLING ALCOHOL AND DRUG PROBLEMS

**Identifying the problem:**

The misuse of drugs and alcohol by staff may come to light in various ways. It may become apparent during investigation of timekeeping, attendance or behavioural issues. In some instances, staff may seek help and advice themselves.

**What staff should do if they have or think that they have a problem with alcohol or drugs:**

Staff who recognise that they have an alcohol or drug problem, or that they are at risk of developing one, are encouraged to come forward for confidential help. They should speak in confidence with their manager, or secure the help of a colleague in this respect.

**How staff should respond regarding another staff member with an alcohol or drug problem:**

All staff are encouraged not to cover up for staff with an alcohol or drug problem but to recognise that collusion represents a false sense of loyalty and may in the longer term damage those members of staff.

**Intervention:**

Where management become aware that a staff member may have a problem relating to alcohol or drugs, they should hold a meeting with the member of staff concerned.

Where staff members acknowledge that they have a problem and are given help and treatment, this will be on the understanding that:

* they will fulfil the obligations of the treatment arranged;
* where necessary, while undergoing treatment, they will be on sick leave and may be entitled to sick pay, where applicable;
* in the event of in-patient treatment being necessary for a prolonged period, employees may be entitled to related sick pay if deemed appropriate.

Where a return to work would jeopardise either a satisfactory level of job performance or the member of staff's recovery, the manager will review the full circumstances of the case and agree a course of action to be taken. This may include the offer of suitable alternative employment, the consideration of retirement on the grounds of ill health, or dismissal. The matter will be considered within the framework of the Capability Procedure.

**Where a staff member refuses help:**

Any member of staff who declines the offer of referral for assessment and treatment, or discontinues treatment before its satisfactory completion and who continues to fall below standards required, will be considered within the framework of the Capability Procedure.

**Where a staff member has a relapse:**

Where a member of staff, having received treatment, suffers a relapse, the PCC will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for full recovery. At the PCC's discretion, more treatment or rehabilitation time may be given in order to help the staff member to recover fully.

**Where a staff member is unlikely to recover:**

If, after a member of staff has received treatment, recovery seems unlikely, the PCC may be unable to wait any longer for recovery to take place. In such cases, dismissal may result, but a medical investigation and individual consultation will take place beforehand and the matter will be considered within the Capability Procedure.

**Serious or gross misconduct related to alcohol or drugs:**

Issues of alleged serious or gross misconduct related to alcohol or drugs will be investigated and handled within the framework of the Disciplinary Procedure.

**Staff who are intoxicated by alcohol or under the influence of drugs:**

If a member of staff is intoxicated by alcohol or under the influence of drugs during working hours or on church premises, arrangements will be made for them to be escorted from the premises immediately. Disciplinary action will take place when the staff member has had time to become sober or to recover from the effects of drugs. This kind of behaviour will normally be treated as gross misconduct and result in summary dismissal.

**Consumption of alcohol on the premises:**

Other than celebrating the Eucharist or during a church organised reception, the consumption of alcohol on PCC premises is not permitted, and will be regarded as gross misconduct, rendering the staff member concerned liable to summary dismissal.

**Drug abuse on the premises:**

The taking of drugs, which are not prescribed on medical grounds, during working hours or whilst on parish business will be regarded as gross misconduct and staff who are found guilty of such acts will render themselves liable to summary dismissal. The possession of, or buying or selling, of non-prescribed drugs during working hours or whilst on business will be regarded as gross misconduct and staff who are guilty of such acts will render themselves liable to summary dismissal under the terms of the Disciplinary Procedure.

STATUS OF THIS POLICY

This Alcohol and Drugs Policy is discretionary and the PCC reserves the right to change it from time to time; it does not form part of individual contracts of employment.

**BULLYING AND HARASSMENT POLICY**

GENERAL PRINCIPLES

The PCC believes that all members of staff are entitled to be treated with dignity and respect while at work and when representing the organisation in any capacity outside work.

The PCC will not tolerate the bullying or harassment of:

* one staff member by another or of
* any other individuals with whom they have contact in the course of carrying out their duties for the PCC or of
* a staff member by a third party with whom they have contact in the performance of their job.

Such behaviour is unlawful and is regarded as both serious and unacceptable in the working environment. The PCC will take positive action to prevent its occurrence at work and out of the workplace, such as on business trips or at work-related events or social functions.

OBJECTIVE OF THE POLICY

The objective of this policy is to prevent bullying and harassment within the PCC and to provide a framework for addressing any bullying and harassment issues that may arise.

DEFINITION OF BULLYING AND HARASSMENT

In general terms, bullying may include offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Harassment is unwanted conduct related [or unrelated to] a protected characteristic\* under the Equality Act 2010, 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. This means that even if the harassment is not directed towards a staff member, they might find it offensive (creating an offensive environment).

\*This can include harassment of someone because the harasser thinks that the victim possesses a protected characteristic or because the victim associates with a person who possesses a protected characteristic.

Behaviour that is considered as bullying by one person may be considered firm management by another. It may be persistent or an isolated incident. Unacceptable behaviour may include:

* spreading malicious rumours or insulting someone (particularly on the grounds of a protected characteristic under the Equality Act 2010)
* copying memos or emails that are critical about someone to others who do not need to know
* ridiculing or demeaning someone; e.g. picking on them or setting them up to fail
* exclusion or victimisation
* unfair treatment
* overbearing supervision or other misuse of power or position
* unwelcome sexual conduct including:
  + unwelcome sexual advances, propositions, suggestions or pressure to participate in social activity outside work, where it has been made clear that this is not welcome
  + conduct which is intimidatory, physically or verbally abusive, including the display of explicit material, the use of sexually explicit humour, and comments of a sexual nature whether directed specifically at any particular individual or not
  + suggestions that sexual favours may further a person's career, or that refusal may hinder it
  + making decisions on the basis of sexual advances being accepted or rejected
* unwanted physical contact
* making threats or comments about job security without foundation
* deliberately undermining a competent worker by overloading and constant criticism
* preventing individuals from progressing by intentionally blocking promotion or training opportunities

Bullying and harassment are not necessarily face to face, they may be by written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), in any form of social media, electronic email (so called ‘flame-mail’), phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

Bullying and harassment may be carried out by third parties; i.e. people who are not employees of the PCC but with whom the affected staff member comes into contact as part of their work.

COMPLAINTS OF BULLYING AND HARASSMENT

Any staff member who wishes to make a complaint relating to alleged bullying or harassment within the framework of this policy should raise it through the PCC’s Grievance Procedure.

HOW COMPLAINTS OF BULLYING AND HARASSMENT WILL BE DEALT WITH BY THE PCC

The PCC has regard for the fact that bullying and harassment are unlawful\*\* and views such acts as constituting extremely serious and unacceptable behaviour. It is committed to taking all complaints of bullying and harassment very seriously and to investigating them thoroughly with fairness, sensitivity and confidentiality.

**Where staff members complain of bullying or harassment**

Where a staff member complains of bullying or harassment, the complaint will be taken very seriously and will be thoroughly investigated.

In the course of the investigation the staff member who is accused will be given a reasonable opportunity to answer the allegations made against them and to provide an explanation. Management will consider all the circumstances before reaching a conclusion, taking into account the perception of the staff member complaining of bullying or harassment.

If it is concluded that there was no bullying or harassment this will be the end of the matter. If it is concluded that a false accusation has been made maliciously against the staff member, the person or persons responsible may be subject to disciplinary action.

If it is concluded that a member of staff has bullied or harassed another staff member, management will consider appropriate action including taking into account whether other policies have also been breached such as the Diversity Policy, Internet and Communications Policy or the Social Media Policy. This may range from counselling or training to formal disciplinary action, including dismissal in serious cases. Appropriate action will also be considered for the staff member who complained of the bullying or harassment. This might be the provision of counselling support or redeployment if regarded as necessary and reasonably practicable.

**Bullying or harassment by third parties**

Where a staff member has been subject to bullying or harassment by a third party; e.g. a visitor, contractor etc, a full investigation will take place and appropriate action will be taken if the complaint is found to be justified.

RESPONSIBILITIES

The primary responsibility for the implementation of this Bullying and Harassment Policy is that of management. However, all staff members have a responsibility to show respect to other members of staff and other individuals with whom they have contact in the course of carrying out their duties for the PCC.

STATUS OF THIS POLICY

Whilst the PCC will fulfil its legal obligations, the PCC reserves the right to review it and to change it from time to time; it does not form part of individual contracts of employment.

**\*** The Equality Act 2010 defines protected characteristics as follows:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

**\*\*** Under the Equality Act 2010, harassment is unlawful.

Bullying on grounds of a protected characteristic is also unlawful.

Other forms of bullying may also result in a contravention of the law.

**ANTI-BRIBERY AND CORRUPTION POLICY**

general principles

It is our policy to conduct all of our business in an honest and ethical manner. 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.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. Any non-employee who breaches this policy may have their contract terminated with immediate effect.

This policy does not form part of any employee's contract of employment and we may amend it at any time. It will be reviewed regularly.

WHO MUST COMPLY WITH THIS POLICY?

This policy applies to all persons working for us or on our behalf in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners.

WHAT IS 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 line manager.

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.

GIFTS AND HOSPITALITY

This policy does not prohibit the giving or accepting of reasonable and appropriate hospitality for legitimate purposes such as building relationships, maintaining our image or reputation, or marketing our products and services.

A gift or hospitality will not be appropriate if it is unduly lavish or extravagant, or could be seen as an inducement or reward for any preferential treatment (for example, during contractual negotiations or a tender process).

Gifts must be of an appropriate type and value depending on the circumstances and taking account of the reason for the gift. Gifts must not include cash or cash equivalent (such as vouchers), or be given in secret. Gifts must be given in our name, not your name.

Promotional gifts of low value such as branded stationery may be given to or accepted from existing customers, suppliers and business partners.

RECORD-KEEPING

You must declare and keep a written record of all hospitality or gifts given or received. You must also submit all expenses claims relating to hospitality, gifts or payments to third parties in accordance with our expenses policy and record the reason for expenditure.

All accounts, invoices, and other records relating to dealings with third parties including suppliers and customers should be prepared with strict accuracy and completeness. Accounts must not be kept "off-book" to facilitate or conceal improper payments.

HOW TO RAISE A CONCERN

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 line manager or the PCC Secretary **OR** report it in accordance with our Whistleblowing Policy as soon as possible.

**WHISTLEBLOWING POLICY**

GENERAL PRINCIPLES

We are committed to conducting our business with honesty and integrity and we expect all staff to maintain high standards. Any suspected wrongdoing should be reported as soon as possible.

This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

WHAT IS WHISTLEBLOWING?

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to our activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations.

HOW TO RAISE A CONCERN

We hope that in many cases you will be able to raise any concerns with your manager. However, where you prefer not to raise it with your manager for any reason, you should contact the PCC Secretary.

We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

CONFIDENTIALITY

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. Completely anonymous disclosures are difficult to investigate. If you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern.

EXTERNAL DISCLOSURES

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy.

PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

We aim to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the PCC Secretary immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

However, if we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action.

Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy.

CONTACTS

|  |  |
| --- | --- |
| **Public Concern at Work**  (Independent whistleblowing charity) | Helpline: (020) 7404 6609  E-mail: whistle@pcaw.co.uk  Website: www.pcaw.co.uk |

IT AND COMMUNICATIONS SYSTEMS POLICY

General Principles

IT and communications systems are intended to promote effective communication and working practices. This policy outlines the standards staff must observe when using these systems, when the PCC will monitor their use, and the action the PCC will take if these standards are breached.

Access to the internet and e-mail maybe provided to staff as a business resource. It is permissible for staff to use the facilities for their own personal use. However, such use should occur only during the lunch-break. Personal use is a privilege and not a right. It must not be overused or abused. The PCC reserves the right to withdraw permission for personal use or restrict access at any time.

The management has overall responsibility for this policy, including keeping it under review.

Breach of this policy may be dealt with under the Disciplinary Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

Equipment security and passwords

You are responsible for the security of the equipment allocated to or used by you, and you must not allow it to be used by anyone other than in accordance with this policy. You should use passwords on all IT equipment, particularly items that you take out of the office. You should keep your passwords confidential and change them regularly.

You must only log on to our systems using your own username and password. You must not use another person's username and password or allow anyone else to log on using your username and password.

If you are away from your desk you should log out or lock your computer. You must log out and shut down your computer at the end of each working day.

Systems and data security

You should not delete, destroy or modify existing systems, programs, information or data (except as authorised in the proper performance of your duties).

You must not download or install software from external sources without authorisation. Downloading unauthorised software may interfere with our systems and may introduce viruses or other malware.

You must not attach any device or equipment including mobile phones, tablet computers or USB storage devices to our systems without authorisation.

We monitor all e-mails passing through our system for viruses. You should exercise particular caution when opening unsolicited e-mails from unknown sources. If an e-mail looks suspicious do not reply to it, open any attachments or click any links in it.

Inform management immediately if you suspect your computer may have a virus.

E-mail

Adopt a professional tone and observe appropriate etiquette when communicating with third parties by e-mail. As with any other letter, we are legally required to disclose our Company status and Registration Number. If your team has Company status your letterhead should show this detail, which should now be reproduced on all e-mails.

Remember that e-mails can be used in legal proceedings and that even deleted e-mails may remain on the system and be capable of being retrieved.

You must not send abusive, obscene, discriminatory, racist, harassing, derogatory, defamatory, pornographic or otherwise inappropriate e-mails.

You should not:

* send or forward private e-mails at work which you would not want a third party to read;
* send or forward chain mail, junk mail, cartoons, jokes or gossip;
* contribute to system congestion by sending trivial messages or unnecessarily copying or forwarding e-mails to others who do not have a real need to receive them; or
* send messages from another person's e-mail address (unless authorised) or under an assumed name.

