

Employee Handbook
for the
Parish of St Mary Charlton Kings
Diocese of Gloucester

Issue 1
January 2012

Agreement

By agreement of the Parochial Church Council on 9 February 2012

SIGNED on behalf of the Council

..... Chair of the Council / Vicar

Name Rev'd Michael Garland

..... Churchwarden

Name Dr Anne Grinter

..... Churchwarden

Name Dr Gordon Wenham

Alterations Record

Date	Issue	Alterations
20 Jan 2012	1	First issue

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BACKGROUND AND CONTEXT THE PARISH OF St Mary Charlton Kings

As an employer the PCC of St Mary Charlton Kings have clear legal responsibilities, both in terms of employment law, and good practice. Additionally, our Christian ethos and identity requires us to ensure that we support and approach our secular responsibilities with distinctive quality pastoral care and sensitivity, and our work and that of others, with a true sense of vocation.

We therefore will strive to ensure that all our employment responsibilities are applied fairly, equitably and consistently: avoiding discriminatory acts or attitudes of any kind. In this way we reflect the values of the Kingdom. Whilst following appropriate formal responsibilities, in times of conflict we will always seek to work for true reconciliation and understanding, and we will work to ensure that no one suffers harassment or inappropriate discrimination.

To help implement the above we have appointed a Personnel Sub Committee¹ who undertake responsibilities designated by the PCC and work closely with the Line Managers and staff and make recommendations to the PCC as the final employing body.

The Line Manager usually being, or delegated by, the Vicar or an appointed person on the PCC as stated on individual staff Employment Statement of Particulars².

¹ Usually this comprises the Vicar, a Churchwarden and another member of the PCC.

² Usually this is in the form of a contract and/or job description.

PROBATIONARY PERIODS

1. Introduction

- 1.1 Probationary periods exist to support any employing organisation and the individual in a new post.

2. Working Arrangements

- 2.1 On starting in a new post an employee will serve a probationary period. During this time they will be making up their own minds about whether they wish to remain; and the PCC/Line Manager will be assessing capabilities, attitude and potential.
- 2.2 If an individual experiences any problems during this time it is important that they talk these through so that appropriate support such as further training etc can be discussed and planned.
- 2.3 Where problems exist, an individual has not been able to complete the period for an acceptable reason, or where work performance is not up to the required standard action may be taken. This action may include:
- ✓ an extension of the probation period (to be no longer than 24 weeks in total)
 - ✓ revised time-limited targets.
- 2.4 The PCC may terminate the employment at any time during the probationary period giving one week's notice which may be worked, or paid in lieu.
- 2.5 The PCC reserves the right not to apply the full contractual capability and disciplinary procedures during a probationary period.

FIXED TERM AND TEMPORARY CONTRACTS POLICY

1. Introduction

- 1.1 The PCC may decide that a post is only required for a fixed period of time. The decision for this must be justified and can only be due to:
- ✓ the short term nature of the work (a particular short term project or piece of work) which will come to a natural end
 - ✓ linked to grant funding that will come to an end at a given period of time
 - ✓ to cover an absence (e.g. long term sick leave, maternity leave, sabbatical etc)

2. Contractual Status

- 2.1 Under the Fixed-term Employees (prevention of less favourable treatment) Regulations (2002) ALL employees on Fixed Term contracts are covered.
- 2.2 Fixed Term employees must not be treated less favourably than comparable permanent employees on the grounds that they are only employed on a fixed term basis, unless this can be objectively justified.
- 2.3 It is therefore important that Fixed Term contracts are used appropriately. Fixed Term Contracts will always have a specific end date.
- 2.4 No notice period is required for a Fixed Term appointment when it is running to the initial set date. However, if an appointment is to be terminated prior to the initial set date, then statutory notice will be given.
- 2.5 All offer letters sent out must clarify that there should be no expectation of the renewal of a contract at the end of the fixed term period.

3. Reviewing or Extending Fixed Term Contracts

- 3.1 Under the Regulations, successive fixed term contracts are defined as a series of two or more contracts that do not break continuity of employment, as defined by the Employment Rights Act 1996).
- 3.2 Where a Fixed Term contract is to be extended this will be for a further defined period, with the reasons and new date explained and agreed.
- 3.3 The Regulations also include provision to prevent abuse arising from the use of successive fixed term contracts. In general the statutory scheme provides for no limit on the length of the first fixed term contract; however, where the employee is re-engaged on a successive contract their post will be deemed a permanent contract once the employee has completed four year's continuous service. The PCC will remember that once a contract has run for a minimum of two years the individual may have redundancy rights (if the circumstances of the expiry of the contract meet the statutory definition of redundancy), and that after one year's service Employees are entitled to claim for unfair dismissal.

- 3.4 Where funding for a post has been made permanent and the individual in the current fixed term post has proved themselves, they may be made permanent.

4. Ending a Fixed Term Contract

4.1 Whilst a Fixed Term contract can be ended at the end of its original set date ALL expiries or non-renewals for Fixed Term contracts are regarded in law as dismissal and so in order to end the contract it is necessary for there to be a clear and justifiable reason for the non-renewal of the contract e.g. where work comes to an end, OR where someone on maternity leave is to return to work. Failure to follow the statutory process (below) will render a dismissal automatically unfair.

4.2 The process for formally dismissing a member of staff on the expiry/non renewal of a Fixed Term contract comprises the Statutory Disciplinary and Dismissal 3-step Procedure:

1. The employee should be consulted about the proposal to terminate with reason(s).
2. The PCC should offer the employee the opportunity to attend a consultation meeting (the individual has the right to be accompanied by a friend) where the proposal and reasons for the termination are given, other issues may be discussed e.g. redundancy payment (see 7). At the end of this meeting the employee should be formally informed of the decision and that they have the right of appeal against the decision prior to the expiry of the contract – an appeal must be sent to the PCC Secretary within 5 working days of the termination being confirmed.
3. The PCC Secretary will arrange for the **Vice** Chair of the PCC to Chair the Appeal. The individual may again be accompanied by a friend. Following this meeting the final decision will be confirmed by the Chairperson within 5 working days.

5. Where an Employee on a Fixed Term Contract is on Maternity Leave

5.1 The procedure for ending a fixed term contract where the employee is on maternity leave is no different for a person who is at work (the decision here to terminate **MUST NOT** be for reasons linked to the maternity as this would amount to direct sex discrimination).

5.2 NB there is no entitlement for redundancy payments for those covering maternity leave as the work will continue.

6. Notice Periods

6.1 If the contract is to terminate on the specified date the process for notification/consultation and decision/appeal, should begin one month before the end of the contract.

6.2 If the contract is to terminate earlier then the appropriate statutory or contractual notice must be given.

7. Redundancy

7.1 The employee will only be entitled to a redundancy payment at the expiry/non renewal of a fixed term contract if:

- ✓ they have 2 years continuous service **and**
- ✓ they meet the statutory definition of redundancy (i.e. where the requirements to carry out work of a particular kind has ceased or diminished or its nature has so changed that the employee does not possess the capabilities for carrying the new responsibilities entailed

8. Rights for the employee

8.1.1 In line with the Regulations, any employee who believes they are being less favourably treated has the right to ask for a written statement setting out the reasons for the treatment they believe has occurred – the line manager **MUST** reply within 21 days.

8.1.2 In such circumstances the PCC are able to seek advice from the Diocesan HR manager.

ENDING EMPLOYMENT POLICY

1. Introduction

- 1.1 A contractual notice period of one month is usually required. Please refer to individual Employment Statement of Particulars.

