

Dr M.K. Ayres
Town Clerk

7th October 2026

Personnel Committee

Yours sincerely

M.K. Ayres

Town Clerk

Councillor Vile and Councillors Bishop, Bonfield, Dorrington, Foster and Sutton.

PLEASE NOTE: 15 MINUTES OF PUBLIC PARTICIPATION TIME WILL BE HELD AT 11.00 A.M. PRIOR TO THE COMMENCEMENT OF THE MEETING.

AGENDA

1. Apologies.
2. Declarations of Interest and consideration of requests for Grants of Dispensations (Councillors are reminded of their obligations to declare their interests in accordance with Section 9 and Appendix B of the Council's Code of Conduct).
3. Staff Handbook Policy Updates
(Staff Handbook and Briefing note enclosed)
4. Items of Information and Matters for Forthcoming Agendas.
- * 5. To consider potential change to the staff structure and preliminary employee budget for the 2027/28 financial year.
(Briefing note enclosed)
6. Date of next meeting – 21st April 2027

* Under Standing Order No. 1 c), it is envisaged that in view of the confidential nature of the business to be transacted, it is advisable in the public interest that the press and public will be excluded from the Meeting during consideration of agenda item 5 (due to data protection requirements).

Staff Handbook Policy Updates

Employment Rights Act 2025

Council last approved the Staff Handbook in November 2025, following a review by this committee on 15th October 2025. This included significant updates and additions to the Staff Handbook. However, further updates are now required as a result of the Employment Rights Act 2025, with the majority of the amendments coming into force in April 2026. These are statutory provisions and the council has no determination in their inclusion in the Staff Handbook.

A summary of the changes has been provided in Appendix A, and the text highlighted yellow within the body of the revised Staff Handbook.

In addition to the statutory amendments, further amendments are being put forward for consideration by Members and are highlighted in blue.

Leave Policy

Amendments have been made to the following sections of the Leave Policy:

5. Jury Service: page 16 of handbook

This revised section outlines the Council's and an employees' requirements regarding payment and any implications for pension contributions.

6. Medical Appointments: page 16 of handbook

A section titled Medical Appointments has been included in the Leave Policy Section 6 at page 16, with draft wording from the SWC. This has been included in order to remove ambiguity regarding the treatment of time off for medical appointments, as this can vary between departments.

In general, routine medical, dental, optician or health appointments should be made outside working hours wherever possible.

Swanage Town Council appreciates that it is not always possible to avoid appointments during the working day. Where this is the case, employees should make a request to their line manager to agree a convenient time, giving as much notice as possible. Requests will not be unreasonably refused. Employees will be required either to make up any lost time, use annual leave entitlement or take unpaid leave. See 'Pension' section at the end of this policy regarding the implications of taking unpaid leave.

Employees who have a serious or long-term medical condition which will require appointments during their working day should discuss their situation with their manager so that appropriate arrangements may be considered.

Employees will be required to provide evidence of any appointment for which time off is needed.

OR alternatively the following may be included to make provision for some paid absence which is more in line with current practice:

In general, routine medical, dental, optician or health appointments should be made outside working hours wherever possible.

In exceptional cases where this is not reasonably practical paid time off work will be permitted to attend such appointments, providing that the appointment is requested, and the timing of the appointment causes as little disruption as possible, i.e. at the beginning or end of the working day. This will only be for medical appointments that cannot be accommodated out of hours – Swanage Town Council takes the stance that Dentists and Doctors do provide services outside of normal working hours as a matter of course.

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

Any medical absence in excess of half a working day will need to be taken as holiday or unpaid leave.

In line with the 'Green Book', necessary paid time off will be granted for cancer screening.

Members are asked to consider the wording of this section, to enable Managers to consistently and fairly apply this policy throughout all departments.

A further addition to account for employees with a serious or long-term medical condition could be included as below:

Employees who have a serious or long-term medical condition which will require appointments during their working day should discuss their situation with their manager so that appropriate arrangements may be considered. Managers have some discretion to agree reasonable adjustments tailored to individual circumstances. However, these must only be agreed in the context of HR and occupational health advice and must be recorded in writing, most likely in the format of a Reasonable Adjustments Passport. Any reasonable adjustments must strike a balance between the needs of the individual, the operational requirements of the Town Council and the Council's commitment to equality and fairness to all its employees.

8. Reserve Forces: page 17 of handbook

This is a new inclusion and reflects the Council's commitment to the Armed Forces Covenant by dedicating a specific section to this leave category. Members will need to set the number of days leave allowed.

Allowances

2. Eye Tests: page 27 of handbook

An employee has requested that the Optical Coherence Tomography (OCT) tests be included within the scope of Allowances: Section 2- Eye tests page 25. Currently, the

Council reimburses employees who are identified as a DSE user for the costs of an essential eye (sight) test.

Specsavers website states that:

OCT scans are recommended for people aged 25 or over, who want to know more about their eye health, or those who have diabetes, glaucoma, or have a family history of eye disease.

These are discretionary tests and do not form part of the essential eye test.

The committee has delegated authority to approve minor changes to the staff handbook. Members are therefore asked to consider both the nature and scale of the changes proposed to determine whether or not this matter can be dealt with under delegated authority or needs to be the subject of a recommendation to full Council.

Decisions required:

- To approve or recommend the amendments made to the Staff Handbook as per Appendix A
- To determine the policy in respect of medical appointments.
- To determine the allowance for time off for Reserve Forces activities.
- To determine whether the OCT scan should fall within the scope of the definition of an eye test.

Martin Ayres, Town Clerk
Alison Spencer, Finance Manager
Brigitta Varga, Personnel Officer
October 2026

Policy name	Summary of change
Leave Policy	Update to existing policy: Section 11 - Updated following Employment Rights Act 2025 – confirms that Parental leave is now a day one right. Update to existing policy: Section 5 – Updated adding new information Section 6 – New section included on taking time off for medical appointments. Section 8 – New section included regarding Reserve Forces Section 14 - Updated to reflect changes made in relation to pension contributions made during periods of unpaid leave. • Section 14.6 Strike Action included • Section 14.7 Reserve Forces Leave included
Maternity Policy	Update to existing policy: Section 11 – Updated to include information regarding surrogacy. Section 12 – Updated in relation to buying back pension.
Neonatal Policy	Update to existing policy: Section 13 – Updated in relation to buying back pension.
Paternity Policy	Update to existing policy: Section 2.1 – Updated following Employment Rights Act 2025 – confirms that paternity leave is now a day one; Section 4.1 – Updated information regarding surrogacy.
Bereaved Partner's Paternity	New policy setting out the statutory provisions introduced as part of the Employment Rights Act 2025.
Adoption Policy	Section 2 – Updated to include Adoption Support Leave and surrogacy. Section 7 – New information added regarding foster parents Section 11 – Updated in relation to buying back pension.

Shared Parental Leave Policy	Update to existing policy: Section 6.2 – Updated following Employment Rights Act 2025 – confirms that paternity leave can now be taken either before or after periods of SPL. Section 11 – Updated in relation to buying back pension.
Whistleblowing Policy	Update to existing policy: Section 4 – Updated following Employment Rights Act 2025 – confirms that Sexual Harassment is now included as one of the qualifying disclosure options.



Swanage Town Council

Staff Handbook

Document Adopted: January 2022	
Revision dates:	Revisions made to:
April 2023	• Leave Policy: Annual Leave Entitlement
October 2023	• Organisational Chart Updated
April 2024	• Organisational Chart Updated • Members' & Officers' Protocol • Leave Policy: Carers Leave • Flexible Working Policy • Paternity Policy • Bullying & Harassment Policy
November 2025	• Absence Management Policy: Updated, Process Flow Chart • Disciplinary Procedure: Updated, Process Flow Chart • Grievance Policy: Updated, Process Flow Chart • Bullying and Harassment Policy: Sexual harassment legislation • Bullying and Harassment Complaints Procedure: Updated • Neonatal Policy: New • Menopause Policy: New • Health and Wellbeing Policy: New • Reasonable Adjustment Policy: New

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Introduction

1. Overview

As an employee of Swanage Town Council you are vital to the success of our work in the community. Your enthusiasm, helpfulness, commitment and performance, whatever position you hold, is essential to uphold the Council's image and professional reputation.

2. Scope

This Handbook and the policies contained within it apply to all employees of Swanage Town Council. The Handbook covers important aspects of employment, and we ask that all employees read it carefully in conjunction with the Written Statement of Particulars with which they have been issued. Once read, employees are asked to sign the "Staff Handbook Statement For Signature," this is to confirm that they have read and understood the Handbook's content.

The handbook will be shared with all new employees as part of their induction, and all employees are responsible for ensuring they are aware of and follow the policies contained within it.

If an employee has any concerns about the handbook or does not understand any element of it, they should discuss this with their line manager or the Town Clerk.

3. Review

This Handbook will be reviewed and amended as necessary in line with good practice and in response to legislative changes, decisions of the Council or other relevant developments.

Changes will be subject to consultation where appropriate with employees and any recognised Trade Union.

When a change has been made this will be communicated to all employees, and electronic and hard copies will be updated accordingly.



About The Council

Swanage Town Council is the parish authority for the town of Swanage. With a population of 10,000 (approx.) it is the largest parish in the local area.

The Town Council has twelve Town Councillors, elected for a term of five years. The Council also elects the Mayor, who acts as Chairman, and a Deputy Mayor.

The Town Council works in partnership with Dorset Council, whose main responsibilities include local planning and development control, environmental health, refuse collection, recycling and street cleaning, economic development, licensing and the collection of Council Tax.

The Town Council operates by having regularly scheduled monthly meetings.