Using the internet

Internet access is provided primarily for business purposes. Occasional personal use may be permitted as set out in paragraph 1.

You should not access any web page or download any image or other file from the internet which could be regarded as illegal, offensive, in bad taste or immoral. Even web content that is legal in the UK may be in sufficient bad taste to fall within this prohibition. As a general rule, if any person (whether intended to view the page or not) might be offended by the contents of a page, or if the fact that our software has accessed the page or file might be a source of embarrassment if made public, then viewing it will be a breach of this policy.

We may block or restrict access to some websites at our discretion.

Personal use of our systems

We permit the incidental use of our systems to send personal e-mail, browse the internet and make personal telephone calls subject to certain conditions. Personal use is a privilege and not a right. It must not be overused or abused. We may withdraw permission for it at any time or restrict access at our discretion.

Personal use must meet the following conditions:

* it must be minimal and take place substantially OR exclusively outside of normal working hours (that is, during your lunch break, and before or after work);
* it must not affect your work or interfere with the business;
* it must not commit us to any marginal costs; and
* it must comply with our policies including the Equal Opportunities Policy, Anti-harassment and Bullying Policy, Data Protection Policy and Disciplinary Procedure.

Monitoring

For business reasons, and in order to carry out legal obligations in our role as an employer, your use of our systems including the telephone and computer systems (including any personal use) may be continually monitored by automated software or otherwise.

We reserve the right to retrieve the contents of e-mail messages or check internet usage (including pages visited and searches made) as reasonably necessary in the interests of the business, including for the following purposes (this list is not exhaustive):

* to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this policy;
* to find lost messages or to retrieve messages lost due to computer failure;
* to assist in the investigation of alleged wrongdoing; or
* to comply with any legal obligation.

Prohibited use of our systems

Misuse or excessive personal use of our telephone or e-mail system or inappropriate internet use will be dealt with under our Disciplinary Procedure. Misuse of the internet can in some cases be a criminal offence.

Creating, viewing, accessing, transmitting or downloading any of the following material will usually amount to gross misconduct (this list is not exhaustive):

* pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);
* offensive, obscene, or criminal material or material which is liable to cause embarrassment to us or to our clients;
* a false and defamatory statement about any person or organisation;
* material which is discriminatory, offensive, derogatory or may cause embarrassment to others (including material which breaches our Equal Opportunities Policy or our Anti-harassment and Bullying Policy);
* confidential information about us or any of our staff or clients (except as authorised in the proper performance of your duties);
* unauthorised software;
* any other statement which is likely to create any criminal or civil liability (for you or us); or
* music or video files or other material in breach of copyright.

**SOCIAL MEDIA POLICY**

GENERAL PRINCIPLES

This policy is in place to minimise the risks to the church through use of social media and as such applies to all staff.

This policy deals with the use of all forms of social media, including (but not limited to) Facebook, LinkedIn, Twitter, Google+, Wikipedia, Whisper, Instagram, Vine, Tumblr and all other social networking sites, internet postings and blogs. It applies to use of social media for business purposes as well as personal use that may affect the church in any way.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

PERSONAL USE OF SOCIAL MEDIA

Occasional personal use of social media during working hours is permitted. However it may be possible for staff to access such sites during their lunch break so long as it does not involve unprofessional or inappropriate content, does not interfere with your employment responsibilities or productivity and complies with this policy.

This policy applies to staff when they are using social networking sites on parish or other equipment and their use is linked to the church, whether during or outside working hours. Examples of ways in which staff are linked to the church when they are using the internet are:

* using a church email address as their contact email;
* stating in their profile that they work for the Parish of St. Mary the Virgin, Hayes.
* stating in a discussion online that they work for the Parish of St. Mary the Virgin, Hayes.
* posting comments/information about the church or PCC on social networking sites
* using networking sites from parish computers.

This list gives examples of how staff can be linked to the church and is not exhaustive.

PROHIBITED USE

You must avoid making any social media communications that could damage Church of England interests or reputation, even indirectly.

You must not use social media to defame or disparage us, our staff or any third party; to harass, bully or unlawfully discriminate against staff or third parties; to make false or misleading statements; or to impersonate colleagues or third parties. You must not express opinions on our behalf via social media, unless expressly authorised to do so by your manager. You may be required to undergo training in order to obtain such authorisation.

You must not post comments about sensitive business-related topics, such as our performance, or do anything to jeopardise our trade secrets, confidential information and intellectual property or any information about the PCC, its staff, partners or any related third party. You must not include our logos or other trademarks in any social media posting or in your profile on any social media.

You must ensure that you continue to abide by all the policies set out in the Staff Handbook if you are using social networking sites and your use is linked to the church. Failure to do so may result in disciplinary action, even if your actions took place outside of your working hours.

Any misuse of social media should be reported to the incumbent.

Guidelines for responsible use of social media

You should make it clear in social media postings, or in your personal profile, that you are speaking on your own behalf. Write in the first person and use a personal e-mail 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.

If you disclose your affiliation with us on your profile or in any social media postings, you must state that your views do not represent those of your employer (unless you are authorised to speak on our behalf). You should also ensure that your profile and any content you post are consistent with the professional image you present to clients and colleagues.

If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from posting it until you have discussed it with your manager.

If you see social media content that disparages or reflects poorly on us, you should contact your manager immediately.

BREACH OF THIS POLICY

Breach of this policy may result in disciplinary action under the disciplinary, bullying and harassment policies up to and including dismissal. Any member of staff suspected of committing a breach of this policy will be required to co-operate with our investigation, which may involve handing over relevant passwords and login details.

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

**DATA PROTECTION POLICY**

general principles

During the course of our activities we, will process personal data (which may be held on paper, electronically, or otherwise) about our staff and we recognise the need to treat it in an appropriate and lawful manner, in accordance with the Data Protection Act 1998 (DPA). The purpose of this policy is to make you aware of how we will handle your personal data.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Data protection principles

We will comply with the eight data protection principles in the DPA, which say that personal data must be:

* Processed fairly and lawfully.
* Processed for limited purposes and in an appropriate way.
* Adequate, relevant and not excessive for the purpose.
* Accurate.
* Not kept longer than necessary for the purpose.
* Processed in line with individuals' rights.
* Secure.
* Not transferred to people or organisations situated in countries without adequate protection.

"Personal data" means recorded information we hold about you from which you can be identified. It may include contact details, other personal information, photographs, expressions of opinion about you or indications as to our intentions about you. "Processing" means doing anything with the data, such as accessing, disclosing, destroying or using the data in any way.

Fair and lawful processing

We will usually only process your personal data where you have given your consent or where the processing is necessary to comply with our legal obligations. In other cases, processing may be necessary for the protection of your vital interests, for our legitimate interests or the legitimate interests of others. The full list of conditions is set out in the DPA.

We will only process "sensitive personal data" about ethnic origin, political opinions, religious or similar beliefs, trade union membership, health, sex life, criminal proceedings or convictions, where a further condition is also met. Usually this will mean that you have given your explicit consent, or that the processing is legally required for employment purposes. The full list of conditions is set out in the DPA.

How we are likely to use your personal data

We will process data about staff for legal, personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer, for example to pay you, monitor your performance and to confer benefits in connection with your employment.

We may process sensitive personal data relating to staff including, as appropriate:

* information about an employee's physical or mental health or condition in order to monitor sick leave and take decisions as to the employee's fitness for work;
* the employee's racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
* in order to comply with legal requirements and obligations to third parties.

**Processing for limited purposes**

We will only process your personal data for the specific purpose or purposes notified to you or for any other purposes specifically permitted by the DPA.

**Adequate, relevant and non-excessive processing**

Your personal data will only be processed to the extent that it is necessary for the specific purposes notified to you.

**Accurate data**

We will keep the personal data we store about you accurate and up to date. Data that is inaccurate or out of date will be destroyed. Please notify us if your personal details change or if you become aware of any inaccuracies in the personal data we hold about you.

**Data retention**

We will not keep your personal data for longer than is necessary for the purpose. This means that data will be destroyed or erased from our systems when it is no longer required.

**Processing in line with your rights**

You have the right to:

* Request access to any personal data we hold about you.
* Prevent the processing of your data for direct-marketing purposes.
* Ask to have inaccurate data held about you amended.
* Prevent processing that is likely to cause unwarranted substantial damage or distress to you or anyone else.
* Object to any decision that significantly affects you being taken solely by a computer or other automated process.

**Data security**

We will ensure that appropriate measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

We have in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. We will only transfer personal data to a third party if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.

Maintaining data security means guaranteeing the confidentiality, integrity and availability (for authorised purposes) of the personal data.

**Providing information to third parties**

We will not disclose your personal data to a third party without your consent unless we are satisfied that they are legally entitled to the data. Where we do disclose your personal data to a third party, we will have regard to the eight data protection principles.

**Subject access requests**

If you wish to know what personal data we hold about you, you must make the request in writing, with an accompanying fee of £10. All such written requests should be forwarded to the PCC Secretary.

Breaches of this policy

If you consider that this policy has not been followed in respect of personal data about yourself or others you should raise the matter with your line manager. Any breach of this policy will be taken seriously and may result in disciplinary action.

**HEALTH AND SAFETY POLICY**

*Xxx is responsible for Health and Safety at St. Mary’s.*

Objectives

The PCC understands the effectiveness of target setting objectives to achieve high standards of health and safety. Our objectives consist of the following:

* To provide adequate control of the health and safety risks arising from our work activities
* To consult with our staff members on matters affecting their health and safety
* To provide and maintain safe plant and equipment;
* To ensure safe handling and use of substances;
* To provide information, instruction, training and supervision for staff members;
* To ensure that all staff members are competent to do their tasks, and give them adequate training;
* To prevent accidents and cases of work-related ill health by ensuring a safe system of work;
* To maintain safe and healthy working conditions and to review and revise this policy as necessary at regular intervals;
* To establish emergency procedures in the event of an evacuation.

GENERAL STATEMENT OF HEALTH AND SAFETY POLICY

The PCC has a commitment to achieving high standards of health and safety. It is the policy of the PCC to establish, provide and maintain working conditions that are safe, healthy and conform to the appropriate legislation, in its premises and activities.

The PCC will provide all necessary information, instruction, training and supervision for all staff members, so their work does not put themselves, their colleagues, contractors, visitors or members of the public, at risk.

The Management of Health and Safety at Work Regulations 1999, require the PCC to implement such arrangements as are appropriate, taking into account the nature of its activities and size of undertaking, for the effective **planning,** **organisation, control, monitoring and review** of the preventive and protective measures.

The PCC will take all reasonably practicable steps to ensure the safe selection, use, maintenance, repair or replacement of machinery and equipment. A similar standard of care will be taken to cover all substances for use at the premises, including handling, storage and transport.

The PCC will take all reasonable and practicable measures to ensure safe access and exit to any place of work is provided and maintained.

All staff members must take reasonable care of themselves and any other persons who may be affected by their actions or failure to comply with safety rules and working practice at work.

Staff members must carry out any necessary duty, which the law requires and cooperate with their employers to allow legal obligations to be met. Anything provided for health and safety purposes must not be misused.

RESPONSIBILITIES FOR IMPLEMENTING THE POLICY

The PCC has overall legal responsibility for health and safety and must ensure that all members, managers and other staff members implement the Policy in their areas.

**Members\***

Members are responsible for;

* Giving their full support at all times to the PCC’s Health & Safety Policy.
* Ensuring that the PCC complies with its obligations under The Health & Safety at Work etc Act 1974 and The Management of Health & Safety at Work Regulations 1999.
* Making sure that subordinates fully understand their responsibility for the implementation of the PCC’s Health & Safety Policy.
* Keeping themselves fully informed as to the requirements of legislation, Codes of Practice etc, which could affect the PCC’s Health & Safety Policy or the practices of the PCC.
* Ensuring that staff members are fully instructed and trained in the requirements of health & safety legislation and that they are fully conversant with the PCC’s practices on health & safety.

\*”Members”, in this context means those members of the PCC having a directing role in the affairs of the organisation. They are regarded as being cognate with the company directors of a commercial organisation

**Managers\***

Managers are responsible for:

* Ensuring compliance with the PCC’s Policy for Health and Safety consistent with his or her responsibilities and appropriate delegation of responsibilities to subordinate staff.
* Providing adequate resources to secure compliance with the requirements of the Safety Policy on all of the PCC’s undertakings.
* Setting a personal example and acknowledging suggestions for improvements in safety organisation, where appropriate.
* Recognising and implementing training for staff members where necessary.
* Where appropriate, initiating disciplinary action against staff at all levels who have failed to comply with their duties under the Safety Policy or statutory requirements.
* Ensuring before they start work, that all staff members have knowledge of the the PCC’s requirements for safety and health.

**Staff Members**

As employees within the meaning of the Health and Safety at Work etc Act 1974 staff members are responsible for:

* Their own acts and omissions and the effect that these may have upon the safety of themselves or any other person;
* Making sure they use safety equipment or clothing in a proper manner and for the purpose intended;
* Making sure they do not intentionally or recklessly misuse anything supplied in the interests of health and safety (those who do so may be subject to disciplinary procedures);

\* “Managers”, in this context, means those members of staff having day to day oversight of the activities of other staff members.

* Working in accordance with any health and safety instruction or training that has been given;
* Not undertaking any task for which they have not been authorised and for which they are not adequately trained;
* Bringing to the attention of a responsible person any perceived shortcoming in our safety arrangements; and
* Familiarising themselves with this policy.

**Contractors**

The PCC is responsible for the health and safety of visitors and contractors who come on site and for staff, equipment and material, which may be affected by their operations.