2. Terminating employment without giving notice

- 2.1 If an employee terminates their employment without giving notice, or working the required notice period as indicated in their individual statement of main terms of employment (statement of particulars), they will have an amount equal to any additional cost of covering duties during the notice period not worked deducted from any termination pay due to them. This is an express written term within an individual's Statement of Particulars. They will also forfeit any contractual accrued annual leave pay due over and above statutory annual leave pay.

3. Returning Property

- 3.1 On the termination of your employment employees must return all property which belongs to the PCC/Vicar/Church or loaned from any other source. Failure to return such items will result in the cost of the items being deducted from any monies outstanding to you – this is also an express term within the Employment Statement of Particulars.

4. References

- 4.1 References are usually sought by new employers. The PCC is under a duty to ensure that references given are true, accurate and fair and do not give any misleading impressions.

REDUNDANCY POLICY

1. Introduction

- 1.1 The policy of the PCC is to make every effort to reduce the risk of redundancy for any post.

2. Consultation

- 2.1 Whenever the potential need for redundancy occurs, the Line Manager and the Personnel Sub Committee will discuss processes and timelines with staff at the earliest opportunity and an individual will have full employment rights to:
- ✓ the statutory processes for consultation/decision/appeal
 - ✓ be consulted about changes, implications and impact
 - ✓ be accompanied at each stage of the process by a workplace colleague or friend
 - ✓ appropriate notice periods
 - ✓ reasonable paid time off to prepare for/attend other interviews
 - ✓ where this is possible/appropriate to have employment secured through appropriate redeployment

3. Voluntary Severance and/or Early Retirement

- 3.1 Where an employee wishes to apply for voluntary redundancy/early retirement they should write formally to their Line Manager as soon as possible. Decisions will be at the discretion of the Line Manager and the PCC based on merit and business need and financial resources.

HOLIDAYS AND ANNUAL LEAVE POLICY

1. Introduction

- 1.1 An employee is entitled to both annual leave and UK Bank/Public holidays.
- 1.2 Where a request cannot be agreed for reasonable office/business reasons, the Line Manager may suggest alternative dates.

2 Leave Entitlement

- ✓ A full time employee is entitled to 5.6 weeks annual leave and 8 Bank/Public Holidays in addition to this.
- ✓ For staff not working full time (35 hours per week), leave is calculated on a pro rata basis by multiplying the hours they work a week by 5.6 This gives the total number of hours a year an individual is entitled to and whenever a bank holiday then falls on a normal working day the normal hours worked must be deducted from this total.(see appendix 1 for an example)

3. Bank Holiday Arrangements

Within the 5.6 weeks (or on a pro rated basis as in 2 above) an employee is entitled to paid leave for the following Public/Bank Holidays

- ✓ New Year's Day
- ✓ Good Friday
- ✓ Easter Monday
- ✓ Christmas Day
- ✓ Boxing Day
- ✓ May Bank Holidays (first and last Monday)
- ✓ August Bank Holiday

4. Leave Details

- 4.1 The leave year is from 1st January to 31st December.
- 4.2 For part years of service entitlement will be calculated as 1/12th of the annual entitlement for each complete month of service during that year.
- 4.3 A small number of days/hours may be carried over each year with the express agreement of the Line Manager.

5. Authorisation of Leave

- 5.1 All leave requests must be made to the Line Manager in the first instance, using their Holiday Card (see Appendix 1).
- 5.2 Every effort will be made to agree requests. Where in exceptional cases leave cannot be granted a clear explanation shall be given. Reasons must be fair (e.g.

the ability to cover the office, the number of people on leave at the same time, cover at busy times etc).

- 5.3 A reasonable notice period for leave is required. Usually this would be about a week for odd days, or at least four weeks for periods of a week or more. Employees must ensure they have their holiday authorised by the Line Manager before flights, holidays, trips etc are booked.

SICKNESS – AND MANAGING ABSENCE POLICY

1. Introduction

- 1.1 The PCC, along with the Personnel Sub Committee should take an active role in managing absences. In general short term absences may indicate little – however recurrent periods of absence and longer-term absence may be indicative of:
- ✓ a serious medical condition
 - ✓ poor morale or other organisational problem
 - ✓ a misunderstanding of the rules or a disciplinary problem
- 1.2 An employee should feel able to discuss concerns about their absence in confidence with the Line Manager or a member of the Personnel Committee.
- 1.3 All sickness absence is calculated on a rolling twelve month period.

2. Reporting Arrangements

- 2.1 An employee must notify the Line Manager or a member of the Personnel Sub Committee in the first instance at the earliest opportunity and, other than in exceptional circumstances, no later than 10.30 am on the first day of absence.
- 2.2 Notification must be made in person or by a delegated person – this can be done by telephone but MUST not be made electronically (i.e. by e-mail or text) and an indication given as to how long the absence may last.
- 2.3 If absence is likely to be more than 7 calendar day's staff must notify the Line Manager and send in an authorised doctor's sickness certificates (FIT note) at regular intervals.
- 2.4 For periods of up to 7 calendar days individuals must complete a self-certification absence form (Appendix 2).

3. Returning to Work

- 3.1 On any return to work where the absence was confirmed/authorised by a doctor's certificate, the Line Manager should hold an appropriate 'Return to Work' interview with the employee. At this meeting some notes should be kept, as in the longer term these may give details of particular reasonable adjustments the PCC may need to make to support the individual.
- 3.2 Where the sickness absence was long-term – or for a number of absences – it may be possible for the Diocesan HR Manager to arrange for the member of staff to be referred to an Occupational Health specialist in order to ensure that they are returning safely, and will be supported appropriately.
- 3.1 If there is a delay in getting an Occupational Health appointment, the individual may remain absent on Special Leave (paid) until the appointment and report have been received and any arrangements made for a return to work.

- 3.2 Where appropriate a phased return may be necessary to assist the individual to take up their role in a managed way.

4. **Payments During**

- 4.1 Statutory Sick Pay (SSP) and Occupational sick pay will be paid to employees on completion of their probationary period as follows:

Up to one year's completed service	One to five years completed service	Five years completed service or more
SSP only (Statutory Sick Pay)	12 weeks at full pay (including SSP)	12 weeks full pay and 6 weeks half pay (including SSP)

Note: This is the maximum amount of sick pay payable in any 12 month period calculated on a rolling twelve month period.

5. **Long Term Sickness**

- 5.1 Long-term sickness is defined as a period of absence, which continues for a number of consecutive weeks/months, and where there is no imminent or foreseen date of return.
- 5.2 During a period of prolonged sickness absence the appropriate Line Manager will arrange to visit the employee to discuss progress and/or to keep them informed of news.
- 5.3 If on the basis of an Occupational Health Report (see 3 above) or GP note which states that an individual is unable or unlikely to return to work, or that they are unable to continue their present role three options may be considered:
- ✓ possible alternative employment
 - ✓ early retirement
 - ✓ termination of employment

Whichever route is appropriate, a full process with consultation throughout will take place.

EXPENSES

1. Introduction

Employees are entitled to claim for expenses solely incurred in relation to their work. Mileage is paid on the Diocesan scale and is calculated from their place of work (office).

2. Policy

The PCC Treasurer will handle all staff expenses, which are required to be authorised first by their Line Manager using the form in Appendix 3. Any expenditure over **£20** (above normal consumables) requires authorisation from the Line Manager before purchase is made.

REGULAR REVIEW PROCESS

1. Introduction

1. There will be regular reviews of the work of the employee conducted by the Line Manager. These should be relatively informal, practical and pragmatic meetings at which both Line Manager and employee can explore working relationships, suggestions, and views on what is going well and talk through any concerns, worries, training needs, or challenges, in an environment of mutual respect and support.
- 1.2 Brief notes should be taken at these meetings so that issues can be tracked and followed up in future meetings. A member of the Personnel Sub Committee will follow up the review.
- 1.3 Where there are issues of capability (i.e. what is done, and how it is done - issues relating to skill, health, physical or mental quality) it may be appropriate to follow a Capability Process which will, by following fair and due process, support both the employee and the PCC.