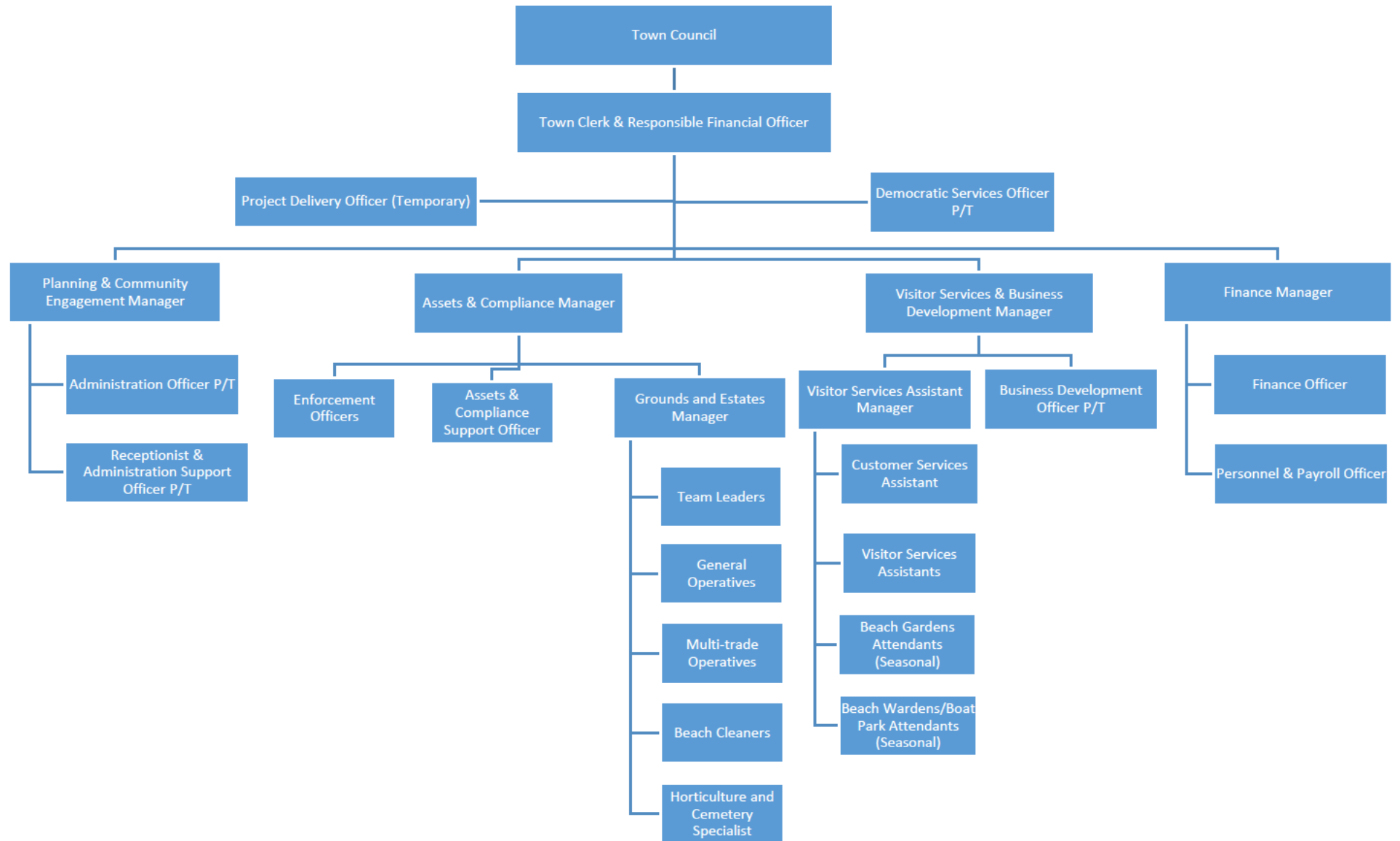
The Council also has a number of committees one of which deals with Personnel matters and meets as and when required.

Swanage Town Council, which has the status of a parish Council, has a far wider range of activities and responsibilities than is usual. These include:

- Allotments
- Car Parks
- Cemeteries
- Public Gardens
- Children's Play Areas
- Sporting facilities (Beach Gardens)
- Main Beach
- Boat Park
- Public Conveniences
- Tourist Information Centre
- Town Hall

A large amount of information about the Town Council, its meetings, activities and policies can be found on its website, www.swanage.gov.uk.

Swanage Town Council – Organisational Chart





Terms and Conditions of Service

Swanage Town Council

Employees' terms and conditions of employment will be in accordance with collective agreements negotiated from time to time by the National Joint Council for Local Government Services.

These are set out in the Scheme of Conditions of Service, which is known as 'the Green Book'. A copy of this is available from the Town Clerk on request; key terms and conditions are included in each employee's written contract of employment. This agreement is supplemented by local agreements and by the rules of the Council.

This handbook provides all employees with information relating to locally agreed policies, rules of the Council and other useful information relevant to their employment.

From time to time updates and amendments will be necessary. Some result from new/amended legislation and/or changes agreed at national level. Local changes may also be made after consultation with employees or their representatives.

It is impossible to implement rules and policies for every eventuality. Many rules are implied by the need for courtesy and common sense. The Council expects all employees to exercise discipline in their behaviour, their attitudes and their relationships with fellow employees, customers and members.



Standards of Dress

Swanage Town Council

All staff should keep in mind the need to present a smart, efficient appearance to the public. Standard of dress can affect people's impression of the Council's pride in its performance.

In those departments where staff wear their own clothing, during the summer period in particular staff should avoid dress that is too casual e.g. t-shirts, leggings or shorts. Male staff in a public facing role or whilst attending formal meetings, should keep to a smart collar and tie.

All staff should wear any uniforms that have been provided by the Town Council. The wearing of safety clothing and equipment issued is essential. Any individual not wearing the appropriate equipment may be subject to disciplinary action.



Code of Conduct

Swanage Town Council

Local government employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality.

Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

It is generally accepted that open government is best. Employees must be aware of which information their authority is and is not open about, and act accordingly.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor pass it on to others who might use it in that way.

Employees must service the authority as a whole and ensure that the individual rights of all councillors are respected.

Employees are responsible to the authority through its senior managers. For some, their role is to give advice to councillors and senior managers, all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government.

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees involved in appointments should ensure that these are made on the basis of merit. Employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.



Members' and Officers' Protocol

Swanage Town Council

1. Introduction

The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council. It supports both the Members' and Officers' Codes of Conduct, the latter forming part of the Council's adopted Staff Handbook.

This protocol does not seek to be comprehensive but provides guidance on some of the issues that most commonly arise. It is hoped that the approach that it adopts to these issues will serve as a guide to dealing with other circumstances.

If this protocol is followed it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members. It will also help to maintain and enhance the integrity of local government, which demands the highest standards of personal conduct.

2. The Relationship: General Points

While Members and Officers are indispensable to one another, their responsibilities are distinct. Members are accountable to the electorate and serve as long as their term of office lasts. Members are responsible for setting policy.

Officers are accountable to the Council as a corporate body. Their job is to give advice to Members (individually and collectively) and to carry out the Council's work under the direction of the Council.

Member/Officer relationships are to be conducted in a positive and constructive way. The Council's adopted Codes of Conduct provides that Members and Officers must treat each other with respect, acknowledging the roles and duties of each other. In line with this, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position.

Members must respect the impartiality and integrity of all the Council's Officers. Similarly, all Officers must respect the role of Members as elected representatives. It must be recognised by all Officers and Members that, in discharging their duties and responsibilities, Officers serve the Council as a corporate body and not exclusively any political group, combination of groups or any individual Member of the Council.

Informal and collaborative two-way contact between members and officers is encouraged. But personal familiarity can damage the relationship, as might a family or business connection. It is not enough to avoid impropriety. Members and Officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct.

Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived.

Inappropriate relationships can be inferred from language and style. To protect both Members and Officers, Officers should address Members at all formal meetings as Councillor xxx and Chair/Chairman/Chairwoman/Chairperson save where circumstances clearly indicate that a level of informality is appropriate. Similarly, when addressing Officers at formal meetings of the Council, Members should address Officers by their post title.

A Member should not raise matters relating to the conduct or capability of an Officer at meetings held in public. This is a long-standing convention in public service. An Officer has no means of responding to such criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or have any concern about the conduct or capability of an Officer they should raise the matter with the Town Clerk.

Members and Officers should respect each other's free (i.e. non-Council) time and avoid any communication outside of office hours wherever possible, except in the case of an emergency. Agenda papers may be sent to official councillor e-mail addresses out of hours in order to comply with statutory deadlines.

3. The role of Members and Officers

Members have the following main roles:

- Determining the core values of the Council and approving the authority's policy framework, strategic plans and budget.
- Monitoring and reviewing the performance of the Council in implementing that policy and delivering services.
- Balancing different interests identified within the community and representing the community as a whole.
- Acting as advocates on behalf of their constituents and the wider community.
- Promoting the social, economic and environmental well-being of the community, often in partnership with other agencies.

Members need to be alert to the potential for conflicts of interest which may arise between their various roles. Where such conflicts are likely, members may wish to seek the advice of senior colleagues, the Town Clerk and/or Dorset Council's Monitoring Officer.

Officers have the following main roles:

- Initiating policy proposals.
- Implementing agreed policy, managing and providing Council services and being accountable for the efficiency and effectiveness of those services provided.
- Providing professional advice to the Council and individual members.
- Ensuring the Council always acts in a lawful manner.

Day to day managerial and operational decisions should remain the responsibility of the Town Clerk and other Officers at all times.

4. Officer Support to Members

Support provided by Officers can take different forms, ranging from the normal briefing with a Chairman prior to a meeting to responding to telephone queries. Such support is available to all Members regardless of political affiliation and will be available to all political groups should they become formalised in the future. When support such as this is given, both Members and Officers should understand that it must not extend beyond providing information and advice in relation to matters of Council business; Officers should not be involved in advising on matters of party business.

In some town councils it is common practice for political groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant Council decision making body. This is not presently the case at Swanage. However, should this situation arise, Officers may properly be called upon to support and contribute to such deliberations by political groups but they must at all times maintain political neutrality. All Officers must, when dealing with political groups and individual Members, treat them in a fair and even-handed manner.

In giving advice to Members and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views. Members should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because of their wish to express a contrary view.

The Town Clerk and RFO has certain statutory roles which need to be understood and respected by all Members. Members must respect these statutory obligations, must not obstruct the Town Clerk in the discharge of his/her responsibilities and must not victimise him/her for discharging his/her responsibilities.

It must be remembered that Officers employed by the Town Council are accountable to their line manager and ultimately the Town Clerk and that whilst Officers should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by their line manager or Town Clerk. Except when the purpose of an enquiry is purely to seek factual information, Members should normally direct their requests and concerns to the Town Clerk, at least in the first instance.

Officers will do their best to give timely responses to Members' enquiries. However, Officers should not have unreasonable requests placed on them. Their work priorities are set and managed by the Town Clerk. Members should avoid disrupting Officers' work by imposing their own priorities.

5. Support Services to Members and Political Groups

The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, IT, parking permit etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity, or for private purposes.

6. Officer/Chairman Relationships

It is important that there should be a close working relationship between the Chairman of a meeting and the Officers who report to or interact with that meeting. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the Officer's ability to deal impartially with other Members and other political groups.

In relation to action between meetings, it is important to remember that the Council's decision-making structure only allows for decisions relating to the discharge of any of the Council's functions to be taken by a meeting or an Officer. There is no allowance for such decisions to be taken by a Chairman or indeed by any other single Member.

At some meetings, a resolution may be passed which authorises a named Officer/names Officers to take decisions or actions between meetings in consultation with the Chairman and/or specified Member(s). It must be recognised that it is the Officer(s), rather than the Chairman and/or Member(s), who makes the decision or takes the action and it is the Officer or Officers who is/are accountable for it. Standing Order 25 provides for Members undertaking certain actions, but only following the resolution of a Council or committee meeting.

7. Members' Access to Information and to Council Documents

Members are free to approach Officers to ask for information. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent.