It is the PCC’s responsibility to provide sufficient information and instruction to contractors to ensure the safe production, handling, transport and storage of materials, waste and products.

All visitors and contractors will:

* Work on the premises only when the relevant safety rules are understood and accepted;
* Adhere to the PCC’s safety rules and instructions;
* Inform the PCC of all hazards that will result from their work.

**Policy Monitoring And Review**

In accordance with the Health & Safety at Work etc Act 1974 this Policy will be reviewed regularly. The <JOB TITLE> is responsible for annual review and updating of the safety policy, responsibilities and arrangements.

Following any revision, the PCC will communicate any changes to staff members in accordance with the Health & Safety at Work etc Act 1974.

GENERAL SAFETY RULES

Staff members should observe the following rules at all times;

**Slips, trips and falls:**

* All staff members should keep their own work area clean and tidy.
* All areas should be maintained free of tripping and slipping hazards.
* Make sure that spills are cleaned up immediately.
* Tidy trailing cables.
* If you need to gain access to storage areas use designated ‘kick stools’ and step ladders and ask for help where necessary.

**Storage:**

* Do not obstruct walkways and emergency escape routes.
* Position heavy items at waist height, wherever possible.
* If you feel there is inadequate storage space in your area, discuss this with your manager.

**Furniture:**

* Report furniture that is broken or unsafe to your line manager
* Do not overload filing cabinets. Only open one drawer of a filing cabinet at a time.
* Always close the filing cabinet drawers when not in use.

HAZARDS & POTENTIAL PROBLEMS

It is the responsibility of ALL staff members that defects are notified without delay to your line manager or church warden. This can be done personally or via email or a telephone call.

Cleaning, Housekeeping And Storage

This is considered to be the foundation of our safety programme in which everyone must play a part. Good housekeeping makes the whole work environment safer and reduces the risk of a fire.

The offices are cleaned and maintained by contract cleaning services.

All staff members should keep their own work area clean and tidy. All areas should be maintained free of tripping and slipping hazards.

Communication and Consultation

In accordance with The Health and Safety (Consultation With Employees) Regulations 1996, the PCC accepts the responsibly of providing clear channels of communication to ensure that staff are kept fully up to date with changing patterns of legislation.

The nature and ethos of this organisation means that all staff members will be consulted individually in such matters as:

* Identifying all areas of health and safety which have policy implications, including health and safety legislation, with regard to staff members, visitors, and contractors;
* Evaluating implications of these issues to the PCC, and their prioritisation with regard to resources and implementation;
* Ensuring that the organisation is at one on all matters concerning health and safety.

**The Members\***

The Members will:

* Communicate policy on all health and safety matters ;
* Encourage all staff members to be involved in matters of health and safety;
* Carry out periodic inspections to identify unsafe equipment, working conditions, practices and fire hazards, make reports of findings and recommendations regarding the remedying of any defects;
* Assist with risk assessments;
* Assist with accident investigation;
* Strive to promote a positive health and safety culture in which all staff members are valued and their concerns heard with a genuine commitment to change

External Health and Safety consultants will be used to provide professional health, safety, and occupational advice, as required.

risk Assessment

The PCC is responsible for co-ordinating general risk assessments.

The Management of Health and Safety at Work Regulations 1999 and the Health & Safety at Work etc Act 1974 require that risks to the health and safety of staff members should be identified and assessed. When the risks are considered unacceptable, they must be eliminated or reduced to an acceptable level.

A number of other Regulations have similar specific requirements such as Health and Safety (Display Screen Equipment) Regulations 1992, The Manual Handling Operations Regulations 1992, The Control of Substances Hazardous to Health Regulations 2002.

The PCC will carry out risk assessments. Written records of assessments will be produced and will include identifying any groups of staff especially at risk. External resources, such as health and safety consultants, may be used to carry out these risk assessments and other work to improve the work environment.

\* ”Members”, in this context means those members of the PCC having a directing role in the affairs of the organisation. They are regarded as being cognate with the company directors of a commercial organisation.

The PCC will carry out risk assessments for:

* Fire
* Display screen equipment
* Manual handling and storage
* The control of substances hazardous to health
* Young persons
* New and expectant mothers

All risk assessments will be reviewed normally on an annual basis or when circumstances change e.g: there is a change in the equipment, a change of location or an accident has occurred.

Accident Reporting

It is the PCC’s policy to report all accidents, industrial diseases and dangerous occurrences to comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995. The PCC will also record all injuries in the Accident Book, as required by the Social Security (Claims and Payments) Regulations 1979.

The <JOB TITLE> is responsible for reporting all notifiable accidents to the enforcing authority.

***Staff members must report all injuries immediately after treatment.***

The Accident Book must be fully completed by the staff members for all injuries incurred at work, however minor. An Accident Book will be kept in the office.

If, because of their injury, staff members are incapable of making an immediate entry, then the first-aider, the appointed person, or a nominated person must make that entry.

Following any accident of any severity that requires treatment, the staff member (or his or her representative) will notify the <JOB TITLE>, who will:

* Complete an accident investigation report
* Notify the enforcing authority, if the accident is reportable.

Following any accident of any severity that requires treatment then an investigation will be carried out.

If the injury is of a serious nature or if there is any doubt, the injured person will be sent to the nearest hospital for treatment.

The PCC will notify the Enforcing Authority of injuries to non-staff members, e.g. contractors, if the injury takes place on our premises and the PCC becomes aware of it.

Accidents and injuries that are reportable to the Enforcing Authority will also be reported to our employer’s liability insurer.

First Aid

Following an accident there may be a need for first aid treatment. The PCC encourages staff members to become properly trained first aiders.

Names of first aiders and other relevant information are provided on notice boards. Correctly stocked first aid boxes are located around the premises.

In the event of an accident, injury or sudden illness, staff should contact a first aider immediately. He or she will assess the situation and administer first aid as well as deciding on whether further expert attention is required. The first aider should record any treatment given, along with the circumstances of the accident in the Accident Book.

Illness At Work

Staff members who are feeling unwell should report to their line manager. If necessary, efforts should be made to see a doctor.

## Personal Safety

Where possible you should try to avoid working alone. However, if you have to work alone, then you should to develop an awareness of the risks and how to minimise them. Your line manager should be aware that you are working alone and your location and a system of regular communication should be established.

Prior to making an appointment with someone you do not know, obtain as much information as possible about the person you are meeting and arrange to meet the person in a suitable, safe location.

If visiting, let your colleagues know where you are going, with whom and what time you are expecting to return.  If you think that you are going to run over your original timescales, let your colleagues know.

If you are at all concerned that you are being placed in a dangerous situation through your employment, you must discuss this with your line manager.

Training

**Induction Training**

The PCC recognises the importance of suitable and effective induction training in the development and safety of its staff. Induction training will take the format illustrated below:

* The PCC’s statement of Health and Safety and Safety Policy and the individual responsibilities of all concerned.
* Procedures for the reporting of hazards and near misses.
* Details of hazards specific to the task, e.g. manual handling, display screen equipment.
* Procedures to follow in the event of a fire, means of escape, assembly areas and the use of fire extinguishers.
* Current first aid arrangements.
* Sources of health and safety information available.
* Correct use of personal protective equipment where provided.

**Specialist Training**

The <JOB TITLE> will ensure the provision of suitable training to staff members in health and safety matters necessary to their work. S/he must ensure that adequate information is available, using suppliers’ information or advice and government publications as necessary.

DISPLAY SCREEN EQUIPMENT

The Health & Safety (Display Screen Equipment) Regulations 1992 place duties on the DBF to manage the risks to those members of staff who habitually use display screen equipment as part of their normal work.

All display screen equipment shall be sited within a safe working environment. Under normal circumstances display screens will be sited as part of a complete workstation. As such the workstation will be designed to reduce the likelihood of injury.

Staff will be provided with adequate opportunities to allow them to take suitable breaks from their display screens. Alternatively the work activities will be designed, to allow the user a change of activity from the display screen.

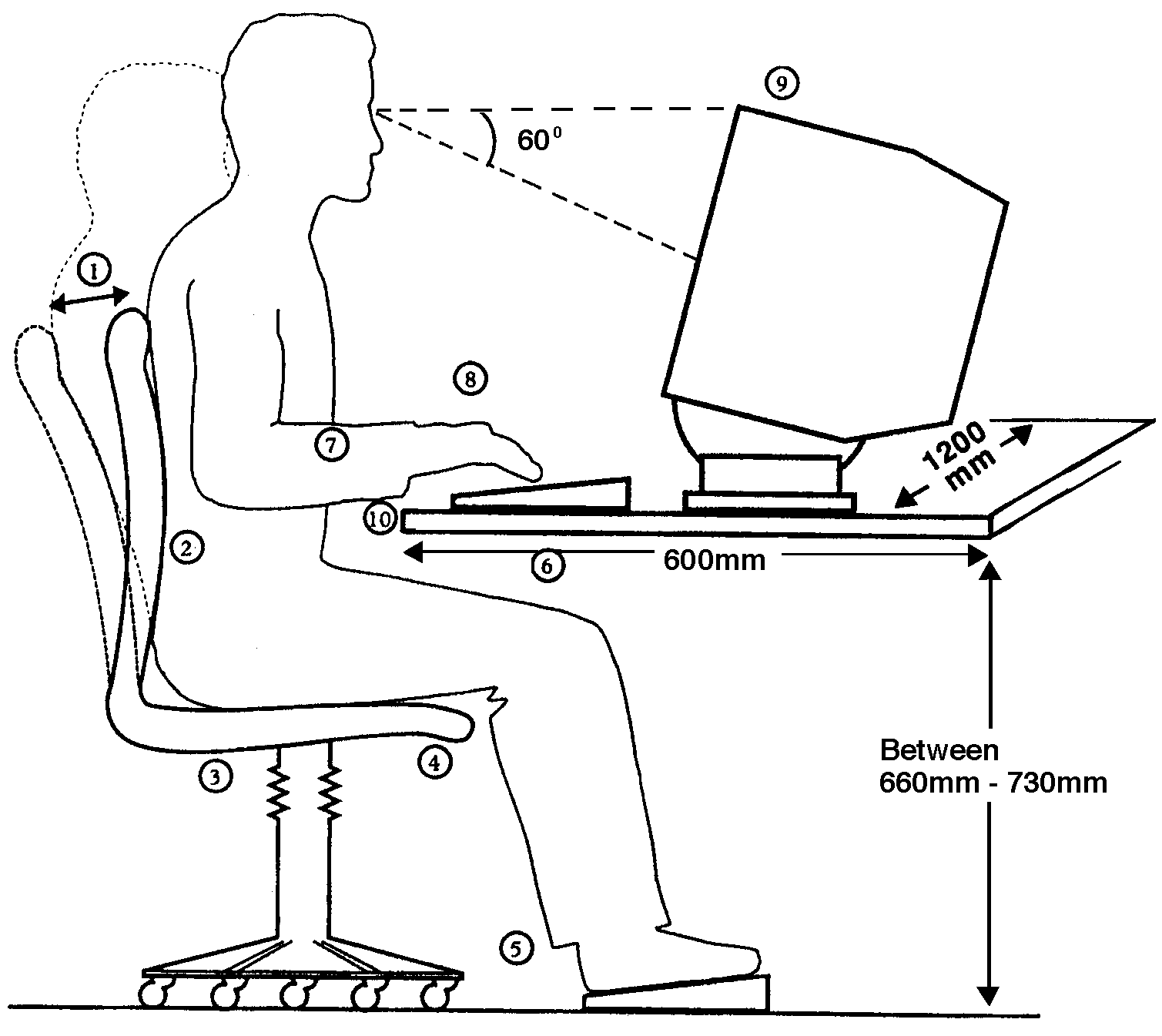
The PCC will (on request) pay for a VDU eye examination for staff members who regularly use VDUs either before they commence display screen work, at regular intervals thereafter, or if a staff member experiences visual difficulties which may be due to display screen work. An approved optician must carry out this eye test, and the appointment must be arranged through the Church Administrator.

This will be repeated on request by the user, in support of a medical certificate. Where necessary, task specific spectacles will be provided free to the user.

Each workstation will be subject to a workstation assessment to assess the hazards and allow the PCC to put forward appropriate controls. Such an assessment will be repeated when new hazards present themselves or a change in activity occurs.

It is important that all staff maintain the correct posture when working with computers. The following points offer some guidance:-

* Arrange your desk so that you have plenty of space.
* If you do a lot of keyboard work start by placing the keyboard in front of you.
* Adjust the chair height so your arms are about level with the wrists straight and fingers resting on the keyboard.
* If your feet do not rest comfortably on the floor you probably need a footrest.
* Ensure you do not have excessive pressure on the backs of the thighs from the seat base.
* If you are taller do not use a footrest for the sake of it, in these circumstances using one may be damaging to your posture.
* Adjust the chair backrest to give your lower back support. If you do not know how to adjust the different parts of your chair, ask.
* If you do a lot of copy typing use a document holder and, if a touch typist, place this in front of you with the monitor off to one side. Better still place them so they are equal distances each side of the keyboard centreline. This minimises neck movements.



**Recommended Seating Position**

General Fire Safety

Exposure to fire can result in burns and inhalation of smoke, either of which can be sufficiently serious to be fatal. Fires can cause massive destruction to building structures, services, equipment, goods in storage, also information and records can be destroyed or damaged.

The PCC is legally obliged to safeguard our staff members against exposure to the hazards associated with fire; therefore it is imperative that all staff members follow the PCC’s fire safety policy and procedures.

Detailed instructions on fire prevention and what to do in the event of an emergency are clearly posted on the notice boards and on fire action notices situated at the exit points on each floor.

It is the responsibility of all staff members to ensure they are familiar with these instructions. It is extremely important to familiarise yourself with the general fire instructions below so that you know what to do in the event of a fire. Make sure you know where the nearest fire alarm call point is (see noticeboards).