HEALTH AND SAFETY POLICY

1. Introduction

- 1.1 All employees should be aware of personal Health and Safety responsibilities and to remain alert to any issues, concerns and potential risks which must be reported as soon as possible.

2. Employee Responsibilities

- 2.1 All Employees have the responsibility to be mindful of their own safety and that of others including visitors at all times. ANY concerns should be raised as soon as possible. If an employee has serious concerns about any breach of Health and Safety that have not been acted upon or resolved they should raise these under the Whistleblowing policy procedures.
- 2.2 An individual must not take any action that could threaten the health or safety of self or others including other employees, visitors or members of the public.
- 2.3 An individual must ensure they are aware of any fire and evacuation procedures and the action that should be taken in the event of such an emergency.
- 2.4 Protective clothing and other equipment which may be issued for protection where the nature of the job requires it should be worn at all times. Failure to do so could be a contravention of health and safety responsibilities. Once issued, this protective wear/equipment is the responsibility of the individual.
- 2.5 All accidents and injuries which take place at the employee's place of work (except where this is the employee's home address), no matter how minor should be recorded in an appropriate accident book.
- 2.6 An individual must be familiar with first aid arrangements, and of the facilities and procedures to follow in the case of emergency.
- 2.7 Free eye tests for employees who are "habitual" users of display screen equipment can be organised on request as will be spectacles if they are required specifically for VDU use. The PCC will reimburse for the cost of a basic adequate pair of spectacles. Where Employees want to purchase more expensive pairs, or choose optional treatments, the PCC may choose to part pay for a more expensive pair, but only up to the cost of the value of the basic pair.
- 2.8 Chemicals and solvents should only be stored in their original containers which must be clearly labelled. If it is necessary to decant fluids into smaller containers, these containers must be properly labelled with the name of the product.

3. SMOKING POLICY

- 3.1 Employees are NOT permitted to smoke anywhere in the course of their employment at any time

4. ALCOHOL & DRUGS POLICY

- 4.1 Under legislation, the PCC as employer has a duty to ensure so far as is reasonably practicable, the health and safety and welfare at work of all employees. Similarly employees have a responsibility to themselves and colleagues.
- 4.2 The effects of alcohol and drugs can be numerous:-These are examples only and not an exhaustive list
- ✓ absenteeism (e.g. unauthorized absence, lateness, excessive levels of sickness, etc.).
 - ✓ higher accident levels (e.g. at work, elsewhere, driving to and from work).
 - ✓ work performance (e.g. difficulty in concentrating, tasks taking more time, making mistakes, etc)
- 4.3 If an Employees' performance or attendance at work is affected as a result of alcohol or drugs, or where there is a belief that Employees have been involved in any drug related action/offence ,where appropriate this may be dealt with as a medical issue, but employees must also be aware that – depending on circumstances, they may be subject to disciplinary action which could potentially lead to dismissal.

5. PERSONAL HYGIENE

- 5.1 Employees are expected to maintain a high standard of personal hygiene at all times.

SAFEGUARDS POLICY

1. Introduction

- 1.1 The PCC expects a high standard of professionalism, confidentiality and discretion from all employees at all times - and failure to comply with these expectations may result in disciplinary action being taken.

2. CONFIDENTIALITY

- 2.1 All information, including that held on paper, electronically or magnetically, that:-
- ✓ is or has been acquired in the course of your employment, or has otherwise been acquired in confidence,
 - ✓ relates particularly to the parish and its affairs and activities, or that of other persons
 - ✓ or bodies with whom the PCC has dealings of any sort, and
 - ✓ has not been made public by, or with authority,
 - ✓ shall be confidential, and (save in the course of PCC duties/business or as required by law) not be disclosed to any person without prior written consent.
- 2.2 Reasonable care must be made to keep safe all documentary or other material containing confidential information, and shall at the time of termination of employment or at any other time be returned upon demand.
- 2.3 Care should be taken when discussing confidential information so that it may not be overheard by an unauthorised person(s),
- 2.4 Care must be taken when accessing papers, records etc which may contain confidential information so that these may not be found or accessed by an unauthorised person. This responsibility also applies to the use of information on memory-sticks, laptops etc.

3. COPYRIGHT

- 3.1 All written material relating to the PCC whether held on paper, electronically or magnetically which was made by an individual during the course of employment is the property of the PCC and its copyright. At the time of termination of employment or at any other time upon demand, all requested material should be returned.

4. STATEMENTS TO THE MEDIA

- 4.1 Any statements to reporters from newspapers, radio, television, etc. in relation to parish activities will be given only by the Line Manager or member of the PCC. An employee may not respond to any such media enquiries without clear authorisation.

5. ARTICLES/PUBLICATIONS

- 5.1 Unless within the remit of their post, an employee should not normally write letters or make statements to the press, accept invitations to appear on television or radio, give lectures, write articles or other material related to their work without the permission of the Line Manager and the PCC. Employees may not, under any circumstances publish or publicly express statements which are in conflict with the agreed policy of the PCC.

CAPABILITY PROCESS

1. Introduction

- 1.1 It is recognised that over time there may be changes which affect an individual's ability to carry out their duties. This can be for a number of reasons – examples can include sickness or disability, attitude, or if a job changes over a period of time and an individual is unable to keep pace with the changes.
- 1.2 The Line Manager and the Personnel Sub Committee will make every effort to ensure that constructive discussion takes place with the employee to seek understanding and resolve any issues throughout this process.
- 1.3 Where capability is linked to disability or a long term condition and/or circumstance this will be handled sensitively and with compassion (see 3 below).

2. Capability Procedure

- 2.1 **Stage One** - In the first instance if there are concerns regarding 'capability' these will be discussed in an informal meeting between the Line Manager and the employee, where an initial period of time for change/improvement will be discussed. At the end of this period if there has been an appreciable improvement/change the employee will be notified informally and continue in the post.
- 2.2 **Stage Two** - If after the initial informal meeting things have not improved, the PCC Secretary will invite the employee to attend a formal meeting at which they have the right to be accompanied by a work colleague. At this meeting the Line Manager and a member of the Personnel Sub Committee will set out and discuss the areas of concern, set realistic and fair targets, and the date(s) by which improvement must be achieved.

The employee must be warned at the meeting and in a follow up letter that failure to improve, and to maintain performance required could potentially lead to dismissal. Full notes of this meeting will be taken by the PCC Secretary and a copy given to the individual with the formal warning letter.

- 2.3 During the period set for improvement the Line Manager should arrange to meet the employee to give reassurance, encouragement and support.
- 2.4 At the end of this set period the PCC Secretary will arrange a formal meeting with the individual (again, the individual has the right to be accompanied by a work colleague). At this meeting issues, targets and achievements will be reviewed.
- 2.5 If the employee has successfully achieved improvement, they will receive a formal letter notifying of them of their success and they will continue in the post.

- 2.6 **Stage Three** - If the employee has not successfully achieved the required improvements the Line Manager may in appropriate circumstances set an extension period for improvement (e.g. if the employee has been off sick during the initial improvement time).
- 2.7 If the employee has failed to reach the required standard in the given time and the Line Manager is content that all appropriate support was given/available, then the individual will be dismissed with the appropriate notice period. The PCC has the discretion to pay in lieu of notice for this period.