While any Member may ask a relevant Officer for written factual information about a service, such requests must be reasonable. Requests will be met, subject to any overriding legal considerations (such as the Data Protection Act), unless the recipient of any request considers the cost of providing the information requested or the nature of the request to be unreasonable. If that is the case, the Officer will raise the matter with the Town Clerk who will discuss the issue with the Member.

As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by common law. The common law right of Members is based on the principle that any Member has a *prima facie* right to inspect Council documents so far as his/her access to the document is reasonably necessary to enable the Member properly to perform his/her duties as a Member of the Council. This principle is commonly referred to as the "need to know" principle.

The exercise of this common law right depends, therefore, upon an individual Member being able to demonstrate that s/he has the necessary "need to know". In this respect a Member has no right to a "roving commission" to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the "need to know". Disputes as to the validity of a Member's request to see a document on a need to know basis will be determined by the Town Clerk.

Any Council information provided to a Member must only be used by the Member for the

purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. This point is emphasised in the Code of Conduct for Members.

8. Access to Premises

Officers have the right to enter Council land and premises to carry out their work.

Members have a right of access to Council land and premises to fulfil their duties, although in accordance with Standing Order 25, unless authorised by a Resolution, no Councillor shall on behalf of the Council inspect any land and/or premises which the Council has a right or duty to inspect.

When making visits as individual Members, Members should:

- a. whenever practicable, notify and make advance arrangements with the appropriate manager or officer in charge;
- b. comply with health and safety, security and other workplace rules;
- c. not interfere with the services or activities being provided at the time of the visit.

9. Correspondence

Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to appear in the name of a Member, but this should be the exception rather than the norm. Letters that, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

Correspondence between an individual Member and an Officer should not be copied to another Member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e. there should be no blind copies.

When writing in an individual capacity as a Member, the author must make clear that fact.

10. Communication with Press and Media and Use of Social Media

The Council's preferred method of communication is via its own website, social media accounts, newsletter and press releases. Members are free to provide information to the press and media on an individual basis, but when doing so should make clear in what capacity they are acting. The Council's established procedure is that official communications should be made via the offices of the Town Clerk, particularly with regard to matters relating to Council policy.

11. The Council as Employer

Officers are employed by the Council as a corporate body.

Members' roles are limited to:

- a. the participation of nominated committee chairmen in the appointment of specified posts within the management team;
- b. the mayor, deputy mayor and chairman of the Personnel Committee in the annual appraisal of the Town Clerk;
- b. determining human resources policies and conditions of employment;
- c. hearing and determining appeals.

If participating in the appointment of officers, members should:

- a. remember that the sole criterion is merit
- b. never canvass support for a particular candidate
- c. not take part where one of the candidates is a close friend or relative
- d. not be influenced by personal preferences
- e. not favour a candidate by giving him/her information not available to the other candidates.

12. Interpretation, Complaints and Allegations of Breaches

Members or officers with questions about the implementation or interpretation of any part of this protocol should seek the guidance of the Town Clerk.

A member who is unhappy about the actions taken by, or conduct of, an officer should:

- a. avoid personal attacks on, or abuse of, the officer at all times
- b. ensure that any criticism is well founded and constructive
- c. never make a criticism in public
- d. take up the concern with the officer or his/her line manager privately.

If direct discussion with the officer is inappropriate (e.g. because of the seriousness of the concern) or fails to resolve the matter, the member should raise the issue with the Town Clerk.

A serious breach of this protocol by an officer may lead to an investigation under the Council's disciplinary procedure. Any action taken against an Officer in respect of a complaint, will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures, set out in the Staff Handbook.

An officer who believes a Member may have acted other than in accordance with this protocol should raise their concern with the Town Clerk, who will consider how the complaint or allegation should be dealt with. At a minor level, this may be no more than approaching the individual Member and/or informally referring the matter to the mayor and deputy mayor. More serious complaints may involve alleged breaches of the members' code of conduct and consequently be referred to the Monitoring Officer.

13. Conclusion

Mutual understanding, openness and basic respect are the greatest safeguard of the integrity of the Council, its Members and Officers.



Leave Policy

Swanage Town Council

1. Introduction

The Council takes a positive view on work/life balance issues and believes that employees should take responsibility for regularly taking annual leave to ensure their own health, safety, and wellbeing in accordance with the Working Time Regulations.

This policy sets out the various types of leave that employees may be entitled to. These include:

- Types of General Leave:
 - Annual Leave, including carry over
 - Bank/Public Holidays
 - Public Service
 - Jury Service
 - Leave without Pay
- Types of Compassionate Leave:
 - Compassionate Leave with Pay
 - Statutory Parental Bereavement Leave
 - Statutory Bereaved Partner's Paternity Leave (please refer to separate policy)
- Types of Parental/ Dependants/Carer's Leave:
 - Parental Leave
 - Emergency Time Off for Dependants
 - Carer's Leave

Details regarding leave in relation to sickness can be found the organisation's Absence Management Policy.

Details regarding other types of family friendly leave can be found in the organisation's maternity, paternity, adoption, shared parental leave, neonatal care and bereavement partner's paternity leave policies.

General Leave

2. Annual Leave

2.1. Annual Leave Entitlement

The annual leave year runs from 1 April to 31 March.

Entitlement to paid annual leave for Swanage Town Council employees is as follows:

Grade	Less than 5 years' continuous local government service	5 years' or more continuous local government service
Grade 1 - 5	23 days	26 days
Grade 6 and above	26 days	29 days

Those employed part-time will be entitled to leave on a pro-rata basis.

2.2. Extra Statutory Days

In addition to the above, employees are entitled to two 'Extra Statutory Days' of paid leave and a Council gifted day. These days occur on days designated by the Council, usually between the Boxing Day and New Year's Day bank holidays.

2.3. Joining/Leaving the Organisation

Employees who join and/or leave the Council during the annual leave year will receive a holiday entitlement proportionate to their completed service during the leave year.

In the event of the employee leaving the Council, payment for any leave which has been taken in excess of their accrued part year entitlement will be deducted from the final wage payment.

2.4. Annual Leave Notification Requirement

Annual leave must only be taken with Line Manager approval. Employees must give as much notice as possible when requesting annual leave. Such notice should be at least twice the number of days' leave that the employee wishes to take as annual leave.

2.5. Carry Over of Annual Leave

All annual leave should be taken in the leave year during which it is accrued. In exceptional circumstances, a maximum of five days' leave can be carried over into the next leave year with the written permission of the employee's Line Manager.

3. Bank/Public Holidays

All employees are entitled to paid bank/public holiday leave. The Council recognises eight bank holidays during the year, although the dates of these may vary from year to year.

Part-time employees have a pro rata entitlement to bank/public holiday leave. This is calculated with reference to the annual entitlement of a full-time employee.

4. Public Duties

Up to 5 days' leave with pay per year may be given with the permission of the Town Clerk for serving on public bodies or undertaking public duties, e.g. magistrate's service, school governing bodies, and political appointments for those employees whose posts are not politically restricted.

Where an allowance is claimable for loss of earnings, employees should claim and pay the allowance to the council.

5. Jury Service

When on jury service, employees are required to claim an allowance for loss of earnings, which is available from the court. Swanage Town Council will pay the difference between the amount of this allowance and the employee's normal contractual pay. Employees will receive a certificate of loss of earnings form along with their invitation to jury service, which the Town Clerk will arrange to complete for them in order to enable the allowance to be claimed.

Swanage Town Council undertakes to make this 'top up' payment for a period of up to four weeks. If jury service is likely to extend beyond this time, consideration will be given on a case-by-case basis whether to extend the payment for an additional period.

If the employee's absence is likely to cause substantial damage to the business then the Town Clerk will discuss this with them. The employee can, if they choose to do so, ask the court to be excused, or to have their participation deferred. They are not obliged to request this, but if they do then the Town Clerk may write a letter in support of their application.

See 'Pension' section at the end of this policy regarding the pension implications of taking unpaid leave for jury service.

6. Medical Appointments

In general, routine medical, dental, optician or health appointments should be made outside working hours wherever possible.

Swanage Town Council appreciates that it is not always possible to avoid appointments during the working day. Where this is the case, employees should make a request to their line manager to agree a convenient time, giving as much notice as possible. Requests will not be unreasonably refused. Employees will be required either to make up any lost time, use annual leave entitlement or take unpaid leave. See 'Pension' section at the end of this policy regarding the implications of taking unpaid leave.

Employees who have a serious or long-term medical condition which will require appointments during their working day should discuss their situation with their manager so that appropriate arrangements may be considered.

Employees will be required to provide evidence of any appointment for which time off is needed.

7. Leave Without Pay

Additional leave without pay may be granted in special circumstances at the discretion of the Town Clerk.

See 'Pension' section at the end of this policy regarding the pension implications of taking unpaid leave.

8. Reserve Forces

Swanage Town Council are aware that employees who are members of the Reserve Forces may be called up at any time to be used on full time operations and will be expected to attend regular training. The reserve forces include the Army Reserve, Royal Naval Reserve, Royal Marines Reserve and Royal Auxiliary Air Force.

8.1 Informing the Organisation

So that we can support reservists, Swanage Town Council ask that employees inform the Town Clerk as soon as possible that they are, or intend to become, reservists. This requirement is put in place purely to allow us to deal with the practical implications and reservists who do this will not be disadvantaged in any way.

8.2 Time off for activities in the reserve forces:

If an employee requires time off for activities such as training, they are expected to use their normal annual leave. The organisation will do its best to accommodate any request for leave for activities in the reserve forces, however it cannot guarantee that reservists' holiday requests will be given priority.

Or

Each leave year, reservists will be given [five] days' extra [paid/unpaid] leave to help them to meet their commitments to the reserve forces. The reservist should make the request to their line manager in the same way that normal annual leave is requested, tagging the request "Military reserve leave". While our organisation will do its best to accommodate any requests to use this extra leave, we cannot guarantee that reservists' extra leave requests will be given priority. To avoid reservists being unable to take time off when needed, they should apply for this extra leave as soon as possible after they are informed that they need to take time off.

This offer is available only to employees who provide evidence that they need to take the time off as a reservist (for example, a letter from their commanding officer) at the time when they are booking holiday for the purpose of doing the reservist activities. The offer cannot be used for days when the reservist is not undertaking reservist activities (for example, to recover from the physical demands of a weekend away with the reserve forces).

8.3 Reservists' call-outs

If an employee is 'called out', the reservist should present their mobilisation papers promptly, typically together with a letter from the Ministry of Defence to the Town Clerk, outlining the date, and possible duration, of their mobilisation.

If Swanage Town Council believes that the reservist's absence on military service is likely to do it "serious harm", it may apply for an exemption, deferral or revocation of mobilisation.

There is no requirement for the organisation to pay the reservist during their absence on military operations. During this period the reservist receives service pay from the Ministry of

Defence, along with a standard award to make up any difference (up to the statutory limit) between their service pay and normal average weekly earnings.