Designated Fire Wardens are appointed to control evacuation in the event of a fire alarm. New members of staff will be instructed in fire prevention and evacuation on the first day of employment. The names of the Fire Wardens are displayed on the noticeboards.

Fire drills will be held at least once a year and records kept. The fire alarm is tested regularly and advance warning will be given. If you do not hear the alarm let the Health and Safety Officer know immediately.

Fire fighting equipment is located on each floor of the building. This is tested at regular intervals by a contractor.

**We can all help to prevent fires by**:

* Maintaining a neat and clean work area and preventing the accumulation of rubbish, particularly along fire escape routes and areas where electrical sockets are located;
* Observing the building ‘No smoking’ policy;
* Keeping fire doors, exits, stairs, passages and fire fighting equipment clear of obstruction;
* Keeping all flammable materials away from sources of ignition;
* Reporting any fire hazards that are beyond your control, especially electrical hazards, which are the source of many fires.

Remember three basic rules;

1. **Prevention:**  Prevent fires by good housekeeping and proper handling of flammables and liquids
2. **Action:** In case of fire, sound alarm immediately
3. **Precaution:**  Know your means of escape, and your evacuation signal

**Action in event of fire**

* To ensure a quick, orderly and complete evacuation, designated Fire Wardens have been appointed. They are responsible for ensuring that the building has been fully evacuated, where possible closing doors and windows, when the alarm has been raised.

In the event of discovering a fire, take the following action:

* If the fire is small and you feel there is no danger to yourself, then sound the alarm by breaking the glass at the nearest fire alarm call point, use the nearest correct fire extinguisher, shut the doors and windows and call 999 as a further precaution.
* If the fire is larger, do not put yourself at risk by trying to tackle the fire yourself. Sound the alarm by breaking the glass at the nearest fire alarm call point, shut doors and windows if possible and call 999.

When an alarm is raised take the following action:

* Leave your work area immediately - do not stop to collect your personal belongings;
* Leave the building by the nearest fire exit quickly and quietly;
* Make your way to the assembly point: staff must congregate together and not wander off;
* A roll call will be taken using the attendance board and visitors book, to determine whether all people in the building at the time of the alarm are safely outside;
* Make sure that you log out at the attendance board in reception if you will be out of the building at any time during office hours;
* Do not obstruct access roads; the emergency services will need a clear passage;
* Staff members are responsible for any visitors they might have;
* Do not re-enter the building until the fire officer or an officer of the emergency services indicates that it is safe to do so.

**REMEMBER! ALL FIRE EXITS MUST BE KEPT CLEAR AND FREE TO OPEN AT ALL TIMES**

Electrical Equipment

Electrical equipment can pose serious risks of injury (even death) and cause fires. In accordance with the Electricity at Work Regulations 1989 electrical equipment will be regularly checked in accordance with the schedule set out below.

Every staff member should check plugs and cables for obvious damage, loose connections and faults. If in any doubt about the safety of electrical equipment it should be switched off if safe to do so and reported to the Health and Safety Officer immediately.

Extension leads can be a potential cause of tripping accidents and if damaged can cause fires; their use should be avoided as far as is possible. Any trailing cables should be housed in rubber cable curb.

Portable equipment should be inspected visually before use for obvious damage or defects as above. Portable electrical tools used by contractors should be low voltage (110volts) or battery operated.

Portable appliances will be subject to regular electrical safety tests. The fixed installation will be tested in accordance with HSE guidance. An electrical contractor will carry out these checks.

Hazardous Substances

The PCC will ensure the safe storage, handling, use and disposal of all substances and materials on site. This will be achieved through compliance with the Control of Substances Hazardous to Health Regulations 2002, other Regulations and relevant guidance.

Material Safety Data Sheets will be obtained from suppliers for all substances and will be used as part of the necessary assessment of possible risks to staff members and others.

Material Safety Data Sheets will be kept by the Health and Safety Officer

Cleaner’s materials tend to be more hazardous and are normally available only for use by the contract cleaners. Use of cleaning materials by staff should be agreed with the Health and Safety Officer.

Contractors

The PCC could be liable for the action of any contractors, which affect safety on our premises. They must accept and follow our procedures.

Contractors should adhere to all relevant statutory requirements applying to the work they are carrying out. They must also:

* Ensure that work is adequately discussed with Health and Safety Officer to identify potential hazards and risks to the health and safety of the contractor employees, or to staff, due to the work being undertaken.
* Provide suitably skilled supervision to ensure the work is carried out correctly and in compliance with the PCC’s rules and the above-mentioned legal requirements.
* Liaise with a nominated contact at the start, during, and on completion of the work unless otherwise organised. Liaise with the Health and Safety Officer (or a nominated representative) at the start and on completion of work.

**Contractors must obey the following general rules:**

* Alcoholic beverages and drugs other than those correctly prescribed must not be brought onto site or consumed on site;
* Smoking is prohibited in all areas;
* Any form of gambling or betting is prohibited;
* All equipment brought onto and/or used on site must be to an appropriate standard, correctly maintained and in good and safe condition;
* All health and safety and other relevant signs must be obeyed;
* Children are not permitted on site;
* Parish equipment may only be used after specific permission has been obtained;
* Clothing worn should be appropriate to the work being undertaken whilst being sensitive to colleagues, building occupants and visitors

Manual Handling

The Manual Handling Operations Regulations 1992 apply to work activities in the PCC.

Manual handling operations will be assessed for all activities for any loads, which pose a significant risk to health. Manual handling operations in areas or under conditions that may alter the risk will be assessed.

Training in lifting techniques can significantly reduce the risk of injury and will be provided for staff involved in all operations identified as having a significant risk.

All manual handling operations identified, as having a significant risk will have the results of the assessment recorded.

Staff members should take note of the advice given below;

* Work areas will be kept in good condition, free from slipping and tripping hazards with clear access to the load.
* Wherever straightforward, loads will be split into smaller loads to reduce the likelihood of injury.
* For the lifting of heavy or awkward shaped materials, equipment or loads, mechanical assistance (including trolleys) will be provided wherever reasonably practicable.
* Gloves and safety footwear will be provided at the expense of the organisation, where identified as necessary in the risk assessment.
* The distance loads have to be carried must be reduced to the minimum, including taking the work activity, e.g. unpacking, to the load if necessary.
* Wherever reasonably practicable, manual-handling tasks will be automated or mechanised.
* Loads of any weight that are large enough to obscure vision, e.g. empty boxes, must not be carried manually. They will be placed onto a trolley, as necessary, and pulled so that the operator has a clear view of the route.
* Loads must not be stacked above chest level by hand. A suitable, stable platform must be used to stand on.
* Staff members who are engaged in manual handling operations will be trained in the correct techniques, including team lifting and kinetic handling, and any additional techniques for special loads.
* Staff members who are not employed for manual handling operations will not be allowed to carry them out without suitable and sufficient training.

ROAD SAFETY

The Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999 require the PCC to assess any risks to employees and others, including the public, from work activities. Significant risks should be reduced as far as reasonably practicable. This legal requirement applies to occupational road use.

It is the PCC’s policy to ensure the health and safety of our staff members while they are in vehicles on parish business. We will ensure that:

* Significant risks are identified and measures are introduced to eliminate or reduce them, as far as reasonably practicable;
* Church vehicles will be safe to drive and properly maintained;
* Drivers are competent for the tasks required: those who drive on church business will be evaluated for any training requirements;
* The duration and timing of drivers' schedules does not lead to undue fatigue: staff members may contact the Incumbent if they have concerns about the amount or nature of workplace driving.

Staff members are not entitled to drive on parish business until they have written confirmation that they are entitled to do so, from the Incumbent.

VISITORS

The Health and Safety at Work, etc. Act 1974, Management of Health and Safety at Work Regulations 1999 and Occupiers' Liability Acts 1957 and 1984 apply to visitors on church premises.

The policy regarding the control of visitors on our premises is as follows:

* We must be aware that the visitor is on our premises.
* Our Health & Safety Policy should be explained to our visitors on their arrival.
* As far as possible, a staff member will accompany visitors. Visitors will not be permitted to wander freely around working areas. This is important for safety and security reasons.

Should a fire occur the person who is accompanying the visitor will take him/her to the fire assembly point.

Should an incident occur involving the visitor, which results in injury, this will be recorded in the Accident Book and a thorough investigation carried out as soon as possible.

If the injury is of a serious nature or is fatal, the incident must be reported to the enforcing authority and the PCC's accident reporting system must be followed.

PREGNANT WORKERS

The Management of Health and Safety at Work Regulations 1999 and the Maternity (Compulsory Leave) Regulations 1994 apply to any of our staff members who are pregnant, breast feeding or who have given birth within the last six months. The Workplace (Health, Safety and Welfare) Regulations 1992 require us to provide rest facilities for new or expectant mothers.

The PCC’s risk assessments cover new and expectant mothers. Female workers will be informed of any additional risks they may face if they become pregnant or are breast-feeding.

The PCC recognises the extra vulnerability of pregnant and nursing mothers and additional risk assessments will be made when a woman notifies her manager that she is pregnant. Additional measures will be applied for six months after the birth.

The PCC is required by law to take extra precautions for pregnant or nursing mothers only if we are notified of their conditions. If pregnant members of staff do not provide confirmation from their medical practitioner, we will request medical confirmation.

Our display screen equipment workstations, e.g. computer terminals, are properly assessed and controlled and there is no additional risk to pregnant women or nursing mothers.

As required by law, if additional risks to pregnant women and nursing mothers cannot reasonably be reduced, we will find alternative work (with no loss of terms or conditions), or authorise paid leave if alternative work is not available.

YOUNG PERSONS

The PCC will carry out a suitable and sufficient risk assessment for all work involving young persons (16 to 18 years old) prior to their employment, and will communicate the result of this to them on their commencement of work.

Where young persons or school age children (on work or other experience schemes) may be exposed to risk, their parent or guardian will be advised of the identified risks.

WORK EQUIPMENT

The PCC is responsible for ensuring that all work equipment meets the requirements of the Provision and Use of Work Regulations 1998.

Only work equipment that achieves recognised safety standards should be used. Reference is commonly given to the CE mark as a standard of compliance.

The use of work equipment must be in accordance with manufacturer’s instructions.

All work equipment must be subject to on-going inspection as indicated by the manufacturer or supplier and maintenance procedures implemented where necessary.

Defective equipment must be reported in the same way with a view to removing it from operation without delay. Instruction must be given by the Health and Safety Officer to ensure any defective equipment is no longer in operation by any staff member.

The Health and Safety Officer is responsible for ensuring that staff receive training in the use of work equipment and have health and safety information and written manufacturer’s instructions available where appropriate.

**CODE OF CONDUCT**

**For the avoidance of doubt, this Code applies to all staff**

The Code of Conduct set out below is designed to cover the main areas of the required standards of behaviour and performance. It is not exhaustive and it is not contractual but failure to maintain satisfactory standards of conduct may result in action being taken under the Disciplinary Procedure.

While working for the PCC staff members should at all times maintain professional and responsible standards of conduct. In particular all staff should:

1. observe the terms and conditions of their contract, particularly with regard to:

* hours of work;
* confidentiality;
* to be aware of and observe in particular the Anti-bribery and corruption policy regarding the giving or receiving of anything of value to avoid any perception that favourable treatment was sought, received or given as the result of furnishing or receiving gift, favours, hospitality, entertainment or other similar gratuity.
* to be aware of and observe the diversity policy and bullying and harassment policy

1. observe all policies, procedures and regulations which are included in this Staff Handbook or notified to them from time to time by means of notice boards, e-mail, the intranet or otherwise;
2. take reasonable care in respect of the health and safety of colleagues and third parties and comply with the Health and Safety Policy;
3. take reasonable security precautions to protect their own personal work passwords. Passwords must not be shared and all staff members must not log in to the computer system using any password but their own, unless specifically authorized to do so by the line manager.
4. when using the email system members of staff should ensure that their actions or messages cannot in any way be construed as defamatory, abusive, discriminatory or a breach copyright legislation or in any way bring the PCC into disrepute.
5. be aware that the PCC reserves the right to monitor any communications made via the PCC’s e-mail, Internet, fax or telephone systems.
6. comply with all reasonable instructions given by managers; and
7. act at all times in good faith
8. dress in an appropriate manner to do their job well and to convey a professional image in an ecclesiastical environment.
9. be aware that tattoos and body piercings are not encouraged. Where visible they should not be offensive or provocative to others. The PCC reserves the right to request that visible tattoos and/or piercings should be appropriately covered.
10. be aware that smoking is not permitted on church premises.
11. ensure that they take all necessary steps required to safeguard the PCC's image and preserve positive relationships with its employees, clergy and to anyone else who comes into contact with the PCC.
12. not communicate with or answer any queries from the media. No names or telephone numbers should be given out other than those in the public domain.
13. ensure that church/PCC property and equipment is treated with reasonable care whether on church premises or during authorised business where church property is temporarily removed from church premises.
14. be aware that the PCC cannot accept responsibility for loss or damage to any personal property.
15. ensure that they observe the relevant security instructions and practices that are issued from time to time in relation to monies, data (including personal data) PCC property and passwords.

**The PCC reserves the right to add to, delete or amend this Code of Conduct, as it deems appropriate.**

**DISCIPLINARY GUIDE & PROCEDURE**

POLICY STATEMENT

This disciplinary guide should be read in conjunction with the code of conduct and the disciplinary procedure below. The aim of the disciplinary guide and disciplinary procedure is to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with staff to maintain those standards and encourage improvement where necessary.

It is the PCC’s policy to ensure that any disciplinary matter is dealt with fairly and in accordance with the disciplinary procedure.