3. The Responsibilities of the Employee

- 5.2 The employee has a responsibility to discuss with the Line Manager in the first instance any issues which may affect their ability to maintain a role so that appropriate support and other actions can be reviewed.
- 5.3 Where there is a long term condition, personal circumstance or disability, the employee must arrange to meet the Line Manager as soon as possible so that appropriate advice and support can be discussed, planned and reviewed. The individual should be assured that the PCC will want to offer appropriate and compassionate support.

4. Ill Health Capability

- 4.1 With health issues the PCC may request a medical report. This may be done through the Diocesan Occupational Health arrangements, and may involve the employee giving permission to their own GP for a medical report to be sent in confidence to the Line Manager as representative of the PCC for this matter. The employee will be expected to fully co-operate with this process so that information regarding their circumstances can be obtained to assist the PCC in supporting them appropriately.
- 4.2 The PCC will reflect on the medical report and review which appropriate package of support might be reasonable and/or practicable in the circumstances. Employment law advice should be sought at this stage.
- 4.3 Where – with appropriate and reasonable support - the employee is still unable to meet the requirements of the role the PCC may consider dismissal following the statutory procedure as set out within this policy.

5. Appeals

- 5.1 In the event of a decision being made, the individual has the right of appeal.
- 5.2 The individual should write formally to the PCC Secretary. If an appeal is requested, a meeting will be arranged by the PCC Secretary – and the appeal will be considered by a Churchwarden (who is not on the Personnel Committee) with two other PCC members who can offer objectivity.
- 5.3 The employee has the right to be accompanied to this meeting by a work colleague. At the appeal meeting the panel will review all that has happened, the paperwork trail and ask questions of the individual and any others as

appropriate. After the appeal meeting, the employee will be informed of the final decision. There is no further right of appeal.

BULLYING AND HARASSMENT POLICY

1. Introduction

- 1.1 Many people in our society are victimised and harassed and bullied as a result of their race, colour, ethnic or national origin, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability.
- 1.2 Personal harassment and bullying takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, intrusive and threatening behaviour and actual physical abuse. Whatever form it takes, personal harassment and bullying are always taken seriously and are totally unacceptable.
- 1.3 Personal harassment and bullying can exist in the workplace, as well as outside, and this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

2. Policy

- 2.1 All forms of personal harassment and bullying are deplored and we will seek to ensure that the working environment is sympathetic to any employee.
- 2.2 These procedures have been included in this Handbook to reinforce to all employees the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment and bullying with a means of redress.
- 2.3 We have an explicit duty to implement this policy and all employees are expected to comply with it.

3. Examples of Personal Harassment and Bullying

- 3.1 Personal harassment and bullying take many forms, including mail, E-mail, telephone conversations etc, and employees may not always realise that their behaviour constitutes harassment or bullying. Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:
 - ✓ insensitive jokes and pranks.
 - ✓ lewd or abusive comments about appearance.
 - ✓ deliberate exclusion from conversations.
 - ✓ displaying abusive or offensive writing or material.
 - ✓ unwelcome touching and/or attention.
 - ✓ abusive, threatening or insulting words or behaviour.

- 3.2 Bullying is a form of psychological harassment. It is intimidation which serves to undermine self-esteem, confidence, competence, effectiveness and integrity. Examples of bullying include: continual, undeserved criticism, arbitrary and inconsistent demands, imposition of unreasonable deadlines, shouting, swearing and offensive language, displaying overbearing or intrusive behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken.

4. Complaining about Personal Harassment and Bullying

4.1 An Informal Complaint

- 4.1.1 Complaints of personal harassment, and particularly of sexual harassment, and bullying can sometimes be of a sensitive or intimate nature and it may not be appropriate for an employee to raise the issue through the normal grievance procedure.
- 4.1.2 In these circumstances an individual is encouraged to raise such issues with the line manager, or a member of Personnel Sub Committee, (whether or not that person has a direct supervisory responsibility) as a confidential helper.
- 4.1.3 If an individual is the victim of 'minor' harassment or bullying they can (on their own or with the assistance of a confidential helper) make it clear to the harasser, on an informal verbal basis, that their behaviour is unwelcome and they are being asked to stop.
- 4.1.4 If this is not possible - a written request to the harasser may be appropriate and their confidential helper can assist with this also.

4.2 A Formal Complaint

- 4.2.1 Where the informal approach fails, or if the harassment or bullying is more serious, the employee should bring the matter to the attention of the Line Manager, or Chair of the Personnel Sub Committee as soon as possible, preferably as a formal written complaint (again the confidential helper can assist with this).
- 4.2.2 If possible, keep notes or a diary of the harassment or bullying so that a written complaint can include:-
- ✓ the name of the alleged harasser or bully.
 - ✓ the nature of the alleged harassment or bullying.
 - ✓ the dates and times when the alleged harassment or bullying occurred.
 - ✓ the names of any witnesses.
 - ✓ any action already taken by you to stop the alleged harassment or bullying.
- 4.2.3 On receipt of a formal complaint, arrangements can be made in order to separate an individual from the alleged harasser/bully to enable an uninterrupted investigation to take place.

- 4.2.4 The person dealing with the complaint will plan an investigation. Where appropriate, an independent person e.g. a Churchwarden may be asked to undertake this and to collect as much information as possible. The individual making the complaint will be invited to attend an initial meeting at a reasonable time and location, to discuss the matter and plan a schedule for carrying out a thorough investigation.
- 4.2.5 Any employed person (whether victim or alleged perpetrator) has the right at all times during the complaint/investigation process to be accompanied by a confidential helper or a friend or colleague and must take all reasonable steps to attend.
- 4.2.6 On conclusion of the investigation, which will normally be within ten working days of the initial meeting, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to the complainant and to the alleged harasser/bully.
- 4.2.7 If the complainant or the alleged harasser/bully is dissatisfied with the draft report or with the proposed decision, this should be raised with the investigator within five working days of receiving the draft.
- 4.2.8 Any points of concern will be considered by the investigator before a final report is sent, in writing, to the Chair of the Personnel Sub Committee, the complainant, and to the alleged harasser/bully. Employees have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.
- 4.2.9 Where the victim or alleged perpetrator are not employees but lay people, it is also appropriate to invite them to a meeting and for them also to have someone accompanying them although there is nothing to prevent them refusing to participate in the process. Where this is the case the investigator and Line Manager must review the facts available to them and make a clear judgement or seek further advice on the most appropriate way forward.

5. Follow Up

- 5.1 If the report concludes that the allegation is well founded, the harasser/bully will be liable to disciplinary action in accordance with the disciplinary and disciplinary dismissal procedure.
- 5.2 An employee who receives a formal warning or who is dismissed for harassment or bullying may appeal by using the capability/disciplinary/grievance appeal procedure.
- 5.3 If an individual brings a complaint of harassment/bullying they will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against them.

DISCIPLINARY PROCEDURE

Background

- From 6th April 2009 a new ACAS statutory Code of Practice on discipline and grievance came into effect by order of the Secretary of State. The PCC will comply with this Code in all formal disciplinary circumstances.
- The PCC may wish to seek advice from the diocesan Human Resources Manager.

<http://www.acas.org.uk/index.aspx?articleid=2174>

- It should be noted that the new Code seeks to ensure that as far as is possible, all issues are resolved in the workplace – with a clear emphasis on mediation.
- All employees (and their representatives) should feel comfortable with this approach which should sit well with our distinctive context. As we work to develop our own Parish policies, we will not lose sight of our core values which set the highest standards of expected behaviour and integrity, including the principles of fairness and transparency, hope and respect, forgiveness and reconciliation.