Once the military service has ended, the reservist should write to the Town Clerk, to request reinstatement to employment. They should do so no later than the third Monday after demobilisation, confirming their intention to return to work within the following 13 weeks. The initial 13-week period may be renewed for a further 13 weeks if circumstances such as illness or injury prevent the reservist's return during the initial period. However, the reservist will forfeit their right to return to work if they fail to do so within 26 weeks of demobilisation.

Regardless of the length of the military action, the mobilised reservist has the right to be reinstated in their former job within six months of demobilisation, on terms and conditions that are no less favourable than those that would have been in place, but for the enforced absence.

If it is not reasonable and practicable to reinstate the reservist into their former employment, Swanage Town Council will offer them the most favourable occupation on the most favourable terms and conditions which are reasonable and practicable.

8.4 Pension

See 'Pension' section at the end of this policy regarding the pension implications of taking Reserve Forces Leave.

Compassionate Leave

9. Compassionate Leave With Pay

Up to 3 days' compassionate leave with pay can be granted in order to help the employee to cope with the death or serious illness of a member of their immediate family. This includes their:

- Husband, wife, or partner;
- Parent;
- Child, including any adopted child; and
- Sibling

A further day may be granted for attending the funeral.

All applications for Compassionate Leave must be made to the Town Clerk for determination.

In exceptional circumstances, the Town Clerk will consider granting a maximum of a further seven days' compassionate leave with pay in any one year.

Where eligible, employees may also wish to consider taking a period of parental bereavement leave following the loss of a child under the age of 18. Further details can be found in the Parental Bereavement Leave section below.

Where eligible, employees may also consider taking a period of unpaid Parental Bereavement Paternity Leave. Further details can be found in the organisations [Parental Bereavement Paternity Leave] policy.

10. Statutory Parental Bereavement Leave and Pay

Parental Bereavement Leave provides up to two weeks' leave for employees following the loss of a child who was under the age of 18 or a stillbirth after 24 weeks of pregnancy.

9.1. Parental Bereavement Leave Entitlement

In order to qualify for parental bereavement leave and pay, the employee must be either:

- the child's legal parent; or
- a parent's partner, in an enduring family relationship with the child who has passed away and their parent; or
- an individual with a caring relationship to the child, such as a "parent in fact", who are defined as a person who for a continuous period of at least four weeks before the child's death has lived with the child in the person's home, and had day to day responsibility for the child's care (provided they are not paid for that role, foster payments excepted); or
- the "intended parent" of a child who has passed away, i.e. a parent using a surrogate; or
- the "natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent; or
- the adopter of a child who has passed away.

All employees who are eligible as above, are entitled to 2 weeks' parental bereavement leave regardless of their length of service.

The two weeks' leave can be taken either as one block or in two one-week blocks. The leave may be taken at any time within 56 weeks of the child's death.

9.2. Parental Bereavement Leave Notification Requirement

If the employee wishes the leave to start within 56 days of the child's death, notice must be given to the Town Clerk before the day the employee wishes the leave to start, or where that is not possible as soon as is reasonably practicable.

Employees must give the Town Clerk at least one week's notice if they wish the leave to start after the 56-day period.

When giving notice the employee must specify, ideally in writing, to the Town Clerk:

- the date of the child's death,
- the date on which the employee intends the leave to start, and
- whether the period of absence is for one week or two weeks.

9.3. Cancellation of Parental Bereavement Leave

If an employee has asked to begin parental bereavement leave within the first 56 days of the date of the child's death, they can cancel the parental bereavement leave, as long as they inform the Town Clerk prior to when they would have been due to start work.

If an employee has asked to begin parental bereavement leave more than 56 days after their child's death, then they can cancel their request for parental bereavement leave, as long as they inform the Town Clerk at least one week in advance.

Employees cannot cancel any week of parental bereavement leave that has already begun.

9.4. Parental Bereavement Pay Eligibility

In order to qualify for parental bereavement pay employees must meet the eligibility criteria as above and also have:

- at least 26 weeks' continuous service by the week before the week in which their child passes away, and still be employed by the organisation on the day on which the child passed away;
- weekly average earnings over the lower earnings limit for National Insurance contributions in the eight weeks prior to the week before the child's death.

9.5. Parental Bereavement Pay Entitlement

Parental bereavement leave will be paid at the Statutory Parental Bereavement Pay (SPBP) rate or 90 per cent of the average weekly earnings, whichever is the lower.

In order to receive parental bereavement pay, an employee must notify the Town Clerk in writing within 28 days of the start of the week's (or weeks') leave or, if that is not reasonably practicable, as soon as is reasonably practicable.

Notice must include the parent's name and the date of the child's death. Furthermore, on the first occasion leave is taken, the employee must also provide a written declaration that they meet one of the qualifying conditions in terms of their relationship with the child.

Parental bereavement leave for employees who are not eligible for parental bereavement pay will be unpaid.

9.6. Continuous Service

Parental Bereavement Leave counts for the purpose of continuous service.

9.7. Returning to Work Following Parental Bereavement Leave

Employees have the right to resume working in the same job when returning to work from parental bereavement leave if the period of leave, when added to any other period of statutory leave (typically maternity leave, paternity leave, adoption leave, or shared parental leave) in relation to the same child, is 26 weeks or less.

Employees are entitled to return to an alternative job that is suitable and appropriate, rather than the same job, if:

- the period of leave taken is more than 26 weeks, when added to other statutory leave (typically maternity leave, paternity leave, adoption leave, or shared parental leave) in relation to the same child; and
- it is not reasonably practicable for them to return to the same job.

9.8. Pension

See 'Pension' section at the end of this policy regarding the pension implications of taking Parental Bereavement Leave.

Parental Leave, Emergency Time Off Dependants and Carers Leave Options

11. Ordinary Parental Leave

10.1. Introduction

Ordinary parental leave applies to all parents (birth or adoptive) and those people with parental responsibilities. It allows for them to take up to a total of 18 weeks' unpaid leave for each child, using a maximum of 4 weeks per year per child. Each parent and person with parental responsibility are entitled to take this leave.

Ordinary parental leave may be particularly useful if you require time off to care for your child but have used up, or are not entitled to, other types of family-friendly leave.

Employees who are considering taking ordinary parental leave following the birth of a child or the placement of the child for adoption, should bear in mind that they may also be entitled to paid maternity / paternity / adoption / shared parental leave. Further information can be found in the organisations relevant policies.

10.2. Eligibility and notification

Ordinary parental leave is a day-one right; therefore, employees do not require any qualifying service.

The right to take up to 18 weeks' unpaid parental leave is subject to the following conditions:

- The employee must provide evidence of parenthood or parental responsibility where requested i.e. a birth certificate or adoption papers.
- The employee must give the Town Clerk at least 21 days' notice in writing to take leave. The notice must specify the dates on which the period of leave is to begin and end.
- Where an employee requests parental leave to begin when their child is born, their notice must specify the expected week of childbirth and the duration of the period of leave. The employee must give this notice to the Town Clerk at least 21 days before

the expected week of childbirth. If the child is born earlier/later than expected, the employee should agree any changes to the start of the leave with the Town Clerk.

- Where the ordinary parental leave is in respect of an adopted child and is to begin on the date of the placement, the employee's notice must be given to the Town Clerk at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter. It must specify the week in which the placement is expected to occur and the duration of the period of ordinary parental leave requested.
- The employee can only take leave in blocks of one or more weeks except where the child is disabled, in which case it may be taken one day at a time.
- The employees may not take more than four weeks' leave in respect of any individual child in any year. For these purposes a year is the period of 12 months beginning when the employee first becomes entitled to ordinary parental leave in respect of the child in question, and each successive period of 12 months beginning on the anniversary of that date.

The manager may postpone the leave (other than where parental leave has been requested immediately after childbirth or immediately after placement for adoption) for a maximum of 6 months if there are sound business reasons for doing so. The manager should seek agreement with the employee over mutually acceptable arrangements and confirm the outcome in writing within 7 days of the request.

If an employee falls ill during ordinary parental leave, the absence will be treated as sick leave for those periods covered by a doctor's certificate.

Managers should keep a record of leave taken under this entitlement, so that it is clear when the entitlement is exhausted.

10.3. Continuous Service

Ordinary parental leave counts for the purpose of continuous service

10.4. Returning to work following parental leave

An employee who returns to work after a period of ordinary parental leave is entitled to return to the job in which they were employed prior to the absence if it was an isolated period of leave lasting four weeks or less.

If the period of ordinary parental leave followed on immediately from another period of statutory leave, the employee's right to return depends on the total length of leave taken.

10.5. Pension

See 'Pension' section at the end of this policy regarding the pension implications of taking Parental Leave.

12. Emergency Time Off for Dependents

All employees have a day-one right to take a reasonable amount of unpaid time off work to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse, civil partner, child or parent;
- A person who lives with the employee (other than as a lodger, tenant, boarder or employee);
- Any other person who would reasonably rely on the employee for assistance if they fell ill or were injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- In relation to the disruption or termination of care for a dependant or any other person who reasonably relies on the employee to make arrangements for the provision of care.

Under this provision, an employee is entitled to take time off work:

- Where a dependant falls ill, gives birth, or is injured or assaulted;
- To provide assistance following the death of a dependant;
- Where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant; and
- To deal with an emergency relating to a child of the employee that occurs unexpectedly at the child's school.

Although there is no requirement to give notice the employee must, as soon as possible, tell their line manager the reason for their absence and how long they expect to be away from work.

12.1. Pay During Emergency Time Off for Dependant

This leave is unpaid. All employment rights, including accrual of annual leave, continue during the period of leave.

12.2. Pension

See 'Pension' section at the end of this policy regarding the pension implications of taking Emergency Time Off for a Dependant.

13. Carer's Leave

13.1. Carer's Leave Entitlement

All employees have a day-one entitlement to unpaid leave to give or arrange care for a 'dependant' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability (as defined in the Equality Act 2010)
- care needs because of their old age

A dependant is:

- a spouse, civil partner, child or parent;

- A person who lives with the employee (other than as a lodger, tenant, boarder or employee); or
- any other person who would reasonably rely on you to provide or arrange care.

13.2. Pay During Carer's Leave

Carer's leave is unpaid. All employment rights, including accrual of annual leave, continue during the period of leave.

13.3. How Long Employees Can Take

Employees can take up to one week of leave every 12 months. A 'week' means the length of time they usually work over 7 days. For example, if someone usually works 3 days a week, they can take 3 days of carer's leave.

They can either take a whole week off or take individual days or half days throughout the year.

If an employee needs to care for more than one person, they cannot take a week of carer's leave for each dependant. They can only take one week every 12 months. They can use the week of leave on more than one dependant.

13.4. How to Take Carer's Leave

Employees need to give their employer notice before they want their leave to start.

If the request is for half a day or a day, the notice period must be at least 3 days.

If the request is for more than one day, the notice period must be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period must be at least 4 days.