If the member of staff is in any doubt as to their responsibilities or the standards of conduct expected of them they should speak to their line manager.

GROSS MISCONDUCT

Gross misconduct is a serious breach of contract and includes misconduct which, is likely to prejudice the PCC or the reputation of the church or irreparably damage the working relationship and trust between the PCC and the member of staff. Gross misconduct will be dealt with under the disciplinary procedure and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).

The following are examples of matters that are normally regarded as gross misconduct:

* Theft or fraud - theft, or unauthorised removal of church/PCC property or the property of a colleague, contractor, [customer] or member of the public; or fraud, forgery or other dishonesty, including fabrication of expense claims and time sheets;
* Physical violence or bullying; or actual or threatened violence, or behaviour which provokes violence or any serious aggressive behaviour;
* Unacceptable use of obscene or abusive language;
* Deliberate and serious damage to property; or deliberate damage to church buildings, fittings, property or equipment, or the property of a colleague, contractor, [customer] or member of the public;
* Serious misuse of church property or name;
* Serious breach of the PCC’s security procedures.
* Deliberately accessing internet sites containing pornographic, offensive or obscene material;
* Serious insubordination; or repeated or serious refusal to obey instructions, or any other serious act of insubordination;
* Unlawful discrimination or harassment;
* Conduct either at work or away from work that is likely to damage the reputation or operation of the PCC or acting in such a way as to bring the church into serious disrepute;
* Serious incapability at work brought on by alcohol or illegal drugs; or being under the influence of alcohol, illegal drugs or other substances during working hours;
* Causing loss, damage or injury through serious negligence;
* Serious breach of health and safety rules and safety rules [or serious misuse of safety equipment];
* Serious breach of confidence; or unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure concerning the affairs of the PCC, church or staff to the media or any other third party connected to the church;
* Gambling or accepting or offering a bribe or other secret payment or other breach of the Anti-corruption and bribery policy;
* Accepting a gift above the value of £50 from a supplier, contractor or other third party in connection with your employment without prior consent from your line manager;
* Conviction for a criminal offence that in the opinion of the PCC may affect their reputation or their relationships with the staff, customers or the public, or otherwise affects the suitability of the member of staff to continue to work at the church;
* Possession, use, supply or attempted supply of illegal drugs;
* Serious neglect of duties, or a serious or deliberate breach of contract or operating procedures;
* Unauthorised use, processing or disclosure of personal data contrary to the Data Protection Policy;
* Any act of indecency or harassment of, or discrimination against, employees, contractors, clients or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age contrary to the Diversity Policy and Bullying and Harassment Policy;
* Refusal to disclose any of the information required by the PCC or any other information that may have a bearing on the performance of the member of staff’s duties;
* Giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
* Knowingly taking parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child;
* Making a disclosure of false or misleading information under the Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;
* Making untrue allegations in bad faith against a colleague;
* Victimising a colleague who has raised concerns, made a complaint or given evidence or information under our Whistleblowing Policy, Anti-corruption and bribery policy, Grievance Procedure, Disciplinary Procedure or otherwise;
* Serious misuse of the information technology systems (including serious breaches of copyright legislation and unauthorised access to or misuse of developed or licensed software, use of unauthorised software and misuse of e-mail and the internet) contrary to the Information and Communications Systems Policy;
* Undertaking unauthorised paid or unpaid employment during working hours;
* Unauthorised entry into an area of the premises to which access is prohibited.

This list is intended as a guide and is not exhaustive.

DISCIPLINARY PROCEDURE

POLICY STATEMENT

**Objective of the Disciplinary Procedure**:

* + 1. To help the individual, whose conduct gives cause for dissatisfaction, to improve to the required standard.
    2. To clarify the responsibilities of managers and staff regarding disciplinary action.
    3. To ensure fairness and consistency in the handling of disciplinary issues.
    4. To ensure that disciplinary matters are dealt with speedily.

**Status of the Disciplinary Procedure**

Whilst the PCC will fulfil its legal obligations relating to disciplinary issues, and does not form part of individual contracts of employment. The PCC reserves the right to depart from the procedure and/or skip stages or increase/decrease the duration of a warning where appropriate in line with the seriousness of the alleged conduct and the member of staff to whom it relates.

**Scope of the Disciplinary Procedure**

This procedure applies to all staff employed by the PCC and is concerned solely with disciplinary issues relating to conduct. A distinction is made between conduct and capability issues as follows.

Capability issues are those which relate to a staff member’s inability to achieve an acceptable level of performance because of incompetence, lack of qualifications or ill health, for example and they are handled separately through the Capability Procedure.

Conduct issues are defined as those which relate to behaviour of a more deliberate or negligent nature, for example, where an employee breaks a PCC rule or fails to observe health and safety procedures.

For staff with less than 2 years’ service this policy will be applied in a discretionary manner. For staff members who have under 12 months’ service, the Disciplinary Procedure will be shortened and will begin at stage 3, final written warning.

**General principles of operation of the Disciplinary Procedure:**

* + 1. **Investigation:** Management will ensure that all alleged offences are properly investigated to establish the facts. If required, it may be appropriate to suspend staff from duty prior to or after the investigation.
    2. **The complaint:** Management will ensure that a member of staff is informed in writing of the complaint against them.
    3. **Opportunity to state case:** At each stage of the procedure the staff member will be given the opportunity of stating their case at a disciplinary hearing before any decision is reached about action to be taken.
    4. **Adjournment of hearings:** It may be necessary for a disciplinary hearing to be adjourned in order to enable management to fully consider the issues prior to making a decision.
    5. **Confirmation of disciplinary action:** Management will ensure that any resulting formal disciplinary action and the reasons for it are confirmed in writing to the individual and that requirements for improvement are clarified where appropriate.
    6. **The right to be accompanied:** Staff members have the right to be accompanied at any stage of this procedure by an employee of the PCC or an appropriate trade union official and will be informed of that right before every hearing.
    7. **The right to appeal:** Staff members have a right of appeal in accordance with the appeals procedure set out below. Where possible, the level of management hearing the appeal will be more senior than the manager who took the disciplinary decision which is the subject of appeal.

PRELIMINARY ACTION

As part of normal day-to-day management, the staff member’s immediate manager will monitor all aspects of their performance and behaviour, pointing out where they are meeting the required individual and PCC rules, standards and objectives, and where they are failing to achieve them, giving direction, advice and guidance as appropriate. Where this informal action is unsuccessful or where there is an act of alleged misconduct, which is considered to be too serious than can be regarded as minor, the matter will be considered within the framework of the disciplinary procedure under the section headed ‘THE PROCEDURE’. The formal procedure for handling disciplinary issues is set out below.

THE PROCEDURE

**Stage 1 Verbal warning**

**Type of offence**

Offences other than alleged gross misconduct will normally be dealt with at this stage on the first occasion. First offences may, however, be dealt with at Stage 2 if they are considered to be too serious for an oral warning.

**Manager hearing the case**

The Incumbent will conduct the meeting.

**Timing of meeting**

Where possible, the meeting will take place within five working days of the alleged offence or notification of the alleged offence to management.

**Arrangement of hearing**

A letter will be sent to the staff member calling them to the hearing, which is to be held under Stage 1 of the Disciplinary Procedure. It will advise them of their right to be accompanied, state the reasons for calling them to the meeting and the possibility that the outcome might be an oral warning.

**Decision**

At the end of the meeting the Incumbent will decide whether an oral warning is warranted. An adjournment may be needed before a decision is made. If an oral warning is given the Incumbent will advise the staff member that they have a right of appeal.

**Record of action**

Any oral warning given will remain in operation for six months after which it will expire. A note of the warning will be placed on the staff member’s personal file as a record.

**Stage 2 Written warning**

**Type of offence**

Further alleged misconduct (other than alleged gross misconduct) committed within six months of an oral warning will be dealt with at this stage. More serious first offences may also be considered at this stage first.

**Manager hearing the case**

The Incumbent will conduct a hearing.

**Timing of hearing**

Where possible, the hearing will take place within five working days of the alleged offence or notification of the alleged offence to management.

**Arrangement of hearing**

A letter will be sent to the staff member calling them to the hearing, which is to be held under Stage 2 of the Disciplinary Procedure. It will advise them of their right to be accompanied, state the reasons for calling them to the meeting (with any evidence from investigations) and the possibility that the outcome might be a first written warning.

**Decision**

The Incumbent will decide whether a first written warning is warranted. The decision will be confirmed in writing and given to the staff member as soon as possible, but within three working days of the hearing. If a warning is given, the line manager will advise the staff member that they have a right of appeal.

**Record of action**

Any warning given will remain in operation for six months after which it will expire. A copy of the written warning will be placed on the staff member’s personal file.

**Stage 3 Final written warning**

**Type of offence**

This stage will apply in the following circumstances:

* further alleged misconduct within six months of a Stage 2 first written warning; or
* where there has been an alleged offence that is too serious to be dealt with at the first written warning stage; or
* where the member of staff has been employed for less than12 months.

**Manager hearing the case**

The Incumbent will conduct the hearing.

**Timing of the hearing**

Where possible, the hearing will be arranged to take place within five working days of the alleged offence or notification of the offence to management.

**Arrangement of hearing**

A letter will be sent to the staff member calling them to the hearing, which is to be held under Stage 3 of the Disciplinary Procedure. It will advise them of their right to be accompanied, state the reasons for calling them to the meeting (with any evidence from investigations) and the possibility that the outcome might be a final written warning.

**Decision**

The Incumbent will decide whether a final written warning is warranted. The decision will be confirmed in writing and given to the staff member as soon as possible, but within three working days of the hearing. If a final written warning is given, the line manager will advise the staff member that they have a right of appeal.

**Record of action**

Any warning given will remain in operation for 12 months after which it will expire. A copy of the final written warning will be placed on the staff member’s personal file.

**Stage 4 Dismissal**

**Type of offence**

This stage will apply in the following circumstances:

* further alleged misconduct within 12 months of a stage 3 final written warning; or
* alleged gross misconduct, which will be dealt with, in the first instance at this stage.

**Suspension of the member of staff**

In most cases of alleged gross misconduct it will be inappropriate for the member of staff concerned to remain at work after the alleged offence. Furthermore, management may need time to carry out a proper investigation. The Incumbent has the authority to suspend him/her from duty with full pay pending the disciplinary hearing.

**Arrangement of hearing**

A letter will be sent to the staff member calling them to the hearing, which is to be held under Stage 4 of the Disciplinary Procedure. It will advise them of their right to be accompanied, set out the staff member’s alleged conduct or characteristic or other circumstances which represent the reason for calling them to the hearing, (along with any evidence from the investigation) and the possibility that the outcome might be their dismissal.

**Staff member’s opportunity to respond**

The staff member will be given a reasonable opportunity to consider their response to the information contained in the above letter.

**Timing of the hearing**

The hearing will be arranged to take place if possible and reasonable within five working days of the alleged offence or notification of the offence to management.

**Staff member’s responsibility**

The staff member should take all reasonable steps to attend the hearing.

**Manager hearing the case**

The Incumbent will conduct the hearing.

**Decision**

Cases dealt with at this stage which fall into category (a) above will, if proven, result in dismissal with notice or payment in lieu of notice.

Cases that fall into category (b) above will, if proven to be gross misconduct, result in summary dismissal (i.e. dismissal without notice). However, it may be decided that the offence, though proven, does not constitute gross misconduct, but is misconduct or serious misconduct. In such instances, an appropriate warning will be given in accordance with this procedure.

**Confirmation and record of decision**

The decision will be confirmed in writing to the staff member within three working days of the hearing. They will be advised of their right of appeal. A copy of the written confirmation of the decision will be placed on the staff member's personal file.

APPEALS PROCEDURE

GENERAL PRINCIPLES

**Scope**

Staff members have the right to appeal against any disciplinary action and will be advised of their rights of appeal at all appropriate stages of the disciplinary procedure.

**The objective of the Appeals Procedure**

The procedure aims to ensure that appeals are dealt with speedily, effectively and fairly.

**The right to be accompanied**

Staff members have the right to be accompanied at any stage of this procedure by another employee of the PCC or an appropriate trade union official and will be informed of that right before every hearing.

**Evidence**

The member of staff appealing will have the opportunity to comment on any evidence discussed during the appeal hearing.

PROCEDURE

**Stage 1: Appeals against decisions made at Stages 1, 2 and 3 of the Disciplinary Procedure**

**How the appeal is to be made and the time limit**

The appeal is to be made in writing by the staff member to the Incumbent within 5 working days of receipt of written confirmation of the disciplinary action. The staff member should state clearly the grounds of their appeal.

**Arrangement of Appeal Hearing**

A letter will be sent to the staff member calling them to the hearing which will take place within 5 working days of receipt of the appeal. It will advise them of their right to be accompanied.

**Manager hearing the appeal**

Where possible, the appeal should be heard by the level above that which made the decision*.* Where this is not possible the appeal should be heard by an Arch Deacon or if this is not possible a churchwarden and they will conduct the hearing and consider the appeal at this stage. It may be necessary for an adjournment to take place to allow for full consideration of the appeal.

**The decision**

The Archdeacon or Church Warden hearing the appeal may uphold or reject the appeal after consideration of all the issues. The level of disciplinary action can be reduced but not increased. The decision will be confirmed in writing normally within 5 days of the hearing.

**Rejected appeals**

There will be no further right of appeal against a warning once the appeal decision has been made.

**Upheld appeals**

If the appeal is upheld, the warning letter will be removed from the staff member's personnel file.

**Stage 2: Appeals against decisions made at Stage 4 of the Disciplinary Procedure, i.e. dismissal**

**How the appeal is to be made and the time limit**

The appeal is to be made by the staff member in writing to the Archdeacon or ChurchWarden within 5 working days of receipt of written confirmation of the dismissal decision. The staff member should state clearly the grounds of their appeal.