1. Introduction

- 1.1 Disciplinary policies, procedures and standards are necessary to ensure consistency in behaviour and attitude within an organisation.
- 1.2 This procedure should be used as a means to encourage high standards and not simply to impose sanctions.
- 1.3 All disciplinary-related issues must be dealt with fairly, consistently and reasonably, with the individual afforded every opportunity to state their case or appeal against any decision made which they consider unjust.
- 1.4 Where some form of action is needed, what is reasonable or justified will depend on the circumstances of the particular case. Employees and Managers should raise and deal with issues promptly and not unreasonably delay meetings or decisions.

2. A pre-formal process

- 2.1 Many potential disciplinary issues can be resolved informally. Often a quiet word is all that is required to resolve an issue.
- 2.2 A manager should be mindful of required standards of behaviour and performance, so they are consistent in their approach, and in their ways of seeking to resolve an issue as quickly, quietly, and effectively as possible.

- 2.3 A manager would be well advised within a one off/pre-formal process to write a brief file-note setting out an overview of the situation, and how it was resolved. This should be sent to the individual concerned, and placed on the personnel file.

3. Formal process – the stages

A matter concerning an individual is reported or discovered.

- 3.1
- Establishing the facts, collecting evidence
 - Informing the employee of the problem
 - Inviting the employee to a meeting to discuss the issues
 - Deciding what action is appropriate
 - Right of appeal

3.2 Establishing the facts

3.2.1 The matter is investigated by an appropriate manager to establish fact.

3.2.2 In some cases this will require the holding of an investigatory meeting with the individual concerned before proceeding to any disciplinary hearing. Or in other cases it may require a collection of evidence.

3.3 Informing the employee of the problem

- 3.3.1 An individual will be informed of the problem in writing by their line manager. The letter will set out the current circumstances, reflect on what has occurred, and, where it is appropriate, can set out any clear expectations for moving forward. They will always be given an opportunity to put their case in response, at a formal meeting arranged (see 3.4 below) before any formal decisions are made.

3.4 Holding the meeting

- 3.4.1 The employee has the right to be accompanied at the meeting by an appropriate workplace colleague or a friend of their choice.
- 3.4.2 This meeting will be formally minuted (usually this would be done by the PCC Secretary) and minutes will be shared appropriately.
- 3.4.3 A decision will be made as to the outcome of the matter after the meeting, and the individual will be informed of this, and of their right to Appeal as the final stage of the process.
- 3.4.4 Where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause, the Personnel Sub Committee has the right to make a decision on the evidence available.

3.5 Deciding on what action is appropriate in the circumstances

- 3.5.1 Where misconduct is confirmed in the first instance it is usual to give a **written warning**.

- 3.5.2 Where the matter is a further act of misconduct or failure to improve within a set period of time, then a **final written warning** will be issued with clear details of expected changes in behaviour/improvement in work, any training and support that will be given, and a clear timeline (along with the warning of potential dismissal should this recur/not improve).
- 3.5.3 If the matter is of sufficient seriousness it may be appropriate to move directly to a final written warning.
- 3.5.4 Where a final written warning has already been given, following this process, the **decision to dismiss** may be made. The employee should be notified as soon as possible of the reasons for the dismissal, the date on which their contract will end, the appropriate notice period, and of their right of appeal.
- 3.5.5 Only in the most serious – gross misconduct - situations will a **decision to summarily dismiss** be made. The only person who can make this decision is the Chair of the Personnel Sub Committee. (With an independent panel of PCC representatives able to consider any appeals at this stage – see 4 below).

3.6 Right of appeal

- 3.6.1 Employees have the right to appeal against any disciplinary decision that is taken against them.
- 3.6.2 Appeals will be heard without unreasonable delay at an agreed time and place.
- 3.6.3 An employee must inform the PCC Secretary of their wish to appeal against a decision that has been taken, and the grounds on which they wish to appeal and should put these in writing.
- 3.6.4 The PCC Secretary will arrange for appeals to be considered.
- 3.6.5 At the first, and the final, written warning stages, appeals will be considered by the Chair or the Vice Chair of the PCC where the Chair is the direct line manager.
- 3.6.6 Where the individual is appealing against a decision to dismiss, the appeal will be considered by an independent panel of PCC representatives.

4. Rules and Standards

- 4.1 Examples of where disciplinary action may be taken (nb these are examples only):
- ✓ Inappropriate behaviour, such as fighting or drunkenness
 - ✓ unsatisfactory work performance or attitude
 - ✓ harassment/victimisation
 - ✓ misuse of company facilities (for example email and internet)
 - ✓ poor timekeeping
 - ✓ unauthorised absences
 - ✓ repeated or serious failure to follow instructions

4.2 Examples of gross misconduct where disciplinary action will always be taken (NB these are examples only):

- ✓ theft or fraud
- ✓ physical violence or bullying
- ✓ abuse of the protected disclosure procedures
- ✓ deliberate and serious damage to property
- ✓ serious misuse of church property or name
- ✓ deliberately accessing internet sites containing pornographic, offensive or obscene material
- ✓ serious insubordination
- ✓ unlawful discrimination or harassment
- ✓ bringing the organisation into serious disrepute
- ✓ serious incapability at work brought on by alcohol or illegal drugs
- ✓ causing loss, damage or injury through serious negligence
- ✓ a serious breach of health and safety

5. **Suspension on Full Pay**

- 5.1 In some circumstances a Line Manager may decide to suspend an individual member of staff on full pay for a period of time that will enable an independent investigation to take place. Ideally this will be for no more than 5 working days, but this will depend on each set of circumstances. Only the Chair of the Personnel Sub Committee in consultation with the Line Manager may make this decision.
- 5.2 During this period of time staff will receive full pay and benefits without prejudice and will be expected to remain available for work (e.g. to meet with the investigating officer).

6. **Management Authority and Record Keeping**

- 6.1 All records of disciplinary matters will be filed on individual's personnel file.
- 6.2 A written warning will normally be disregarded after one year.
- 6.3 A final written warning will normally be disregarded after one year.

7. **Special Cases**

- 7.1 If an employee is charged with, or convicted of, a criminal offence this is NOT necessarily in itself a reason for disciplinary action – much will depend on the circumstances.
- 7.2 Consideration will be given to each case on its merits – and will also be given to what effect any charge or conviction has on the employee's suitability to continue to do the job, their relationship with the PCC, and their work colleagues.

GRIEVANCE PROCEDURE

It should be emphasised that this is a formal procedure designed to come into effect only after an individual has gone through the immediate channels to try and resolve the conflict informally if at all possible i.e. having tried to reach an agreement over the issue(s) with your Line Manager and/or the Personnel Sub Committee through the normal management structure arrangements.

If an employee has a grievance about an aspect of their employment they should follow the following procedure:

Stage 1

The first stage is to raise the matter in writing with the Line Manager, making it clear that they are acting in accordance with this grievance procedure.

Stage 2

If the matter is not resolved within 14 days the individual employee should raise the matter with the Chair of the Personnel Sub Committee who will work to resolve the issue.

Stage 3

If the matter is not resolved by the Personnel Sub Committee within a further 14 working days the individual employee should inform the PCC Secretary that they wish to raise the matter at the next meeting of PCC. If a meeting is not due to be held within 10 working days, a special meeting of the PCC will be called.

At each of these stages the individual employee is entitled to be accompanied by a friend or colleague.

If the employee is not satisfied with the outcome of the process they are able to take the issue further e.g. approaching the Advisory, Conciliation and Arbitration Service (ACAS). However at any stage throughout the grievance process, advice may be sought from the diocesan Human Resources Manager.