The notice period needs to be in full days, even if the request includes half day amounts.

Any request should be addressed to the Town Clerk.

Employees do not need to give evidence of their dependant's care needs.

13.5. When the Organisation Can Delay Carer's Leave

If the absence would cause serious disruption to the organisation, the employee can be asked to take the leave at a different time.

If they delay it, the employer must:

- agree another date within one month of the requested date for the leave
- put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave

13.6. Pension

See 'Pension' section at the end of this policy regarding the pension implications of taking Carer's Leave.

14. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme website or from your county's LGPS fund.

14.1. Paid Leave

During periods of paid leave such as annual leave, bank holidays and paid time off for public duties, the employer and employee pension contributions continue as if the employer was at work.

14.2. Relevant Child-Related Leave

Information regarding pension contributions during relevant child-related leave, both paid and unpaid, can be found in the separate policies for:

- maternity leave
- adoption leave
- shared parental leave
- paternity leave
- neonatal care leave
- bereaved partner's paternity leave

14.3. Parental Bereavement Leave

If the employee is eligible for pay during a period of Parental Bereavement Leave, their pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction.

If the employee does not meet the eligibility for pay during a period of Parental Bereavement Leave and the unpaid leave started on/after 1 April 2026, their pension would be calculated as 'Authorised Leave Without Pay'.

14.4. Authorised Leave Without Pay (Less Than 15 Days)

If the employer allows an employee to take unpaid leave that starts on/after 1 April 2026 and lasts less than 15 days, their pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

14.5. Authorised Leave Without Pay (15 days or More)

If the employer allows an employee to take unpaid leave that starts on/after 1 April 2026 and lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.

14.6 Strike Action

If an employee is away from work for a day or more due to a trade dispute, the period will not count for pension purposes unless they elect to pay Additional Pension Contributions (APCs) to purchase the 'lost' pension. The employee would pay the full cost unless the employer chose to contribute.

The '[Buy lost pension calculator](#)' on the [LGPS member website](#) can be used to find out more about this option. In order to use the calculator, the employer would need to provide the employee with information about the pay they 'lost' in the trade dispute.

14.7 Reserve Forces Leave

Short periods of time off for activities such as training will be covered by means of the employee requesting annual leave or [paid/unpaid leave]. The pension contributions for any unpaid leave will be in accordance with the 'Authorised Leave Without Pay' above.

Where an employee is mobilised or 'called out' on reserve forces leave, this normally lasts between 3 and 12 months. If the employee elects to remain in the LGPS, their pension will be worked out using their Assumed Pensionable Pay. This ensures that they continue to build up pension as if they were at work and receiving their normal pay.

The employer must tell the employee that amount of basic pension contributions they and the Ministry of Defence must pay, as well as any additional contributions the employee is paying and the amount of Assumed Pensionable Pay those contributions must be collected on. The employee should pass the information to the Ministry of Defence who will then deduct the pension contributions and pay them to the employee's LGPS pension fund.

Pension contributions will not be deducted from any pay which the employee receives from their LGPS employer during this period.



Allowances

Swanage Town Council

1. Car Allowance

Where the Council authorises an employee to use a private car on official business the employee will receive an allowance. This is not conditional and an employee does have the right to refuse to use their car for official business.

The rate applicable is paid in accordance with the prevailing Approved Mileage Allowance Payments rates set by His Majesty's Revenue and Customs (HMRC). The rate will be paid per mile to the nearest whole mile.

Any employee using their car on Council business must provide a valid certificate of insurance to include business use in addition to social and domestic use.

A green travel expense form must be completed for all travel expense claims, signed by your Manager and passed to payroll where payment will be processed with wages or salaries.

2. Eye Tests

Free eye and eyesight tests are available for those appointed to use display screen equipment (DSE) and for those who currently use this equipment at regular intervals. The Council will pay for an eye test and after assessment and approval will pay 50% towards the cost of glasses prescribed for the use of an employee when operating display screen equipment but not contact lenses, for designer frames or for lenses other than those prescribed specifically for use in connection with the operation of display screen equipment.

An expenses claim form must be completed and signed by your Manager and passed to payroll where payment will be processed with wages or salaries. Any application for the reimbursement of payment for the cost of glasses must be accompanied by verification, from an Optician, that the prescription is for glasses specifically for the use of DSE.



Training and Development Policy

Swanage Town Council

1. Introduction

Swanage Town Council is committed to training and developing its employees so that they may reach their full potential.

All employees will receive the necessary training to enable them to do their work to the required standard. Decisions relating to training and development will be made fairly and consistently, and equality of opportunity will be provided for all Swanage Town Council's employees.

2. What Is Training And Development?

People are often confused about the difference between training and development as sometimes the terms are used to mean the same thing. The Council considers training to be the support an individual needs to help him/her gain the skills, knowledge and attributes that are necessary to do the current job to the required standard. For example this could mean coaching from the line manager or a colleague; reading manuals and books; doing a computer training course.

Development is about helping people gain the skills and knowledge that the Council needs so that it is ready to meet future developments and changes in its broad remit.

Professional employees are often members of a professional body and are expected to undertake continuing professional development (CPD) in order to maintain their membership. The organisation will support CPD where employees are required to use their professional knowledge in their jobs. Where there is a resource or financial costs for CPD, employees must apply for support in the same way as other training needs. Departmental Managers will keep a record of CPD undertaken by staff.

3. How Training And Development Is Identified

Training and development needs are identified in a number of ways: at induction; when setting job objectives; at appraisal discussions; when undertaking a skills audit; when changes occur at work; when moving to another job; taking on additional responsibilities; following promotion; and as a result of changes to organisational needs.

The Council's Staff Appraisal system in particular provides managers and employees with formal opportunities during the year to discuss training and development needs. These must always be identified within the context of the Council's business needs for the current and forthcoming year so managers and employees need to be clear about how the training identified will help the individual meet the business objectives. The outcome of these discussions, including any CPD needs, must be recorded on the appraisal record.

4. Responsibilities Of Individuals

Individuals have a responsibility to participate fully in discussing and agreeing training needs and setting both short and longer term learning objectives with their managers. These objectives should be expressed in SMART terms, i.e. specific, measurable, agreed, realistic and timebound, and should be clearly understood. Once these are agreed and it has been decided which learning activity best meets the training need, staff are expected to participate fully in them, put into practice what has been learnt, and evaluate the outcomes in the shorter and longer term.

5. Responsibilities Of Managers

Managers are responsible for identifying, discussing, and agreeing learning needs with their staff in a positive and supportive environment; the appraisal system in particular provides this opportunity. Having identified a learning need, managers, in discussion with their member of staff, should establish the most effective means of meeting it– whether by a formal internal or external training course or provision of other internal support. They also have a responsibility for ensuring that it meets the organisation’s business objectives. Once the learning activity has been undertaken, the manager is responsible for encouraging the individual to carry out an evaluation of the training which should form the basis of a discussion at their next appraisal meeting

6. Responsibilities Of The Town Clerk

Departmental Managers are responsible for putting forward the annual training budget and managing that budget once agreed, so that the Council can meet the agreed training and development needs of the organisation’s business objectives for the year ahead. She/he will ensure that the training budget is fairly allocated and there is equality of opportunity for all staff to access it.

The Town Clerk will ensure that a consistent approach is taken to all matters relating to learning needs and that these needs support the Council’s business objectives. It is also the Town Clerk’s responsibility to ensure that evaluation of training and development activities takes place at all levels on a regular basis across the organisation and to monitor the impact that learning activities have had. To this end, the Town Clerk will report on training activity to the Council on a regular basis.

7. Where To Go For Help In Finding Training Solutions

A training course is not always the best option for meeting training needs and very often other learning solutions are more effective in meeting an individual’s needs and provide better value for money. This may include: job shadowing, mentoring, on-the-job coaching, work observations, reading, self-learning etc. Employees can discuss the available options with their line manager.

8. How To Apply For Funding For External Training And Development

If, having considered the options, managers and employees agree that a formal external training course is the best solution, your Departmental Manager will need to be consulted to

ensure that funding is available. Formal approval must be given by the Town Clerk before anyone enters into any significant financial commitment.

Once the funding has been agreed, the individual can arrange the training. However, where a number of people have similar needs, consideration will be given to arranging a training event in-house.

9. Repayment Of Fees

Where an employee seeks funding for a course of study – which may or may not lead to a nationally recognised qualification – in excess of £1,000, the employee will be asked to sign a Certificate of Undertaking. This will be to the effect that if they leave the Council within 24 months of achieving the qualification or if they do not complete the course, then the Council has the right to reclaim the costs of the training. Any reclaim will be made on a pro rata basis and will be deducted from salary or any other monies due to the individual, with an invoice sent for any balance due.

10. Leave For Revision And Examinations

Paid leave may be given for examinations at the discretion of the Town Clerk.

11. Evaluation Of Training Provision

The purpose of any form of training or development is to improve performance, for both the individual and the organisation and is provided on the basis that there will be a specific and measurable outcome.

Individuals are encouraged to give feedback to their Departmental Manager with regards to their learning and development activities. This information can form part of a training review at the individual's next appraisal. Those with CPD obligations should complete a learning portfolio following the requirements of the professional body concerned.

At an organisational level an annual report will be presented to the Personnel Committee to measure the success of the Council's investment in individuals within the organisation and review any future training programme as a whole.



Equal Opportunities Policy

Swanage Town Council

Swanage Town Council is an Equal Opportunities employer.

1. The Policy

Swanage Town Council is committed to being an effective Equal Opportunities organisation. This means that the Council will do everything in its power to ensure that everyone is treated fairly and with respect at all times.

This applies to all areas of the Council's activities; including recruitment, employment, and provision of Council services.

1.1. As An Employer

We will provide equality and fairness for all in our employment and will not discriminate on grounds of:

- Age;
- Disability;
- Sex or gender;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race (including ethnic origin, skin colour, nationality, and national origin);
- Religion or belief; or
- Sexual orientation.

All employees will be treated fairly and with respect regardless of position, part-time/full-time working, or length of contract. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

All employees are required to treat one another with mutual respect. Actions, behaviour, and attitudes should consistently demonstrate respect for the dignity and worth of an individual.

Harassment and discrimination in any form is unacceptable behaviour and offenders will be subject to disciplinary action.

1.2. As A Service Provider

The Council will strive to ensure that all services provided by, or on behalf of, the Council are made accessible to all individuals and groups equally and without discrimination.

All service users will be treated with respect. Actions, behaviour, and attitudes will consistently demonstrate respect for the dignity and worth of an individual.

The Council will, wherever appropriate, work in partnership with other agencies in the area; including the relevant unitary, county, district, and borough councils, voluntary groups, and community organisations to promote equal opportunities.

The Council will ensure that all contractors directly supplying goods and services or executing works for, or on behalf of, the Council comply with this Council's stated policy on equal opportunities.