**Arrangement of the Appeal Hearing**

A letter will be sent to the staff member calling them to the hearing, which will take place, where practical within 5 working days of receipt of the appeal. It will advise them of their right to be accompanied.

**Manager hearing the appeal**

The appeal will be heard by the Archdeacon or ChurchWarden, who may be advised by a human resources professional. This is the highest level of appeal within the PCC. It may be necessary for an adjournment to take place to allow for full consideration of the appeal.

**The decision**

Following full consideration of all the issues, the Archdeacon or Churchwarden may uphold or reject the appeal. The decision will be confirmed in writing normally within 3 working days of the hearing.

**Unsuccessful appeals**

There will be no further right of appeal against dismissal once a decision has been made.

**Successful appeals**

If the appeal is upheld the staff member will be re-instated without loss of salary and with continuity of service. However, in appeals against dismissal for gross misconduct, Archdeacon or Churchwarden may decide that the alleged offence, although proven, is not gross misconduct, but misconduct of a less serious nature. In such cases, the Archdeacon or Churchwarden may re-instate the employee but issue an appropriate warning in accordance with the disciplinary procedure.

**CAPABILITY PROCEDURE**

INTRODUCTION

**Objective of the procedure**

The objective of the Capability Procedure is:

* To take reasonable steps to help a member of staff to improve their performance.
* To ensure that issues relating to a staff member's capability are dealt with in a manner which meets the needs of the business through a process, which is clear, fair and consistent.
* To ensure as far as is reasonably practicable that capability issues are addressed sensitively and with compassion.

**Status of the procedure**

Whilst the PCC will fulfil its legal obligations relating to capability issues, this procedure does not form part of individual contracts of employment. The PCC reserves the right to depart from the procedure and/or skip stages or increase or decrease the duration of any warnings, when deemed appropriate to do so.

**The scope of the Capability Procedure**

This procedure applies to all staff employed by the PCC and is concerned solely with capability issues. A distinction is made between capability and conduct issues as follows.

Conduct issues are defined as those which relate to deliberate behaviour and they are handled separately through the Disciplinary Procedure.

Capability issues are those which relate to a staff member’s inability to achieve an acceptable level of performance because of incompetence, lack of qualifications or ill health, for example**.**

For staff with less than 2 years’ service this policy will be applied in a discretionary manner. For staff members who have under 12 months’ service, the Capability Procedure will be shortened and will begin at stage 2, final written warning.

**General principles of operation of the procedure**

1. **Establishing the facts**: Management will ensure that it has collected sufficient information to back up their judgements about a staff member’s performance and capability.
2. **Staff member’s opportunity to respond to management assessment**: At each stage of the procedure the staff member will be given the opportunity to explain their position and respond to the points made by management before a decision is reached.
3. **Adjournment of meetings**: It may be necessary for meetings held under this procedure to be adjourned in order to enable management to consider fully the issues prior to making a decision.
4. **The right to be accompanied**: Staff members have the right to be accompanied at any stage of this procedure by an employee of the PCC or an appropriate trade union official and will be informed of that right before every hearing.
5. **The right of appeal**: Staff members have a right of appeal in accordance with the appeals procedure set out below. Where possible, the level of management hearing the appeal will be more senior than the manager who took the decision which is the subject of appeal.
6. **The communication of the required standards**: The PCC is committed to taking all reasonable steps to ensure that staff members are clear about the required standards of performance associated with their job on an ongoing basis and through the performance management process. Staff members also have a responsibility to take reasonable steps to ensure that they are clear about the performance standards, which they are expected to achieve.
7. **Disability Discrimination**: The PCC recognises its responsibility under the Equality Act 2010 not to discriminate against a member of staff because they are disabled as defined by the Act.
8. **Problems relating to ill health**: Where the principle reason for the failure to achieve the required standard is related to ill health, the PCC will seek a report from a medical practitioner and/or make reasonable adjustments where possible and appropriate.

PRELIMINARY ACTION

As part of normal day-to-day management, the staff member’s immediate manager will monitor all aspects of their performance and behaviour, pointing out where they are meeting the required PCC and individual rules, standards and objectives, and where they are failing to achieve them, giving direction, advice and guidance as appropriate. Where there is insufficient improvement or the failure continues and it is thought to relate to capability rather than conduct, the matter will be considered within the framework of the Capability Procedure under the section headed ‘THE PROCEDURE’ set out below.

THE PROCEDURE

**Stage 1**

**Manager holding the meeting**

The Incumbent will conduct the meeting.

**Arrangement of the meeting**

A letter will be sent to the staff member calling them to the meeting which is to be held under Stage 1 of the Capability Procedure. It will advise them of their right to be accompanied, state the reasons for calling them to the meeting (together with any written evidence) and the possibility that the outcome might be a first written warning.

**Meeting to address a staff member's unsatisfactory performance**

The Incumbent will bring to their attention in a clear and constructive manner the way in which the staff member’s performance fails to reach the required standard.

**Staff member's opportunity to respond**

The member of staff will be given the opportunity to comment and to explain the reasons for the unsatisfactory performance.

**Shared understanding of reasons for unsatisfactory performance**

The Incumbent will seek to establish, as far as possible, a shared understanding of the reasons for the staff member's unsatisfactory performance.

**Action**

* + 1. **Where a need for direct supervision/coaching or training and development is identified**

In some cases, improvement in capability can be achieved by a period of direct supervision/coaching by the line manager or some other appropriate person. This will be arranged where reasonably practicable. If a training and development need is identified, arrangements will be made to meet it where reasonably practicable. The prime focus must be the needs of the operation of the PCC/church.

* + 1. **Where external factors are affecting performance**

It may be established that a member of staff may be experiencing personal problems such as bereavement, marital problems or some other factor that is affecting their performance significantly at work. In such cases it may be appropriate to consider arranging some support, such as short-term counselling. The nature of any action taken will be determined by what is appropriate, affordable and reasonable, taking into account the primary needs of the PCC/church operation and the circumstances of the member of staff concerned.

* + 1. **Clarifying the required improvements, confirming the review period and first written warning**

The Incumbent will:

* clearly define the improvements which the staff member needs to achieve in order to reach the required standard
* clarify the agreed course of action to encourage such an improvement. The staff member should be given as much assistance as is reasonably possible in all the circumstances to achieve the required improvement
* clarify and agree the length of time to be given to the staff member to achieve the improvement. This will be based upon the needs of the business, the nature of the job and the nature of the performance problem. It will also be made clear that the staff member is being given **a first written warning under the Capability Procedure**
* Provide a written summary of the action plan and warning to the staff member within 3 working days of the meeting. The line manager will advise the staff member of their right of appeal. The warning will remain in operation for six months after which it will expire. A copy will be placed on the individual's personnel file.
* Advise the staff member that they have a right of appeal

**Review of outcome of action plan**

* + 1. The Incumbent will hold a meeting with the staff member during or at the end of the review period.
    2. The Incumbent should inform the staff member if their performance has reached the required standard.
    3. The staff member should be given written confirmation that their performance is now satisfactory.
    4. If the required standard has not been achieved, stage 2 of this procedure will be implemented as set out below.

**Stage 2**

**Reason for the meeting at Stage 2**

This stage will be invoked where a staff member's performance continues to be unsatisfactory at the end of the agreed review period.

**Manager holding the meeting**

The Incumbent will conduct the meeting*.*

**Arrangement of the meeting**

A letter will be sent to the staff member calling them to the meeting, which is to be held under Stage 2 of the Capability Procedure. It will advise them of their right to be accompanied, state the reasons for calling them to the meeting (together with any evidence) and the possibility that the outcome might be a final warning.

**Meeting to address a staff member's continued unsatisfactory performance**

The line manager will explain the ways in which the required performance standard continues to be unmet.

**Staff member's opportunity to respond**

The staff member will be given the opportunity to comment and to explain the reasons for the unsatisfactory performance.

**Shared understanding of reasons for the continued unsatisfactory performance**

The Incumbent will seek to establish, as far as possible, a shared understanding of the reasons for the staff member's continued unsatisfactory performance.

**Action**

* + 1. **Exploration of further assistance**

The Incumbent will explore with the staff member further remedial action, support and training, which is appropriate in encouraging the required performance improvement. If appropriate, redeployment to another job (if available) could be considered at this stage.

* + 1. **Clarifying the required improvements, confirming the review period and the final warning**

The line manager will:

* clearly redefine the improvements which the staff member needs to achieve in order to reach the required standard
* clarify the agreed course of action to encourage such an improvement. The staff member should be given as much assistance as is reasonably possible in all the circumstances to achieve the required improvement
* clarify and agree the length of time (normally 3 months) to be given to the staff member to achieve the improvement. This will be based upon the needs of the business, the nature of the job and the nature of the performance problem
* Make clear that the staff member is being given **a final warning under the Capability procedure**, and they will be advised that failure to achieve the required standard during the agreed period will result in dismissal or redeployment to an alternative job, if suitable and available
* Provide a written summary of the action plan, the final warning and the possible outcomes of failure to reach the required standard to the staff member within 3 working days of the meeting. The Incumbent will advise the staff member of their right of appeal. A copy of the written summary will be placed on the staff member's personnel file. Any warning given will remain in operation for twelve months after which it will expire and the written warning removed from the file.
* the Incumbent will advise the staff member that they have a right of appeal
* alternatively, where redeployment to a different job is agreed, this will be confirmed in writing and implemented

**Review of outcome of action plan**

* + 1. The Incumbent will hold a meeting with the staff member at the end of the review period.
    2. The Incumbent should inform the staff member if their performance has reached the required standard.
    3. The staff member should be given written confirmation that their performance is now satisfactory.
    4. If the required standard has not been achieved, Stage 3 of this procedure will be implemented as set out below.

**Stage 3**

**Reason for the meeting at Stage 3**

This stage will be invoked in the following circumstances:

* + 1. **Continued unsatisfactory performance**

Where the staff member's performance has failed to reach the required standard, despite the assistance given.

* + 1. **Loss of essential qualification**

Where loss of qualification (e.g. disqualification from driving) causes immediate incapability, the matter will be dealt with in the first instance at this stage of the procedure.

* + 1. **Incapacity due to ill health**

Where medical problems are identified and a medical practitioner, designated by the PCC, advises that the staff member is incapable of carrying out their duties due to ill health. This includes cases of long-term sickness absence.

**Manager holding the meeting**

The Incumbent will conduct the meeting*.*

**Arrangement of the meeting**

A letter will be sent to the staff member calling them to the meeting, which is to be held under Stage 3 of the Capability Procedure. It will advise them of their right to be accompanied, set out the ways in which the staff member is failing to fulfil the job requirements which represent the reasons for calling them to the meeting and the possibility that the outcome might be their dismissal.

**Staff member’s opportunity to respond**

The staff member will be given a reasonable opportunity to consider their response to the information contained in the above letter.

Their rights regarding access to any medical report are governed by the Access to Medical Reports Act 1988 and they will be advised of this where appropriate.

**Staff member’s responsibility**

The staff member should take all reasonable steps to attend the meeting.

**Meeting to discuss the problem**

The Incumbent will explain the ways in which the required performance standards continue to be unmet, or the impact that the staff member’s sickness absence or loss of qualification is having on the business.

**Staff member's opportunity to respond**

The member of staff will be given the opportunity to comment and to explain the reasons for the continued failure to achieve the required standard of performance, or the other circumstances under which they have become incapable of performing their duties.

**Consideration**

The Incumbent will give careful consideration to the explanation given to the staff member, having regard for all the circumstances including the needs of the PCC/church. Where the issue is related to ill health the opinion of the medical practitioner will be taken into account together with any reasonable adjustments that may have been made.

**Action**

The Incumbent will take a decision, choosing one of the following options:

* + 1. **An offer of an alternative job** (giving contractual notice of the end of the contract in the old job and giving an offer of the new job). The staff member will be given a period of 5 working days within which to accept the offer, and stating that if the offer is declined, the staff member will be dismissed on the grounds of incapability; **or**
    2. Where ill-health is the reason for the incapability, and where this has been confirmed by a medical practitioner appointed by the PCC, and no suitable alternative job is available, the staff member will be **dismissed on grounds of ill-health**; **or**
    3. Where there are reasons other than ill health and there is no suitable alternative job available, the staff member will be **dismissed on the grounds of incapability**.

**Confirmation and record of decision**

The decision will be confirmed to the staff member in writing within three working days of the hearing. They will be advised of their right of appeal. A copy of the confirmation of the decision will be placed on the staff member's personal file.

APPEALS PROCEDURE

GENERAL PRINCIPLES

**Scope**

Staff have the right to appeal against any action taken under the Capability Procedure, and will be advised of their rights of appeal at all appropriate stages.

**The objective of the Appeals Procedure**

The procedure aims to ensure that appeals are dealt with speedily, effectively and fairly.

**The right to be accompanied**

Staff members have the right to be accompanied at any stage of this procedure by another employee of the PCC or an appropriate trade union official and will be informed of that right before every hearing.

**Evidence**

The staff member appealing will have the opportunity to comment on any evidence discussed during the appeal hearing. Their rights regarding access to any medical report may be governed by the Access to Medical Reports Act 1988 and if so, they will be advised of that fact.

PROCEDURE

**Stage 1: Appeals against decisions made at stages 1 and 2 of the Capability Procedure**

**How the appeal is to be made and the time limit**

The appeal is to be made in writing by the staff member to the Incumbent within 5 working days of receipt of written confirmation of the action plan and warning. The staff member should state clearly the grounds of their appeal.

**Manager hearing the appeal**

Where possible, the appeal should be heard by the level above that which made the decision. Where this is not possible the appeal should be heard by the Archdeacon or the ChurchWarden and they will conduct the hearing and consider the appeal at this stage. It may be necessary for an adjournment to take place to allow for full consideration of the appeal.