WHISTLEBLOWING POLICY

1 Introduction and Legislation

- 1.1 Under certain circumstances, employees have legal protection if they make disclosures about an organisation for which they work. These employees are commonly referred to as 'whistle blowers' and their activities have often received wide publicity in the media.
- 1.2 An employee who believed, for example, that an organisation was disposing of toxic waste illegally may have 'blown the whistle' directly to the press or television, perhaps because of concern for the environment, a belief that the organisation would attempt a 'cover-up' if asked to stop, or for financial gain.
- 1.3 Employees, who blew the whistle on organisations, were often treated detrimentally by them or their employment was terminated. This discouraged employees from whistleblowing even where such action would be for the good of the public. New legislation is designed to protect employees from suffering any detriment or termination of employment for whistle blowing.

2. Qualifying Disclosures

- 2.1 Certain disclosures are prescribed by law as 'qualifying disclosures' i.e. where it can be shown that the organisation commits a 'relevant failure' by
- ✓ Committing a criminal offence.
 - ✓ failing to comply with a legal obligation.
 - ✓ a miscarriage of justice.
 - ✓ endangering the health and safety of an individual.
 - ✓ environmental damage.
 - ✓ concealing any information relating to the above.
- 2.2 These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen.

3. The Procedure

- 3.1 In the first instance concerns may be reported in complete confidence to the Chair of the Personnel Sub Committee or the Line Manager.
- 3.2 If there is not a satisfactory explanation or reason given, the next stage is to raise the matter with the appropriate organisation/body, e.g. the Police, the Environment Agency, Health and Safety Executive or Social Services Department.
- 3.3 NB: Employees have the right to raise concerns directly to an appropriate professional or recognised organisation/body.

4. GENERAL NOTES

- 4.1 The Public Interest Disclosure Act 1998 prevents employees from suffering a detriment or having their contract terminated for 'whistle blowing' and the PCC takes very seriously any concerns which may be raised under this legislation.
- 4.2 Employees are encouraged to use the procedure if they are concerned about any wrong doing at work. However, if the procedure has not been invoked in good faith (e.g. for malicious reasons or in pursuit of a personal grudge), then it will make them liable to immediate termination of employment or such lesser disciplinary sanction as may be appropriate in the circumstances

DEPENDANTS LEAVE POLICY

1. Introduction

1.1 An employee is entitled, in law, to a short period(s) of unpaid leave (usually no more than a few days) to assist in dealing with emergency situations or to make alternative arrangements in instances such as:

- ✓ providing assistance when a dependent is injured, falls ill or gives birth
- ✓ to make care arrangements for a dependent who is ill or falls ill
- ✓ in the consequence of the death of a dependent
- ✓ due to the unexpected disruption or termination of current care arrangements

2. Dependants

2.1 A Dependant is defined in law as:

- ✓ A spouse or civil partner
- ✓ Child
- ✓ Parent
- ✓ Grandparent
- ✓ Co-habitee
- ✓ Anyone who reasonably relies on the employee for assistance in cases of illness
- ✓ and/or injury

3. Dependants Leave Arrangements

3.1 An employee must let their Line Manager know as soon as possible of their need to be absent from work and an idea of how long they will need to make suitable arrangements for cover.

3.2 The amount of time-off which is 'reasonable' will depend on each set of circumstances.

3.3 Where prolonged absence is required individuals should talk to their line manager. It may be possible for them to agree a period of special leave, compassionate leave, unpaid leave, or to make up time lost through a short-term flexible working arrangement.

MATERNITY LEAVE POLICY

1. Introduction

- 1.1 Employees should inform the PCC as soon as possible of their pregnancy in order to receive information/advice regarding their entitlement to maternity leave and pay, and in order for appropriate Health and Safety assessments to be undertaken. However, it is recognised that some employees may not wish to announce their pregnancy during the early stages.

2. Ante-Natal Care

- 2.1 An employee has the right to paid time-off for ante-natal care regardless of the length of service or the number of hours that they work.
- 2.2 Employees need to obtain authorisation to take the time off and provide evidence of their ante-natal appointments and/or a certificate from their GP/clinic confirming the pregnancy.

3. Ordinary and Additional Maternity Leave Entitlements

- 3.1 An employee, regardless of their length of service will be entitled to:
- ✓ 26 weeks' ordinary maternity leave (OML), and
 - ✓ 26 weeks' additional maternity leave (AML)
- 3.2 SMP (statutory maternity pay) only is paid for the first 39 weeks of full maternity leave (therefore the final 13 weeks are unpaid). See 5 below.

4. Claiming entitlements

- 4.1 Once an employee has decided when they wish to commence maternity leave, they must give a minimum of 28 days notice, in writing. If this is not reasonably practicable they should discuss options with their Line Manager.
- 4.2 They must confirm the following details
- ✓ Their full name and place of work
 - ✓ The expected date of childbirth
 - ✓ The date the employee is intending to commence maternity leave **which** cannot start before the beginning of the 11th week before the expected week of confinement

Employees have the right to change the date they wish to commence their maternity leave. However, they must give a reasonable period of notice.

5. Claiming Benefits

- 5.1 Depending on the employee's length of service, they are entitled to SMP – Statutory Maternity pay

5.2 **Statutory Maternity Pay (SMP)** is paid to employees who are:

- ✓ employed by the end of the 15th week before their baby is due (qualifying week) and where:
- ✓ they have completed **at least 26 weeks continuous service** at the qualifying week
- ✓ they have given 28 days notice confirming the commencement date of their maternity leave
- ✓ their average earnings are above the lower earnings limit for National Insurance contributions
- ✓ they are still pregnant at the 11th week before their baby is due or have had their baby by that time.

5.4 If an employee has **less than 26 weeks** they will not be entitled to SMP and they should seek advice from the Department of Work and Pensions to identify whether they qualify for maternity allowance. The PCC will issue an SMP 1 form to confirm that no payment will be made from the employer.

6. **Starting maternity leave and pay**

6.1 Maternity leave/pay can start on any day of the week but not before the beginning of the 11th week before the expected week of childbirth. However, if an employee gives birth before the start of their maternity leave, then their maternity leave/pay will start the day after the birth.

7. **Maternity Pay**

7.1 **Income Tax** - Payments of SMP are subject to income tax in the same way as normal earnings.

7.2 **National Insurance** - Payments of SMP are subject to National Insurance contributions in the same way as normal earnings.

8. **Details of Maternity Pay**

8.1 Along with the first maternity payment, an employee will receive a letter from the Personnel Sub Committee which will confirm details of:-

- ✓ the date the maternity pay (SMP) arrangements start
- ✓ the rates of maternity pay an employee will receive
- ✓ the period over which the maternity pay will be paid.

8.2 Should employees have any queries about the figures, they should contact the Personnel Sub Committee for further information.

9. **Pregnancy related-illness before maternity leave commences**

9.1 If an employee is absent from work, due to a pregnancy related illness, at the beginning of the 4th week before the expected week of childbirth, this absence

will trigger the start of an employee's maternity leave. In this case, an employee's maternity leave will commence on the day after the first day of absence after the beginning of the 4th week before the expected week of childbirth.

- 9.2 Employees must inform their line manager if their baby arrives before they commence maternity leave so that the manager can arrange for the Personnel Sub Committee to write to the employee again to confirm the revised date for their return to work from maternity leave.

10. Working During Maternity Leave (Keeping in Touch days)

- 10.1 Keeping in Touch (KIT) days allows an individual to work up to 10 days during maternity leave without losing the right to maternity pay or bringing the leave to an end.
- 10.2 Both employee and manager must agree to KIT days being worked. However, there is no obligation for the individual to attend work or any obligation for the PCC to offer KIT days.
- 10.3 In the case of part-time employees, pay will be calculated, based on the employee's average weekly contracted hours over 5 days, to ascertain an average days hours/pay, rather than a reflection of the actual weekly working pattern i.e. specific days worked each week prior to maternity leave.
- 10.4 Regardless of whether someone is full-time or part-time the principle remains that if the maternity pay already equates to or exceeds the pay the employee would normally have received for working a KIT day, no further remuneration would be payable. If, however, the work completed during the KIT day equates to more than the pay received, they will be paid the difference.
- 10.5 Whether a whole day has been worked or only part, one whole KIT day will be deducted from the 10 days entitlement.
- 10.6 A KIT day cannot take place during the first two weeks following the birth of a child.
- 10.7 KIT days are not an extension to ordinary or additional maternity pay period i.e. they cannot be used at the end of maternity leave to extend the period.