2. The Policy In Action

2.1. As An Employer

The Council aims to achieve the policy by:

- Ensuring that its employees are made aware of their rights and responsibilities to each other, the customer, and the organisation regarding equal opportunities issues;
- Providing a way in which individuals can communicate any concerns via competent named personnel;
- Treating any unacceptable behaviour seriously; and
- Ensuring that all Managers realise they have a key role in implementing this policy and are expected to take personal responsibility for ensuring its success.

2.2. As A Service Provider

The Council aims to achieve its policy by:

- Ensuring that employees are made aware of the Council's standards of service and customer care, including equal treatment in service delivery;
- Ensuring that no member of the public is disadvantaged or treated less favourably than others in terms of access to Council services. Where the Council's practices, policies, or procedures are found to make access impossible or unreasonably difficult, we will take such steps as are reasonable in the circumstances to change these practices, policies or procedures;
- Ensuring that, wherever practical, all public buildings and premises owned or managed by the Council are accessible to all. Where this is impractical in the short-term, we will provide reasonable alternative methods of access so that no member of the public is disadvantaged by physical barriers;
- Recognising the importance of communication in attaining equality and providing quality services, which are responsive to the needs of all local people, for example through the provision of information in large print and on audio tape on request; and
- Complying with all relevant legislation relating to discrimination and equality.

3. Role Of Councillors And Employees

All Councillors and employees are responsible for implementing the Council's Equal Opportunities Policy. It is important that all individuals who are employed by the Council

appreciate that they have a responsibility and a role to play in the provision of equal opportunities.

4. Monitoring Of Equal Opportunities

The Council's Personnel Committee will have responsibility for the implementation and monitoring of the policy as it applies to the Council as an employer.

The Council's Policy, Finance and Performance Management Committee will have responsibility for implementing and monitoring the policy as it applies to the Council as a service provider, involving local community and voluntary groups in the monitoring process where appropriate.

Complaints from staff about discrimination or unfair treatment will be dealt with as laid down in the Council's Grievance Procedure.

Complaints from members of the public about discrimination or unfair treatment will be dealt with through the Council's Complaints Procedure.



Flexible Working Policy

Swanage Town Council

1. Introduction

Under provisions set out in the Employment Rights Act 1996 and regulations made under it, all employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly.

As a good employer, Swanage Town Council has always had a positive view of flexible working. This policy sets out the framework in which variable working will be managed within the Council.

2. Eligibility

The right to request flexible working is available to employees from the first day of their employment.

A maximum of two flexible working requests can be made within any twelve-month period. Only one request for flexible working may be live at any one time.

The legislation does not provide an automatic right to flexible working. There is an emphasis on the importance of both the employee and the employer considering the terms of the request and attempting to reach an outcome that suits both parties. The employee has a responsibility to think carefully about their desired working pattern when making an application, and the manager is required to follow a specific procedure to ensure requests are considered objectively.

3. Timescales

Requests will be considered in a timely manner. The entire process, including hearing an appeal will be completed within 2 months of the written request being received.

4. Roles and Responsibilities

Normally, the Town Clerk will consider flexible working requests and appeals will be heard by a Panel of the Personnel Committee.

If the request is being made by the Town Clerk, this should be referred to the Personnel Committee, who will set up a panel to consider the request and a separate panel to consider any appeal.

5. Representation

Employees have the right to representation, either by a trade union representative or a work colleague, at the meeting and appeal stages.

Representatives have the right to address the meeting or appeal. They may also ask questions and present the employee's case. However, they have no right to answer questions on the employee's behalf.

6. What is Flexible Working?

Flexible working can mean a change to the number of hours worked, the times worked or the place of work.

Some examples of flexible working are:

- Part-time working;
- Job share;
- Flexible working hours;
- Term time only working; or
- Homeworking or hybrid working.

7. How to apply

Anyone considering flexible working should first discuss with their departmental manager the reasons for the request to change their working pattern and how they think it could work. A formal application can then be made in writing to the Town Clerk. It should set out clearly:

- The desired change in working pattern;
- How it will impact upon the work of the Council;
- How the employee will manage their work to ensure there is no loss in efficiency;
- The impact of the change of the work pattern on the employee's colleagues;
- How any potential problems will be overcome; and
- When the employee wishes to start the new way of working.

8. Meeting to Consider the Request

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

All applications will be considered fully at a meeting with the Town Clerk (or a Panel of the Personnel Committee if in relation to the Town Clerk).

The employee's Line Manager may also be asked to attend to explain the possible impact of any changes on the team.

When considering a request, the Town Clerk should:

- Consider the request fairly;
- Consider the potential benefits and/or impacts that the change would have for the employee and the organisation;
- Consider any scope for compromise.

Flexible working requests will be agreed where possible. Requests may, however, be refused where there is a genuine business reason to do so.

Employers can reject an application for any of the following reasons:

- Burden of additional costs;
- Inability to reorganise work among other staff;
- Inability to recruit additional staff;
- Detrimental impact on quality;
- Detrimental effect on customer service;
- Detrimental impact on performance;
- Insufficient work available during the periods the employee proposes to work; or
- The proposal does not fit in with planned structural changes.

9. Consultation Meeting to Consider the Request

Where a request cannot be agreed in full without further information or discussion, the employee will be invited to a consultation meeting with the Town Clerk. The employee's Line Manager may also be asked to attend.

The purpose of this meeting will be to discuss the request, obtain additional information where needed and fully explore the benefits/impact of the requested changes. Where there are concerns that the request may not be able to be granted in full, alternative arrangements can be discussed with a view to securing some of the benefits of the application.

The employee will be given 5 working days' notice of the meeting and will have the right to representation. A written record will be made of the meeting.

10. Making the Decision

After the meeting, the Town Clerk will consider the proposed flexible working arrangements carefully, weighing up the potential benefits to the employee and to the Council against any adverse impact of implementing the changes.

Each request will be considered on a case-by-case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to his/her working pattern.

The employee will be informed in writing of the decision as soon as is reasonably practicable after the meeting. The request may be granted in full or in part: for example, the Council may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee will be given the right to appeal the decision if the employee's request is not upheld or is only upheld in part.

If an application is refused, the employee will be notified of the reasons why the request cannot be accommodated at this time. The grounds on which a request may be refused are set out in the section above entitled 'Considering the Request'.

Regardless of whether or not an application is approved, a maximum of two flexible working requests can be made within any twelve month period. Only one request for flexible working may be live at any one time.

11. Right of Appeal

An employee has the right of appeal against the Council's decision. An Appeal should be submitted in writing to the Town Clerk who will arrange an appeal meeting.

The employee will be given 5 working days' notice of the meeting and will have the right to representation. A written record will be made of the meeting.

Appeals will be heard by a Panel of the Personnel Committee who will notify the employee of the outcome, following the meeting.

12. Review

If a trial period has been agreed, then the Town Clerk and the appropriate Manager will undertake this review. This is to ensure that the change in work pattern is working effectively and that there is no adverse impact on either the work of the Council or the efficient working of the team. If there appears to be a problem, the individual will be consulted before a decision is made to vary the working pattern further or revert to the original working arrangement.

At the end of the review the Town Clerk will confirm in writing whether or not the change in working pattern will be made permanent. If it may not continue, notice will be given that the working pattern cannot be accommodated and will end on a specified date.

All flexible working will be reviewed periodically by management to ensure that the needs of the Council continue to be met.



Reasonable Adjustments Policy

Swanage Town Council

1. Introduction

Swanage Town Council are committed to promoting equality, diversity and inclusion for all our employees and for everyone who uses our services. This includes taking positive action to support individuals experiencing physical and mental health challenges.

This policy does not form part of an employee's contract of employment, and the organisation reserves the right to amend it at any time.

This policy should be used in conjunction with the organisation's other relevant policies including the Absence Management Policy.

2. The Law

2.1. Definition of a Disability

Under the Equality Act 2010, a person is considered to be disabled if they have a physical or mental impairment that has a 'substantial' and 'long-term' impact on their ability to carry out day-to-day activities.

'Substantial' is more than minor or trivial e.g. it takes much longer than it usually would to complete a daily task like getting dressed.

'Long-term' means the impairment must last for at least 12 months or has been diagnosed as likely to last for at least 12 months e.g. a breathing condition that develops as a result of a lung infection, or its likely to last for the rest of their life.

'Day-to-day activities' includes anything someone would normally be able to do if they did not have a health condition e.g. getting dressed, shopping, reading or writing.

Mental health can affect how individuals think, feel and behave and can:

- happen suddenly, because of a specific event in someone's life;
- build up gradually over time;
- be hard to spot because everyone has different signs and signals;
- be hidden because many people find it difficult to talk about their mental health;
- fluctuate over time which means that an employee's ability to cope with the demands of the job might change.

2.2. Definition of Reasonable Adjustments

Reasonable adjustments are changes that an employer makes to remove or reduce a disadvantage related to someone's disability. Reasonable adjustments are specific to an

individual person. They can be for physical or mental health conditions. They can cover any area of work (see section 4.4).

2.3. Employers' responsibilities

The Equality Act 2010 says that employers must make reasonable adjustments for:

- employees and workers;
- contractors and self-employed people hired to personally do the work;
- job applicants.

The Equality Act 2010 also says that employers are required to make reasonable adjustments when:

- they know, or could reasonably be expected to know, someone is disabled;
- a disabled staff member or job applicant asks for adjustments;
- someone who's disabled is having difficulty with any part of their job;
- someone's absence record, sickness record or delay in returning to work is because of, or linked to, their disability.

Employers must also:

- make reasonable adjustments for anything linked to someone's disability;
- make sure other people do what's needed for a reasonable adjustment to work.

Swanage Town Council is aware that not all physical and mental health conditions will be classed as a disability. Where the condition does not constitute a disability, the employer is not legally required to make reasonable adjustments.

However, Swanage Town Council is committed to creating a work environment that supports the wellbeing of its employees and as such it aims to consider requests for support from all employees experiencing physical and mental health challenges.

3. Examples of Reasonable Adjustments

Reasonable adjustments are specific to an individual person. However, they can cover:

- changes to someone's physical working environment e.g. changing someone's work base, allowing someone to work from home to manage distractions or engage in activities that allow them to manage their mental health or relocating someone's workspace to a quieter area to reduce sensory demands;
- changing someone's working arrangements e.g. changing someone's working pattern or contracted hours;
- finding a different way to do something e.g. giving someone more time to undertake a piece of work or test during an interview, providing accessible formats;
- providing equipment, services or support e.g. providing adapted equipment such as chairs or phones;
- changing someone's roles and responsibilities e.g. reviewing tasks or deadlines to help someone have a reasonable workload while managing their mental health or breaking down work into short term tasks to reduce the complexity of someone's work and to provide structure to the working day;

- reviewing working relationships and communication styles e.g. agreeing a preferred communication method to help reduce anxiety.