**Arrangement of the Appeal Hearing**

A letter will be sent to the staff member calling them to the meeting, which is to be held under Stage 1 of the Appeals Procedure, within 5 working days of receipt of an appeal against an action plan and warning. It will advise them of their right to be accompanied.

**Confirmation of decision**

It may be necessary to adjourn the meeting to allow full consideration of all the issues. The person hearing the appeal may uphold or reject the appeal. The decision will be confirmed in writing normally within 5 days of the hearing.

**Rejected appeals**

There will be no further right of appeal against an action plan and warning given under this procedure once the appeal decision has been made.

**Upheld appeals**

If the appeal is upheld, the action plan and warning letter will be removed from the staff member's personnel file. If appropriate, the Incumbent will need to clarify the position regarding the staff member's performance and the standards required, with the aim of resolving any misunderstandings.

**Stage 2: Appeals against decisions made at Stage 3 of the Capability Procedure, i.e. redeployment or dismissal**

**How the appeal is to be made and the time limit**

The appeal is to be made in writing by the staff member to the Incumbent within 5 working days of receipt of written confirmation of the redeployment or dismissal decision.

**Manager hearing the appeal**

The appeal will be heard by the Archdeacon or a Churchwarden who may be advised by an human resources professional. This is the highest level of appeal within the PCC.

**Arrangement of the Appeal Hearing**

A letter will be sent to the staff member calling them to the Appeal Hearing, which is to be held under Stage 3 of the Capability Procedure, wherever practical, within 5 working days of receipt of an appeal against redeployment or dismissal. It will advise them of their right to be accompanied.

**Confirmation of the decision**

It may be necessary to adjourn the meeting to allow for full consideration of all the issues. The Archdeacon or Churchwarden may uphold or reject the appeal. The decision will be confirmed in writing normally within 3 working days of the hearing.

**Unsuccessful appeals**

There will be no further right of appeal against dismissal once a decision has been made.

**Successful appeals**

If the appeal is upheld the staff member will be re-instated without loss of salary and with continuity of service. If appropriate, the Archdeacon or ChurchwardenA will need to clarify the position regarding the staff member's performance and the standards required, with the aim of resolving any misunderstandings.

**GRIEVANCE PROCEDURE**

INTRODUCTION

**Objective of the Grievance Procedure**

The objective of the Grievance Procedure is:

* + 1. To provide a framework that will enable a fair and consistent resolution of grievances raised by staff
    2. To resolve issues at the earliest stage and as speedily as possible whilst having regard for the needs of the operation of the PCC/church.

**Status of the procedure**

Whilst the PCC will fulfil its legal obligations, this procedure does not form part of individual contracts of employment. The PCC reserves the right to change it or amend timescales as appropriate.

**Scope**

This procedure applies to all staff employed by the PCC. It does not apply to issues arising from action under the Disciplinary and Capability Procedures. These should be handled within the framework of the appeals procedures, which form the last sections of the Disciplinary and Capability Procedures respectively.

**General principles of operation of the procedure**

* + 1. **Opportunity to state case:** At each stage of the procedure the individual will be given the opportunity of stating the case relating to their grievance. Management will consider the points raised and will respond.
    2. **Adjournment of hearings:** It may be necessary for the grievance hearing to be adjourned in order to enable management to fully consider the issues prior to making a decision.
    3. **The right to be accompanied:** Staff members have the right to be accompanied at any stage of this procedure by an employee of the PCC or an appropriate trade union official and will be informed of that right before every meeting.
    4. **Time limits:** Whilst every effort will be made by the PCC to resolve issues raised within the time limits indicated in the procedure, this may not be possible on some occasions. In these circumstances, an extension of time may be arranged.

**Step to be taken before using the procedure**

Where a member of staff has a grievance relating to any aspects of their employment with the PCC they should raise the matter informally in the first instance with their Incumbent. The aim should be to resolve issues without resort to the formal procedure. However, if it is not possible to do so, the staff member may use the Grievance Procedure set out below.

THE PROCEDURE

**Stage 1**

**Manager with whom the issue should be raised**

The staff member will raise the issue with their Incumbent, setting out in writing the grounds of their grievance.

**Management’s response**

The Incumbent must have reasonable time to consider their response to the grievance before the meeting takes place.

**The meeting to discuss the grievance**

The Incumbent will arrange for a meeting to take place as soon as possible, but within 5 days of receipt of the written statement. If the matter cannot be resolved at the meeting, the Incumbent will respond within 5 days of the meeting.

**Staff member’s responsibility**

The staff member should take all reasonable steps to attend the meeting.

**What happens if agreement is reached**

If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

**What happens if the matter is not resolved**

If the matter is not resolved, the staff member may refer it to the next stage of the procedure. The Incumbent will advise the staff member of this procedure.

**Stage 2**

**Member of management with whom the issue should be raised**

The staff member will refer the grievance in writing to the Incumbent within 5 working days, explaining the grounds of the grievance and why it has not been possible to resolve the issue at Stage 1 of the procedure.

**Management’s response**

Management must have reasonable time to consider its response to the grievance before the meeting takes place.

**The meeting to discuss the grievance**

The Incumbent will arrange for a meeting to take place as soon as possible, but within 5 working days of receipt of the written statement. If the matter cannot be resolved at the meeting, the Incumbent will respond within 5 working days of the meeting. The decision will be confirmed in writing

**What happens if agreement is reached**

If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

**What happens if the matter is not resolved**

If the matter is not resolved, the staff member may refer it to the next stage of the procedure. The Incumbent will advise the staff member of this right.

**Stage 3 – Appeal against the decision**

**Member of management with whom the issue should be raised**

The staff member will refer the grievance in writing to the Incumbent within 5 working days, explaining the grounds of their appeal and why it has not been possible for it to be resolved at the earlier stages of the procedure.

**Management’s response**

The Incumbent of must have reasonable time to consider its response to the appeal before the meeting takes place.

**The meeting to discuss the grievance**

The Incumbent of the will arrange for a meeting to take place as soon as possible, but within 10 working days of receipt of the written statement. If the matter cannot be resolved at the meeting, the Incumbent will respond within 5 working days of the meeting. The decision will be confirmed in writing.

**Staff member’s responsibility**

The staff member should take all reasonable steps to attend the meeting. If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

**What happens if the matter is not resolved**

The decision of the Incumbent of the will be final. The decision will be set out in writing. Stage 3 is the **final** stage of the Grievance Procedure.

**PERFORMANCE REVIEW PROCESS**

**Employee Guidance notes**

**INTRODUCTION**

This guidance document has been produced to assist you in preparing for your annual Performance Review.

The aims of the Performance Review Process are to:

* Help you to improve understanding of what you need to accomplish in your job and how you can best do so in order to contribute to the mission and aims of the department and the Diocese as a whole
* Assist in ensuring that you are equipped to carry out your role and achieve your objectives
* Provide a mechanism for you and your manager to objectively review how you are fulfilling your job and help acknowledge and celebrate what has gone well, identify what has not gone so well and to identify areas for improvement and personal development

**PREPARING FOR THE REVIEW MEETING**

In order to get the most out of your review, you are encouraged to spend time preparing for it. The review provides an opportunity to take time out of day-to-day pressures to reflect upon the job and how it is being performed. You will need to think about what has gone well and consider the reasons for this so that the success can be built upon. It is also an opportunity to think about what has not gone so well, to work out the reasons for this and to identify ways of avoiding this in the future.

You should produce a written summary of your performance in advance of the meeting; your manager will let you know when they need this at the time they arrange the meeting with you. The following information will help you to prepare your written review for your manager.

See Appendix B for a copy of the performance review form that will be used as the basis for the discussion with your line manager. In order to prepare for the meeting you should write notes for ‘Job Performance – Review of Objectives’ as if you were completing the review yourself, consider your achievements and strengths in the last 12 months and also things which did not go so well and what improvements you could make. Here are some things to consider when making your own assessment of your performance:

* Job Description

Do you have a copy of your job description? Has it been reviewed recently? You need to consider the principal accountabilities on your job description and how well you are performing against them. Think about specific examples of activities or tasks you have carried out in the last 12 months which reflect your level of competence in those accountabilities. You also need to think about which accountabilities you have had difficulty with or perhaps have had less exposure to and why.

* Objectives

At the start of the review period each employee should have a set of objectives for the coming year. These should be jointly established and understood, and specify what you have to accomplish in order to fulfil your job and the Departmental and Diocesan mission during the review period. These objectives are likely to be a mixture of those focused upon personal development and those focused upon the tasks to be accomplished to fulfil the job and mission. The objectives should be reviewed throughout the year and their status updated on an on-going basis, this will enable you to easily track progress. Therefore prior to your review meeting, ensure the status of each of your objectives is up to date and take this with you to the meeting (Appendix C)

If you have not had any objectives set for the review period, this process will provide an opportunity to reflect upon the different aspects of the job and the extent to which these have been focused towards achieving the aims of the department and how well you have performed. You may have been given a particular task informally, in which case, identify what you were asked to do, what actions you took to achieve this and the highlights and challenges you experienced. Objectives for the following year should then be identified for the following review period.

* One to One meetings

If you have had any recent one to one meetings with your line manager, think about what has been discussed and any feedback you have been given and actions you have taken as a result.

Competencies

There is a section within the review meeting that will look at each of the 7 competencies. You will firstly need to consider whether the competency is relevant and how it translates to your role. Not all competencies will be relevant to every role but many will be in varying degrees. For instance; someone working in a technical IT based role will have a focus on competencies such us Thinking ability, Independence and Adaptability, but perhaps not so much on Team working.

Think about specific examples of activities or tasks you have completed which demonstrate the competency. In completing your objectives table you and your line manager will have identified which competencies will be demonstrated through each objective, therefore consider to what extent you have demonstrated the competency and how. If there are competencies you feel you have difficulty with or have not yet been able to demonstrate, consider what can be done to address this, do you need any further support or development?

Training and Development needs

Throughout the review you and your line manager will have identified where you have experienced difficulties and/or any areas for improvement, your discussions should address what additional support or training may be required to help you achieve improvement, this section allows for a summary of these needs.

These will be considered by the HR Officer for inclusion in the annual training and development plan.

Employee’s comments

This is your opportunity to log any comments you wish to add. Following the meeting your line manager will produce a written record of the discussion on the form, where your comments can be included.

**KEY FACTS**

* **Timing of the review**

Performance reviews will take place by the end of May each year. All employees will have a Performance review unless they are within their first 3 months of employment.

• **The reviewer**

Your review will be conducted by your immediate line manager. If you perform duties for another manager, your line manager will gain feedback from that manager prior to your meeting.

* **Notification of the review**

Your line manager will contact you to arrange a suitable time for your performance review meeting to take place and will let you know when they need your written statement by.

* **Confidentiality**

The contents of the review will be confidential between you, your line manager, the senior manager involved and the HR department, who will place a copy of the review on your personal file.

* **Recording the review**

The line manager conducting the review will produce the final written summary of the outcome of the performance review; you and your line manager will also have agreed a set of objectives for the coming year. You and your line manager will each sign both documents. It will then be forwarded to the HR Department where it will be placed on your personal file. You will also retain a copy for your records.

* **Follow-up after the review**

The responsibility for follow-up action after performance review is shared with both you and your line manager.

**APPENDIX B**

Performance Review

Employee Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Job Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Review Period: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Line Manager: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| **Job Performance – Review of Objectives** |
| *How have they demonstrated the knowledge and skills for the job?*  *What went well, What has not been achieved, strengths and difficulties, improvement required?* |
|  |
| **Competencies** |
| *For each competency consider strengths, difficulties and area’s for development. Review the Objectives document taking into account the objectives or activities which demonstrate the various competencies and provide specific examples.* |
| Achievement drive  A concern for working well. A desire to take action; doing more than required; doing it before it is required. It includes staying focused on goals over an extended period of time.  Relationships  The ability to understand the perspectives, feelings and concerns of others and build or maintain relationships with people who are, or may someday be, useful in achieving goals.  Persuasiveness  The ability to convince others of a view, conclusion, position etc. Includes the development of subtle strategies specifically designed to get others to go along with or support ones agenda.  Thinking ability  The ability to breakdown a problem or situation into its component parts, identifying implications and the key underlying issues.  Independence  A demonstrated belief in one’s capability to select an appropriate approach to a situation. It includes confidence in one’s judgement or opinion and the ability to handle failure effectively.  Adaptability  The ability to adapt to and work with a variety of situations, individuals or groups.  Team working  The willingness and ability to work co-operatively and collaboratively with others. |
| **Training and Development needs** |
| *Any support or training the employee requires to improve or achieve their objectives* |
|  |
| **Employee’s comments** |
|  |

|  |  |
| --- | --- |
| Employee sign: | Date: |
| Line Manager sign: | Date: |

**APPENDIX C** Objectives 2018

Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Line Manager:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Review Period:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Objective | Action Plan | Status | Competencies demonstrated | By When |
| 1. | *-* |  |  |  |
| 2. |  |  |  |  |
| 3. |  |  |  |  |
| 4. |  |  |  |  |
| 5. |  |  |  |  |
| 6. |  |  |  |  |

|  |  |
| --- | --- |
| Employee sign: | Date: |
| Line Manager sign: | Date: |

**LEAVING THE PCC**

NOTICE OF TERMINATION OF EMPLOYMENT

Information about the notice periods to be given by both sides on termination of the contract is set out in your Statement of Terms and Conditions of Employment.