11. Returning to work after maternity leave

- 11.1 Under current regulations, the PCC will assume that an employee will return to work at the end of their maternity leave and will notify the employee of their return date.
- 11.2 If an employee wishes to return to work before their official return date, then they must give the employer the appropriate notice of 28 days of their early return.
- 11.3 When it has been agreed that an employee can return to work on a different contractual basis, i.e. part-time, job-share – a change to contract letter will be

agreed along with a new Statement of Particulars and job description – the continuing service date will remain as it is on the current Statement.

- 11.4 When it has been agreed that an employee can take parental leave or a career break immediately following the expiry of maternity leave this should be officially confirmed in a letter from the Personnel Sub Committee with the new return date.
- 11.5 An employee has the right to return to the job in which they were employed prior to the maternity leave period. Where it is not practical for an employer to permit the return to an employee's original job because of redundancy or other exceptional circumstance, e.g. reorganisation, they will be offered a suitable alternative job where one exists. The offer of suitable alternative employment should be on terms and conditions that are no less favourable had the employee not have been on maternity leave.
- 11.6 If an employee decides not to return to work after the maternity leave period, they must write to their Line Manager informing them of their decision to resign from their post, giving the necessary contractual notice period.

12. Maternity Leave and Annual leave

- 12.1 The period of absence on maternity leave will be counted as "service" for the purposes of annual leave. An employee must take their annual leave in the current year before the commencement of their maternity leave. Where it is not possible to take the annual leave entitlement before the commencement of the maternity leave period, for example where the baby arrives early, then this leave can be taken after the maternity leave period.
- 12.2 If the employee decides to return to work in the current leave year then they may take their annual leave entitlement once they have returned to work.
- 12.3 If an employee is unsure whether they will be returning to work, they should be advised to take only an amount based on her anticipated service in the current leave year. This will avoid the employee having to repay money in respect of any excess annual leave taken. If the employee returns to work they will be entitled to any outstanding leave entitlement due to her in that leave year, subject to the normal carry over arrangements.
- 12.4 An employee is entitled to receive their entitlement to any bank holiday(s) that fall during the ordinary maternity leave (OML) period only. When it is clear when the maternity leave will start and bank holidays fall during the period, then they will be added onto their annual leave entitlement and should be taken, where possible, before the commencement of maternity leave. Where an employee is unable to take their entitlement to bank holiday(s) before the commencement of maternity leave then these can be taken after the maternity leave ends.

13. Health & Safety

- 13.1 A pregnant employee is given specific health and safety protection under the European Union "Pregnant Workers Directive" and the Management of Health & Safety at Work Regulations 1999 and the Working Time Regulations 1998.

- 13.2 Employers have to assess the risks to which their employees may be exposed in the course of their work, and must now bear in mind the risks to new and expectant mothers and their unborn child. Employees are reminded that they also have a responsibility to identify any areas of work and work practices, which might adversely affect their work health and safety.
- 13.3 Where a risk cannot be avoided, the Personnel Sub Committee /Line Manager will discuss with the employee what measures can be taken to minimize the risks. Following the appropriate risk assessment, in exceptional cases and where suitable alternative work cannot be found, it may be necessary to consider alternatives.

ADOPTION LEAVE POLICY

1. Introduction

- 1.1 An employee should inform their line manager as soon as possible of their intention to adopt a child. It is recognised that some employees may not wish to announce their intentions at an early stage of being assessed for adoption, but as the process for adoptions can be lengthy and sometimes difficult, the PCC would want to offer appropriate practical support or pastoral care throughout the process.
- 1.2 Adoption leave is open to single people adopting, or to couples. Where a couple is adopting they need to decide which takes the adoption leave and which takes paternity leave and pay.

2. Time off for introductions

- 2.1 An employee has the right to paid time-off for specific introduction meetings with appropriate social workers/children regardless of the length of service or the number of hours that they work.
- 2.2 Employees need to obtain their Line Manager's authorisation to take the time off and provide evidence of any such appointment.

3. Adoption Leave Entitlements

- 3.1 Applies where an employee can demonstrate that they have been matched with a child through an authorized county council / adoption agency.
 - Ordinary Adoption Leave (26 weeks)
 - Additional Leave (a further 26 weeks) begins the day after the Ordinary Leave ends* on the condition that the employee has been employed by the PCC for 26 weeks at the end of the 15th week before the week in which the approved match is made.

4. Claiming entitlements

- 4.1 Once an employee has decided the date on which they wish to commence their Ordinary Adoption leave, they must give notice, in writing. If this is not reasonably practicable they should discuss options with their line manager.
- 4.2 They must confirm the following details discussed for their personnel file.
 - ✓ Their full name and place of work
 - ✓ The expected date of the child being matched
 - ✓ The date the employee is intending to commence adoption leave

Employees have the right to change the date they wish to commence their adoption leave. However, they must give a reasonable period of notice.

- 4.3 Ordinary Adoption Leave may commence from a predetermined date up to 14 days before the expected date of placement (within the UK for UK related adoptions). Where an overseas adoption is taking place leave may begin from the date of the child's entry into the UK or from a predetermined date up to 28 days after that.

5. Claiming Benefits

- 5.1 Statutory Adoption Pay is paid by the PCC via the normal payroll arrangements and is paid for 39 weeks in total to any employee who has worked for the PCC for a minimum period of 26 weeks up to and including the 15th week before the expected week of matching process AND who has average weekly earnings equal to or greater than the lower earnings limit for NI contributions is entitled to Statutory Adoption Pay.
- 5.3 After the 39 weeks the individual is entitled to a further 13 weeks unpaid leave. Which makes the leave up to the 52 weeks available through adoption leave provision.
- 5.4 Statutory Adoption Pay (SAP) only is paid to employees who are:
- ✓ they have completed **at least 26 weeks continuous service** at the qualifying week
 - ✓ they have given notice confirming the commencement date of their being matched with a child/children
 - ✓ their average earnings are above the lower earnings limit for National Insurance contributions
- 5.5 If an employee has **less than 26 weeks** with the PCC they will not be entitled to SAP. The employee will need to seek advice from the Department of Work and Pensions to identify whether they qualify for maternity allowance. The Employee will be issued a SAP 1 form to confirm that that no payment will be made from the employer.

6. Pay

- 6.1 **Income Tax** - Payments of SAP are subject to income tax in the same way as normal earnings.
- 6.2 **National Insurance** - Payments of SAP are subject to National Insurance contributions in the same way as normal earnings.

7. Details of Leave and Pay

- 7.1 Along with the first payment, an employee will receive a letter from the Personnel Sub Committee which will confirm details of:-

- ✓ the date the adoption pay starts
 - ✓ the rates of adoption pay an employee will receive
 - ✓ the period over which the adoption pay will be paid
- 7.2 Should employees have any queries about the figures, they should contact the Personnel Sub Committee for further information.