4. Implementing Reasonable Adjustment

4.1. Requesting a meeting

Swanage Town Council recognises that everyone's experience of physical and mental health is different and can fluctuate over time. This means that identifying, agreeing, and monitoring reasonable adjustments can take time. It also relies on employers and employees talking openly so that everyone's needs are met.

If an employee wishes to discuss any reasonable adjustments, they should arrange to meet with the relevant line manager. If the individual feels unable to talk to their line manager, then they should talk to the Town Clerk or the Chair of the Personnel Committee.

If a request for reasonable adjustments has arisen during an absence review process, then the monitoring periods set out in the Absence Management Policy would continue to apply, unless otherwise agreed. Any requests for reasonable adjustments would then be considered alongside any absence reviews being carried out.

4.2. Preparing for the meeting

Swanage Town Council understands that some people may find it hard to talk openly about their health. Therefore, prior to the meeting the employee may find it helpful to:

- think carefully about what they want to disclose about their health;
- consider how their health affects their work;
- think about what reasonable adjustments may help them;
- write down notes which can be referred to during the conversation.

4.3. During the meeting

During the meeting, the Town Clerk and the employee should discuss any proposed reasonable adjustments and agree a plan.

The meeting might include:

- the employee explaining why they are requesting reasonable adjustments;
- the employee explaining which reasonable adjustments they want to make;
- discussing whether the suggested adjustments are reasonable (see section 4.4);
- agreeing the reasonable adjustments or adjourning to enable the adjustments to be considered further;
- discussing the length of time the reasonable adjustments may be needed;
- agreeing a plan to review and monitor the reasonable adjustments;
- look at what ongoing support is available.

Where possible, notes should be taken during the meeting and kept as a record for both parties to refer back to.

4.4. Deciding what is ‘reasonable’?

The test of whether the requirements requested by a disabled employee/applicant are reasonable is an objective test. It is not about what an individual might personally think is reasonable.

When deciding if an adjustment is reasonable, the Equality Act 2010 sets out the following factors which the organisation must take into consideration:

- Will the adjustment remove or reduce the disadvantage?
- Is the adjustment practical to make?
- Is the adjustment affordable?
- Could the adjustment harm the health and safety of others?

4.5. After the meeting

After the meeting has taken place, the relevant manager should put in writing to the employee details of what was discussed during the meeting. This should include details of any plan / agreements made and a date for monitoring.

4.6. Monitoring

Swanage Town Council recognises that an employee’s health can change over time. Therefore, the relevant line manager will regularly monitor any agreed reasonable adjustments whilst considering the needs of the employee and the organisation in case anything needs to change. The manager will also keep a record of any changes made over time.

4.7. Permanent Changes

Employees who require a permanent change to their working arrangements, such as changing contracted hours, should refer to the organisation’s Flexible Working Policy.

5. Occupational Health

At any stage of discussing reasonable adjustments for an employee’s health the employer may seek support from an occupational health professional who may be able to give advice on what adjustments might be suitable.



Health and Wellbeing Policy

Swanage Town Council

1. Introduction

Swanage Town Council are committed to creating a work environment that promotes good health and wellbeing and where staff can thrive and feel supported.

Swanage Town Council recognises that several factors can contribute to an employee's wellbeing, and can include:

- Physical health;
- Emotional health;
- Financial health;
- Psychological wellbeing;
- Social wellbeing.

This policy sets out the measures that Swanage Town Council takes to support employees in managing and maintaining their health and wellbeing at work. This includes work related stress.

The policy does not form part of an employee's contract of employment, and the council reserves the right to amend it at any time.

This policy should be used in conjunction with the councils' other relevant policies including the Health and Safety Policy, Equal Opportunities Policy, Disciplinary Procedure and Grievance Procedure.

2. Role and responsibilities

2.1 Organisation

Swanage Town Council is responsible for ensuring, so far as reasonably practicable, the health, safety and welfare of all its employees.

In addition to reducing safety risks, this means operating the organisation's business in a way that manages health and wellbeing at work. Swanage Town Council will do this by ensuring that employees:

- are given the tools that they need to do their job, including appropriate training and support;
- have a say in the way that they do their work;
- have a reasonable workload;
- have a good work-life balance;

- are empowered to respond to change positively;
- are treated with respect by managers and colleagues; and
- are given appropriate working conditions.

2.2 Line managers

Line managers are responsible for supporting this health and wellbeing policy by:

- monitoring workloads to ensure that they are manageable;
- monitoring working hours and holiday to ensure that individuals work appropriate hours and take regular breaks;
- becoming familiar with policies and procedures that are likely to affect wellbeing;
- consulting individuals on changes that may have an effect on their health and wellbeing;
- becoming familiar with any employee-support services that the council offers;
- encouraging individuals to participate in wellbeing initiatives;
- liaising with the relevant professionals such as occupational health where relevant; and
- maintaining the confidentiality of any individuals that they are supporting.

2.3 Staff

Staff are responsible for supporting this health and wellbeing policy by:

- taking reasonable care of their own health and wellbeing and the health and wellbeing of the people with whom they come into contact;
- working appropriate hours, taking regular breaks, and building healthy working habits into their day;
- alerting line managers to health and wellbeing problems affecting their work;
- taking advantage of any counselling and training opportunities available; and
- getting involved in any wellbeing programmes made available.

3. Wellbeing programmes

The following services are available to help employees maintain their health and wellbeing:

- Access to counselling through Occupational Health provided by Dorset Council
- Employee Assistance Programme

Further details can be found in section 6 of this policy and on the staff notice board in each department.

4. Requesting support

If an employee believes that their work, or some aspect of it, is putting their wellbeing at risk then they are encouraged to speak to their manager or the Town Clerk who will then consider what further action may be required.

In some cases, the council may refer the employee to Occupational Health for advice on the type of support that may be appropriate.

If for any reason employees feel unable to approach the Town Clerk, they can speak to the Chairman of the Personnel Committee.

5. Work Related Stress

Swanage Town Council recognises their legal obligation, in accordance with the Health and Safety at Work Act 1974, to protect their employees from the risks of stress at work.

Swanage Town Council acknowledges the impact that stress can have on individuals whether this is linked to daily lives in or out of work, some to the workplace and some to the actual job role. It also knows how individuals can react differently when experiencing stress. As such, we are also committed to the prevention and reduction of work-related stress and to the provision of support to any member of staff who may suffer stress.

To support its employees and to also fulfil its legal obligations, Swanage Town Council will:

- identify any risks to their employees' health and carry out regular risk assessments;
- take reasonable steps to prevent or reduce work-related stress.

To enable the organisation to help prevent or reduce work-related stress, employees are encouraged to approach their line manager or Town Clerk, as set out in section 4, if they feel that they are experiencing stress.

Employees who are absent from work due to stress, whether work related or not, should also refer to the organisation's absence management policy.

6. Employee assistance programme

Our Employee Assistance Programme (EAP), which is provided by Vita Health Group, provides access to self-help information and advice to help employees to manage their wellbeing and address all of life's issues. They can offer them early access to support and enable them to manage personal and work-related issues swiftly that may otherwise affect their wellbeing, motivation, or productivity, both from a practical and emotional perspective.

6.1. Type of support

The online EAP/wellbeing hub can be used to access general information, support, and guidance on a range of issues such as:

- health and wellbeing;
- emotional/personal;
- work/career;
- management support;
- legal and money worries;
- retirement.

As part of the service, the EAP helpline is available in complete confidence and can be accessed through the following channels:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

The helpline will be answered by a qualified advisor/counsellor who will discuss the reasons for calling and offer information, advice, emotional support and signposting.

The helpline is available 24 hours a day, 7 days a week, giving unlimited telephone access to immediate emotional support. An extensive range of practical support for legal, consumer and financial issues is available from 8.30am to 8.30pm Monday to Friday.

6.2. Confidentiality

The service is entirely confidential and no information which could lead to the employee's identification will be released to any external party unless:

- The employee provides their explicit permission;
- The employee's life or safety is seriously threatened;
- The employee discloses any behaviour which places the safety of others at risk; for example, excessive consumption of alcohol or other substance leading to intoxication in the workplace if the employee is in a safety-sensitive position.

6.2.1. Recording information

Every time the employee contacts the service, a confidential record will be kept – similar to the way their GP maintains their medical records. These records are not disclosed outside of Vita Health Group unless the employee expressly requests their disclosure and provides written consent.

6.3. Treatment or advice outside the scope of the service

Advisors will do everything they can to help the employee to find further support. This may include, with the employee's consent, liaising with their GP or other healthcare professionals where appropriate.

In these circumstances, the Counsellor will have an open and honest discussion with the employee to ensure they can make informed decisions about the most suitable support and treatment options available.

6.4. Complaints

The aim of the service is to provide the very best and most appropriate support to the employee. However, if they are dissatisfied with any aspect of the service they receive, we encourage to raise their concerns so that they can be addressed promptly.

In the first instance, please contact the helpline by telephone or email at

[REDACTED]

If the employee feels that your complaint has not been resolved satisfactorily, they may contact the Council for further review and advice.



Menopause Policy

Swanage Town Council

1. Introduction

Swanage Town Council are committed to creating an open and supportive culture in which employees feel comfortable to talk openly and without embarrassment about how menopause-related symptoms may be affecting them at work.

This is not just an issue for women. It will affect trans men and some non-binary people, and men will be affected by it indirectly.

Most individuals experience symptoms during perimenopause and menopause due to changes in hormone levels. With the right support for their symptoms, their experience at work will not be affected.

This policy sets out the guidelines for members of staff and managers on providing the right support to individuals to help them manage perimenopause and menopause symptoms at work.

In this policy, any reference to menopause also includes the perimenopause.

2. Symptoms of menopause

The menopause is a natural event during which a person stops having periods and experiences hormonal changes such as a decrease in oestrogen levels. Over 80% of women, trans men and some non-binary people experience symptoms due to changes in hormone levels. 25% of these experience symptoms which could be classed as severe and have a significant impact on their daily life.

There are four key stages:

Pre-menopause: the time in life before any menopausal symptoms occur.

Perimenopause: when menopausal symptoms occur due to hormone changes, but periods still happen (even if irregular).

Menopause: when there has been no period for 12 consecutive months. The menopause usually occurs between the ages of 45 and 55 but can happen earlier. Menopause typically lasts between four and eight years.

Post menopause: the time in life after 12 months with no periods.

While menopausal symptoms vary greatly, they commonly include:

- hot flushes;

- night sweats;
- anxiety;
- dizziness;
- fatigue & trouble sleeping;
- memory loss;
- depression;
- headaches or migraine;
- recurrent urinary tract infections;
- joint stiffness, aches and pains;
- reduced concentration and brain fog;
- heavy periods;
- loss of confidence and self-esteem.

3. Requesting support

Employees who are finding it difficult to manage at work because of menopausal symptoms are encouraged to speak to their line manager to discuss what support may be available. This could include temporary changes to an employee's working arrangements or working environment, or seeking external support, as set out below. Any health-related information disclosed by employees during discussions will be treated sensitively and in confidence.