RESIGNATIONS

In a close-knit organisation, it is advantageous, both to staff and to the PCC, to discuss any thoughts they may have concerning leaving with their manager prior to doing so. But if a staff member does finally take the decision to resign from the PCC, they should address a resignation letter to their Incumbent and hand it to them. The staff member will receive an acknowledgement of this letter. Staff members are expected to give and to work the relevant notice period as set out in their individual Statement of Terms and Conditions of Employment.

RETURN OF PROPERTY

Information regarding the return of property by staff on leaving the PCC is set out in the Statement of Terms and Conditions of Employment. The member of staff may be required to sign a statement to confirm that all property has been returned at time of termination.

APPENDIX I

**EXPENSES**

**This applies to employees only**

OVERVIEW AND OBJECTIVES

This document provides guidelines and establishes procedures for employees, personnel paid for out of DBF funds and volunteers incurring travel and related expenses whilst on parish business.

The PCC is fully prepared to reimburse all approved and reasonable expenditure incurred while undertaking parish duties. These guidelines enable controlled reimbursement to take place and indicate the evidence and the authorisation required.

The objectives of the policy are to

* Provide regular reimbursements to employees, other funded personnel and volunteers
* Control costs
* Prevent fraud
* Ensure that the PCC complies with any tax and legal obligations
* Mitigate the likelihood of queries from HMRC should there be a compliance audit

WHAT CAN BE CLAIMED

It is the policy of the PCC that all personnel are reimbursed the costs of any expenses **wholly, exclusively and necessarily incurred** in the performance of their duties. This complies with HMRC regulations and will ensure no further Income Tax or National Insurance liability will arise.

As the PCC is a charity, personnel are expected to minimise costs wherever possible and to avoid any unnecessary expense. Consideration must be given to using the most cost-effective method of travel. Normally reimbursement will be made **only on the production of original receipts or invoices** (wherever possible).

The main categories of expenses that will be reimbursed are:

* Travel Expenses for all modes of transport
* Personal Incidental Expenses to cover small items of expenditure
* Postage, stationery, telephone and internet expenses

Expense claims will only be paid when the expenditure is legitimate and the budget against which it is to be booked has provision for that expenditure. Where there is doubt as to whether an item may be claimed, permission must be obtained in advance.

WHAT CANNOT BE CLAIMED – SPECIFIC EXCLUSIONS

The PCC will not pay ‘flat rate’ expenses or round sum allowances unsupported by actual expenditure receipts, nor will the PCC provide ‘cash advances’ as these would always become liable to Income Tax and/or National Insurance.

Any speeding tickets, parking fines, any other traffic violations or motoring offences will be a personal expense of the individualconcerned, IRRESPECTIVE of whether incurred on parish business. The PCC does not condone the breaking of any transport legislation or local authority acts or bylaws.

No payments should be claimed for costs deemed as pay. Payments to any individual for the provision of employment services, such as for provision of secretarial fees, must be processed through the PCC’s payroll and not treated as an expense. This is to allow for the correct treatment of tax and National Insurance.

EXPENSE CLAIMS PROCEDURE

All expense claims should be made in Sterling using the Expenses Claim Form obtainable from the Finance team. There is a separate expenses form for attendees at General Synod. If expenditure has been incurred in a foreign currency a suitable exchange rate should be used to convert the claim to Sterling.

If necessary the expenditure should be broken down into different categories on the claim form.

Wherever possible, ORIGINAL receipts and invoices relating to an expense claim should be attached and submitted with the form. If necessary the receipts should be cross referenced. If receipts are not submitted this could affect the payment of the claim.

Expense forms should be submitted as soon as possible after the expense has been incurred. This enables the expeditious processing of the claim and the accurate monitoring of budgets. All claims must be submitted within three months of the expenditure being incurred.

All expense claims will be verified for accuracy and authorised by the relevant manager prior to payment. Expense claims from managers will be authorised by the incumbent If the authorising signatory is absent, the authority can be delegated to another. No expense claims will be paid without proper authorisation.

RECEIPTS

A receipt is an official acknowledgement in writing that an expense has been incurred. Usually this will include:

* Supplier name and address
* Date of transaction
* Transaction reference
* VAT number
* Details of goods/services supplied
* Total value of transaction

All original receipts in support of an expense claim should be attached to the claim form.

Photocopies and other supporting documents (eg credit card vouchers) are not normally acceptable in lieu of original receipts. The requiring of original receipts acts as a security check to ensure expenses are not paid more than once.

If at all possible, receipts should not normally include any personal items. If there is a mix of business and personal items all business-related items should be clearly identified and added up to provide the total of the amount being claimed.

It is NOT acceptable to claim for personal items for the claimant to repay at a later stage.

PAYMENT OF EXPENSE CLAIMS

Expense claims will be paid directly into the recipient’s bank account as part of the weekly payment run. Fully authorised expense forms received by the Finance team by the commencement of the first working day of the week (usually Monday) will normally be paid into the recipient’s account on the Friday of that week. Payments are made by BACS transfer and any new claimant will need to submit bank details with the claim form.

USE OF PRIVATE VEHICLE FOR WORK PURPOSES

Any individual using a vehicle for work purposes and wishing to submit expense claims for mileage must ensure that their vehicle is:

* Regularly maintained and roadworthy
* Holds a valid MOT certificate if required (for vehicles over 3 years old)
* Is taxed and insured
* And the insurance allows the individual to use the vehicle for business purposes

The individual must also have a current, full driving licence, not be banned from driving and be entitled to drive the vehicle concerned.

TRAVEL EXPENSES

Claimants will be reimbursed necessary business travel and associated expenses as detailed below. All claims for travel expenses, apart from private mileage allowance, must be supported by receipts.

The PCC will NOT pay the cost of any travel expenditure for partners, spouses or other family members of the claimant. The PCC will NOT bear the cost of any private travel undertaken before, after or in the middle of a business trip.

**Mileage Allowance for use of Own Vehicle**

A mileage allowance is payable for authorized use of private vehicles on parish business. The rate of the allowance is as per the maximum approved level by the HMRC. Details can be obtained from the Treasurer.

The mileage allowance is paid for travel on parish business for journeys including round trips of up to 150 miles. Beyond 150 miles the public transport rate is payable. If more than one individual is travelling in the same vehicle an additional amount is payable.

To comply with HMRC regulations FULL details of each journey should be completed on the back of the form including:

* Date
* Starting point and ending
* Reason for trip (and ‘visit’ is insufficient – a description should be included)
* Mileage

**Additional Journeys from Home to Work Place**

The HMRC will not allow payments for what they define as “normal commuting” journeys and yet there are occasions when employees have to make additional journeys, outside normal working hours, from home to work for meetings or training purposes. In these cases an extra payment will be made via the payroll, for the costs that have been incurred by the employee.

Payments will **only** be made on the written authority of the claimant’s Incumbent and the amount paid will be at the following rates:-

Private Car Users 45p per mile

These rates are based on the relevant HMRC mileage rates but grossed up for tax and national insurance. This is known as the “extra working allowance”. Any additional journeys that are paid this way must not be added onto the standard expense form, as they will be handled as additional remuneration. There is a separate claim form.

The Treasurer can provide additional details of current rates payable.

**Public Transport**

Full details of the journeys undertaken must be made on the expense form including:

* Date
* Starting point
* Ending point
* Reason for trip (‘visit’ is insufficient – a description should be included, although if there are reasons of confidentiality can be excluded – site visit or pastoral visit would be acceptable)
* Cost of transport fare paid

The cost of each ticket claimed should be shown.

When purchasing a rail ticket a receipt should be obtained and attached to the claim form.

Rail fares will be authorised at the standard rate. First class rail fares are not deemed to be appropriate. Cheap rail fares, off peak tickets, advance purchase options and other savers should be used wherever possible.

For any other form of public transport the actual expenditure may be claimed. Advantage of cheaper options such as saver fares should be used whenever possible.

**Other Travel Expenses**

Where it is more economical (for instance if there is a group of individuals going to the same destination), where it is the only form of transport available, or where the journey occurs at a time or place that might compromise the safety of an individual, a taxi **may** be used. If a taxi is used a properly dated and signed receipt should be obtained from the taxi driver. Travel by taxi should be kept to a minimum.

Car parking costs incurred in the course of travelling for business uses may be reclaimed. The parking voucher should be submitted with the expenses form. As stated above, this EXCLUDES any costs incurred by the individual on parking fines which are not reclaimable.

Any unavoidable toll fees or congestion charges incurred in the course of travelling on business will be reimbursed. However, surcharges or penalty charges imposed are not reclaimable.

**International Travel**

Any request for international travel should have been agreed by the incumbent prior to making arrangements. All bookings for overseas travel including tickets for transportation, hotel reservations, vehicle hire etc should be made through a reputable travel agents. Individuals should arrange with the travel agency the most cost effective means of travel.

For any journey to France via the Channel Tunnel or ferry it may be more cost effective for the person undertaking the journey to book direct and then claim back rather than use a travel agent. Of course the usual authorisations from incumbent should be obtained prior to making a booking.

SUBSISTENCE EXPENSES

When business travel is undertaken, some costs relating to meals and accommodation may be incurred and may be reclaimed as detailed below. Any request for reclaim **must be agreed in advance** by the incumbent prior to incurring the expense. Any expenses incurred without prior authorisation may not be reclaimable.

**Accommodation**

Wherever possible it will be expected that employees have a common sense approach when making bookings and should stay in reasonable quality hotels. Many hotel chains offer reasonable prices for overnight stays (e.g. Travelodge, Premier Inn). The maximum reclaimable level of expenditure on accommodation including breakfast is as per the recommended levels from the General Synod office.

This is not an absolute entitlement but an upper limit. The relevant manager or budget holder may specify a lower amount as applicable to the constraints of the budget. The cost of accommodation must be agreed in advance prior to booking.

The PCC will not reimburse items of a personal nature such as newspapers or video hire, or costs unrelated to the business purpose such as health club memberships.

The Treasurer can provide additional details of current rates payable.

**Meals and Refreshments**

Employees/representatives travelling on business may reclaim the cost of meals and other refreshments as below. There are two levels of rates payable, for absence between 5 and 10 hours and for absence over 10 hours. All claims for reimbursement must include relevant receipts.

These rates paid are as per the recommended levels from the General Synod office. These are not an absolute entitlement but an upper limit. The relevant manager or budget holder may specify a lower amount as applicable to the constraints of the budget.

The Treasurer can provide details of current rates payable.

**Subsistence Expenses**

Only subsistence expenses that are incurred necessarily in the performance of the duties of employment will be reimbursed. Receipts should support all claims. Any personal expenses including costs relating to a spouse or partner accompanying an employee do not constitute subsistence expenses.

If there is any confusion as to the acceptability of an expense, this should be agreed with the relevant manager or budget holder prior to incurring the expense.

**Entertaining and Hospitality**

Staff members should familiarize themselves with the Anti-bribery & corruption policy. ‘Entertaining’ includes hospitality of any kind and also expenditure on business gifts. As a general rule those who have donated to the PCC/church or have funded church projects expect the money to be spent wisely and not unnecessarily. However, in some circumstances hospitality is good to provide, perhaps to thank someone for some service they have provided. In cases where this would be appropriate permission must be sought in advance from the relevant manager or budget holder prior to incurring the expense.

Every claim for entertaining must show the purpose of the event, the names and status of all individuals attending; all relevant receipts must be provided. If hospitality is provided directly by an individual from personal resources (such as when entertaining at home) then a fair assessment of the costs incurred should be declared, with specific receipts attached if appropriate.

Occasions where only PCC employees are present are not hospitality but are designated as subsistence expenditure. Reasonable subsistence expenses for staff gatherings may be reclaimed where there is a valid business purpose for the gathering, and the budget against which the expense is to be booked has provision for that expenditure. Examples of acceptable staff gatherings may include welcome lunches for new members, retirement parties, team building functions and in-house training or development events.

TELEPHONE EXPENSES

The PCC will reimburse personnel for any necessary business calls they are required to make in the performance of their duties. Business calls plus associated VAT will be reimbursed through an authorised expense form. In general no reimbursement will be made for any telephone line rental charge.

For business calls made from a home telephone the expenses form should be supported by a detailed telephone bill indicating the business calls and their cost, and the number of the person the call is to.

For business calls made from a personal mobile telephone the expenses form should be supported (where feasible) by a detailed telephone bill indicating the business calls and their cost, and the number of the person the call is to.

Business calls made away from home and reclaimed together with an associated subsistence claim will be fully reimbursed where the following details are provided: the name and/or number of the person called, the duration of the call, and the cost of the call. The calls may be made from a public call box, mobile phone or using a telephone calling card. Personnel are requested to avoid using telephones in overnight accommodation due to the cost.

The PCC will not meet the cost of phone cards for pay as you go mobiles. If no itemised bill is available a schedule of business calls should be attached.

OTHER EXPENSES

**Eye Tests and Glasses**

All personnel who use the computer in their work are entitled to an annual eye test. The PCC will reimburse the cost of the eye test, and if it proves necessary, a contribution of towards the cost of new glasses or lenses.

All claims for reimbursement must include relevant receipts.

The Treasurer can provide details of current rates payable.

**Other Expenses**

Personnel may reclaim other expenses not listed above provided that the expense was incurred wholly, exclusively and necessarily in the performance of the duties of employment. Claims for any such expenses will only be paid when the expenditure is legitimate and the budget against which it will be booked has provision for that expenditure. All claims must be supported by a receipt.

**Gifts**

On some occasions it may be appropriate to provide simple ‘gifts’ to some people, such as a bottle of wine or box of chocolates for a new priest, or a bunch of flowers for someone who is unwell. It is perfectly acceptable to provide these provided the cost is not seen as excessive or over indulgent.

Where there might be any doubt as to whether an item may be claimed, permission must be obtained in advance from the relevant manager or budget holder prior to incurring the expense.

EXPENSES CLAIM FORM

The expense claim form is available from the Treasurer.