8. Working During Maternity Leave (Keeping in Touch days)

- 8.1 Keeping in Touch (KIT) days allows an individual to work up to 10 days during adoption leave without losing the right to adoption pay or bringing the leave to an end.
- 8.2 Both employee and manager must agree to KIT days being worked, However there is no obligation for the individual to attend work or any obligation for the PCC to offer KIT days.
- 8.3 In the case of part-time employees, pay will be calculated, based on the employees average weekly contracted hours over 5 days, to ascertain an average days hours/pay, rather than a reflection of the actual weekly working pattern i.e. specific days worked each week prior to maternity leave.
- 8.4 Regardless of whether someone is full-time or part-time the principle remains that if the adoption pay already equates to or exceeds the pay the employee would normally have received for working a KIT day, no further remuneration would be payable. If, however, the work completed during the KIT day equates to more than the pay received, they will be paid the difference.
- 8.5 Whether a whole day has been worked or only part, one whole KIT day will be deducted from the 10 days entitlement.
- 8.6 A KIT day will not take place during the first two weeks following the placement of a child.
- 8.7 KIT days are not an extension to ordinary or additional adoption leave or pay period i.e. they cannot be used at the end of leave to extend the period.

9. Returning to work after adoption leave

- 9.1 Under current regulations, the PCC will assume that an employee will return to work at the end of their adoption leave and will notify the employee of their return date.
- 9.2 If an employee wishes to return to work before their official return date, then they must give the employer the appropriate notice of 28 days of their early return.
- 9.4 When it has been agreed that an employee can return to work on a different contractual basis, i.e. part-time, job-share – a change to contract letter will be agreed along with a new Statement of Particulars and job description – the continuing service date will remain as it is on the current Statement.

- 9.5 When it has been agreed that an employee can take parental leave or a career break immediately following the expiry of adoption leave this should be officially confirmed in a letter to the PCC with the new return date.
- 9.6 An employee has the right to return to the job in which they were employed prior to the adoption leave period. Where it is not practical for an employer to permit the return to an employee's original job because of redundancy or other exceptional circumstance, e.g. re-organisation, they will be offered a suitable alternative job where one exists. The offer of suitable alternative employment should be on terms and conditions that are no less favourable had the employee not have been on adoption leave.
- 9.7 If an employee decides not to return to work after the adoption leave period, they must write to their Line Manager informing them of their decision to resign from their post, giving the necessary contractual notice period.

10. Adoption Leave and Annual leave

- 10.1 The full period of absence on adoption leave will be counted as "service" for the purposes of annual leave. As far as is practicable an employee must take their accrued annual leave in the current year before the commencement of their adoption leave. Where it is not possible to take the annual leave entitlement before the commencement of the adoption leave period, for example where there are placement difficulties then this leave can be taken after the adoption leave period.
- 12.2 If the employee decides to return to work in the current leave year then they may take their annual leave entitlement once they have returned to work.
- 12.3 If an employee is unsure whether they will be returning to work, they should be advised to take only an amount based on her anticipated service in the current leave year. This will avoid the employee having to repay money in respect of any excess annual leave taken. If the employee returns to work they will be entitled to any outstanding leave entitlement due to her in that leave year, subject to the normal carry over arrangements.

PATERNITY LEAVE POLICY

1. Introduction

- 1.1 Employees should inform the Line Manager and PCC Secretary as soon as possible of their partner's pregnancy.

2. Qualifying Criteria

- 2.1 An employee who is the father of the child (adopted, foster or birth) or married to, or the partner of, the children's mother, is entitled to paternity leave if he has the responsibility of the child's upbringing.
- 2.2 Same sex partners are legally included.
- 2.3 The employee must have been continuously employed for at least 26 weeks ending with the week immediately preceding the expected week of childbirth (EWC).
- 2.4 There is a right to paternity leave even if the child has died or was stillborn after 24 weeks of pregnancy.

3. Paternity Leave Arrangements

- 3.1 The employee is entitled to take two consecutive weeks paid leave, but not two separate weeks and not individual days and the leave must be taken within 56 days of a child's birth.
- 3.2 Notice must be given of the intention to take Paternity Leave in writing, detailing the expected week of delivery, the length of the leave to be taken and the start date. This date can be varied with reasonable notice depending on the individual circumstances.
- 3.3 The employee is entitled to return to the job in which he was previously employed or to a suitable and appropriate post (having followed the required procedures).
- 3.4 If the employee is either an expectant father or in a same sex relationship they need only specify the EWC or the date of the child's adopted placement and the duration of the leave period and this must be given at least 21 days in advance

4. Additional Paternity Leave law changes in 2011

- 4.1 For those who are having children or adopting a child on or after 3rd April 2011 there is a new right for a father to take up the additional maternity leave of the mother providing that the mother has ended her maternity leave and returned to work.
- 4.2 This additional paternity leave must be taken as one continuous period, and must be for full weeks and for a period of between two and 26 weeks.

- 4.3 The only pay due to the father during this additional paternity leave is from their own employer and will be the outstanding SAP which the mother has not taken when she returns to work.

PARENTAL LEAVE POLICY

1. Introduction

- 1.1 Employees are entitled in law to a period(s) of time to assist in the arrangements for their child(ren)s welfare.
- 1.2 ALL parental leave is unpaid (whether for father/mother/other carer).

2. Qualifying Criteria

- 2.1 An employee who has been in the employment of the PCC for at least one year and who has or expects to have parental responsibility for a child is entitled to parental leave.

3. Parental Leave Entitlements (see leave arrangements in 4 below)

- 3.1 The employee is entitled to take up to 13 weeks unpaid leave in total in respect of each child up to their fifth birthday.
- 3.2 The employee is entitled to take up to 13 weeks unpaid leave in total in respect of each child receiving a disability living allowance, up to the age of eighteen years old.
- 3.3 The employee is entitled to take up to 13 weeks unpaid leave in total in respect of each adopted child until the fifth anniversary of the date of placement or the child's eighteenth birthday, whichever is the earlier.

4. Parental Leave Arrangements

- 4.1 Employees cannot take in excess of 4 weeks parental leave in respect of an individual child during a period of 12 consecutive months.
- 4.2 Employees must take leave in blocks of one working week (i.e. not single days).
- 4.3 Notice for requesting leave must be at least 21 days notice - except in cases of adoption or for a child with a disability.
- 4.4 The PCC may give notice for a request to be postponed providing the reasons are reasonable and new dates given for the leave to be taken within a six month period. The decision for deferring leave may be made ONLY up to 7 days after the initial request is received.

SICKNESS SELF-CERTIFICATION

Issue 1

This form should be completed on your return to work following any period of sickness.

If you are returning to work after a period of sickness of more than 7 calendar days a medical certificate or certificates should already have been provided to cover the period of absence in excess of these first seven days.

NAME:	
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FROM	Dates of sickness (Including non-working days)	TO
_____	_____ am/pm	_____ am/pm
_____	_____ day	_____ day
_____	_____ date	_____ date

FROM	Dates of absence	TO
_____	_____ am/pm	_____ am/pm
_____	_____ day	_____ day
_____	_____ date	_____ date

Details of sickness or injury

Did you consult a Doctor? YES/NO. If YES please give details of: Doctor's name, address, date of visit, treatment received and any current treatment. If NO please state why not.
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<p style="text-align: center;">Declaration</p> <p>I certify that I was incapable of work because of my sickness/injury on the dates shown and that this information is true and accurate.</p> <p>I acknowledge that false information will result in disciplinary action.</p> <p>I hereby give my employer permission to verify the above information.</p> <p>Signed _____ Acknowledged _____ (employee) (for employer)</p> <p>Date _____</p>
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REIMBURSEMENT of EXPENSES

From _____

Date of expense _____

Description of expense including the area of the church's activity that the expense relates to

Total amount claimed £ : _____

Signature _____

Authorised _____
Line Manager/Vicar/Church Warden/Treasurer

For treasurers use

Cheque number

Date Paid