Swanage Town Council encourages employees to be as open as possible about any particular issues that they are experiencing or adjustments that they might need to ensure that they are provided with the right level of support to improve their experience at work.

If for any reason employees feel unable to approach their line manager, they can speak to the Town Clerk.

3.1. Working arrangements

Employees who require a permanent change to working arrangements, such as changing contracted hours, should refer to the Council's Flexible Working Policy. However, the Council recognises that for individuals affected by menopausal symptoms, the option to work flexibly on a temporary (rather than permanent) basis may be appropriate. For example, this could include working from home, changing start and finish times, or taking more frequent breaks. This is not a definitive list.

Employees who feel that they would benefit from a temporary change to their working arrangements on an ad hoc basis because of sleep deprivation or other symptoms that may be impacting on their performance, should discuss and agree these with the relevant line manager.

The organisation will try to facilitate temporary flexible working arrangements wherever this is possible and will continue to review these to ensure that they meet the employee and the Council's needs.

3.2. Working environment

If an employee feels that their working environment is exacerbating their menopausal symptoms, they should raise this with their line manager.

There are a range of practical adjustments that the organisation may be able to consider in order to help make employees' working life easier, such as moving workstations to a cooler area, providing a fan or relaxing the uniform policy.

3.3. Employee assistance programme

Information can be found in the Health and Wellbeing Policy section 6.

4. Sickness Absence relating to the menopause

If you are sick and unable to work, you should follow the procedure set out in the organisation's Absence Policy.

In some cases, the Council may refer an employee to Occupational Health so that they can advise on how the employee's symptoms are impacted at work and make recommendations on the types of adjustments that may be appropriate, where reasonably practical.

5. External Sources of help

There are various organisations that provide help and support on the menopause including the [NHS](#) where you will find a range of further information and advice.

The following organisations and websites also provide advice and guidance:

- [Balance by Newson Health](#)
- [The British Menopause Society](#)
- [Women's Health Concern](#)
- [Menopause Matters](#)
- [Daisy Network for premature menopause](#)
- [Menopause Cafe](#)
- [Queer Menopause for people who identify as LGBTQ+](#)



Maternity Policy

Swanage Town Council

1. Definitions

The following definitions are used in this policy:

"Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth; and

"Qualifying week" means the fifteenth week before the expected week of childbirth.

2. To Whom This Policy Applies

The occupational maternity scheme shall apply to all pregnant employees regardless of the number of hours worked per week.

3. Notification Requirements

An employee shall notify the Town Clerk in writing at least 28 days before her absence begins or as soon as is reasonably practical:

- That she is pregnant;
- Of the EWC, providing a copy of form MATB1 as supplied by a registered medical practitioner; and
- The date on which she intends to start her maternity leave.

An employee can change her notified start date as long as she gives 28 days' notice or as soon as is reasonably practical.

4. Health And Safety

On receipt of written notification from an employee that she is pregnant, the Council's appointed Health and Safety Officer should carry out a risk assessment. The employee and relevant manager should be fully informed of any risks identified. The manager and employee have an ongoing responsibility to monitor any potential risks that may be present.

5. Ante-Natal Care

Any pregnant employee has the right to a reasonable amount of paid time off to attend ante-natal appointments made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Employees must produce evidence of appointments if requested to do so.

6. Maternity Leave

6.1. Ordinary And Additional Maternity Leave

All women, regardless of their length of service, are entitled to 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML) providing a right to one year's maternity leave in total.

Maternity leave shall commence no earlier than 11 weeks before the EWC or from the time of childbirth if that is earlier. From the beginning of the fourth week before the EWC, a woman's maternity leave may be triggered if she is absent due to a pregnancy-related illness.

7. Maternity Pay

7.1. Less Than One Year's Continuous Service

Payments for employees who have less than 1 year's continuous local government service at the beginning of the eleventh week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP) or Maternity Allowance (MA).

Statutory maternity pay (SMP) will be payable if the employee has been employed continuously for at least 26 weeks ending with the 15th week before the EWC, and has an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions.

SMP is payable for 39 weeks; for the first six weeks it is paid at 90 percent of the average weekly earnings. The following 33 weeks will be paid at the SMP rate or 90 per cent of the average weekly earnings whichever is the lower.

Women who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance, paid by the Benefits Agency, for up to 39 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth.

Details of the current rates of Statutory Maternity Pay and Maternity Allowance may be found on the government's website www.gov.uk

7.2. More Than One Year's Continuous Service

Payments for employees who have completed 1 year's continuous local government service at the 11th week before the EWC shall be as follows:

First six weeks of absence:

The employee will be entitled to nine-tenths of a week's pay. This will be offset against payments made by way of SMP (or Maternity Allowance [MA] for employees not eligible for SMP). This means that any SMP or MA payments will not be paid in addition to the nine-tenths of a week's pay; instead the higher of these amounts will be paid.

Weeks 7 – 52 of absence:

An employee who declares in writing that she intends to return to work will, for the subsequent 12 weeks' absence, receive half a week's pay. She will also receive SMP, if eligible to do so, and the only reason that any deduction will be made is if the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds her contractual full pay.

As an alternative to the twelve weeks' half pay the equivalent amount (i.e. 6 weeks' pay) may be paid over any other mutually agreed distribution.

The twelve weeks' half pay (or equivalent payment) made by the authority during maternity leave is made on the understanding that the employee will return to local authority employment for a period of at least three months. In the event that she does not do so, she will be required to refund the monies paid. This may be varied at the discretion of the Council if there is good reason to do so. Payments made to the employee by way of SMP are not refundable.

For the remainder of the maternity leave period the employee will receive their entitlement to SMP (which currently ends after 39 weeks in total), where eligible. Once the SMP payments have ended any remaining maternity period will be unpaid.

For employees not intending to return to work, payments during their maternity leave period following the first 6 weeks will only be their entitlement to SMP (currently ending after week 39), where eligible.

8. Continuous Service

Maternity leave counts as continuous service for statutory and contractual purposes.

9. Leave During Maternity Leave

9.1. Annual Leave

Annual leave continues to accrue during maternity leave.

9.2. Bank/Public Holidays

Bank/public holidays accrue during maternity leave.

9.3. Carry Forward Of Annual Leave

The employee and their line manager should review annual leave arrangements prior to maternity leave being taken. Where taking maternity leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

9.4. Treatment Of Leave Where A Woman Changes Her Hours After Maternity Leave

If an employee changes their hours after taking maternity leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

10. Returning To Work

10.1. Notification Requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify her employer that she is returning to work if she is going to do so before the end of her maternity leave. Otherwise, the employee simply returns at the end of her maternity leave.

However, as the return to work impacts on the half pay element of the Green Book maternity pay, a manager can ask the employee to inform them if they intend to return to work. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

10.2. Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 21 days' notice.

10.3. Keeping In Touch

A woman can do 10 days' work during her maternity leave, in agreement with her manager, without bringing her maternity leave to an end. Working for part of a day will count as one day. A woman will not lose any SMP (Statutory Maternity Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employees whilst they are on maternity leave. If you do not wish to be contacted, please notify your manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on maternity leave.

11. Surrogacy and Maternity Leave

An employee who acts as a surrogate is entitled to maternity leave and maternity pay in accordance with this policy, as maternity entitlements are based on pregnancy and childbirth. This entitlement applies regardless of whether the employee intends to keep the child following the birth or enter into a surrogacy arrangement.

Employees acting as surrogates are encouraged to inform the organisation as early as reasonably practicable so that appropriate support and arrangements can be made. This may include health and safety risk assessments, time off for antenatal appointments, and planning for maternity leave. All information will be handled sensitively and confidentially.

12. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from the county's LGPS fund.

12.1. Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build a pension in the LGPS as if they were working normally and receiving normal pay.

*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the LGPS website of details of the old rules.

12.2. Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.

An employee who is an intended parent in a surrogacy arrangement is not entitled to maternity leave. However, intended parents may be entitled to other forms of statutory leave and pay, such as adoption leave, paternity leave or shared parental leave, subject to eligibility. Further information is set out in the organisation's Adoption Leave, Paternity Leave and Leave policies.



Neonatal Policy

Swanage Town Council

1. What is Neonatal Care?

Babies may receive neonatal care for a variety of reasons. This can include because they have been born prematurely (before 37 weeks of pregnancy), they have a low birth weight, they are born with, or develop shortly after birth, a medical condition which needs treatment, or they experience a difficult birth.

2. Definitions

For the purposes of this policy, the term 'neonatal care' includes:

- medical care that a child receives in a hospital;
- medical care that a child receives in any other place providing:
 - the child was previously admitted to a hospital as an inpatient and needs continuing care after leaving the hospital;
 - the care is under the direction of a consultant; and
 - the care involves ongoing monitoring and visits from healthcare professionals arranged by the hospital where the child was an inpatient; or
- palliative or end-of-life care.

In this policy, the term 'partner of the child' can include someone, of whatever sex, who lives with the mother or the child in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

3. To Whom This Policy Applies

This policy applies to employees employed by Swanage Town Council. It does not apply to workers, contractors, consultants or any self-employed individuals working for the organisation.

4. Neonatal Care Leave (NCL)

4.1. Entitlement to NCL (birth)

An employee has a statutory right from day one of their employment to take neonatal care leave if at the date of the child's birth:

- they are the child's parent and have responsibility for the upbringing of the child;
- they are the intended parent; or
- they are the partner of the child's mother and have main responsibility for the upbringing of the child (apart from the mother).

Additionally, the following conditions must be satisfied:

- the child was born on or after 6 April 2025;

- the child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- the employee is taking the leave to care for the child; and
- the employee has complied with the relevant notice and declaration requirements set out in this policy.

4.2. Entitlement to NCL (adoption)

In cases specifically related to adoption, an employee's entitlement begins either after the child has been placed for adoption (for adoptions within the UK) or after the child has entered Great Britain (for adoptions from overseas).

An employee has a statutory right from day one of their employment to take neonatal care leave if at the date the child is placed for adoption:

- They are the child's adopter and have or expect to have responsibility for the upbringing of the child;
- They are the child's prospective adopter (in a 'foster to adopt' arrangement) and have, or expect to have, responsibility for the upbringing of the child; or
- They are the partner of the child's adopter or prospective adopter and have main responsibility for the upbringing of the child (apart from your partner).

For adoptions from overseas, employees are entitled to neonatal care leave if at the date the child enters Great Britain:

- They are the child's overseas adopter and have or expect to have responsibility for the upbringing of the child; or
- They are the partner of the child's overseas adopter and have or expect to have main responsibility for the upbringing of the child (apart from their partner).

If the employee is having a child through a surrogacy arrangement, they are entitled to neonatal care leave if at the date of the child's birth:

- they have applied or intend to apply for a parental order within a period of six months;
- they expect the parental order to be granted; and
- they have or expect to have responsibility for the upbringing of the child.

Additionally, the following conditions must be satisfied:

- the child was born on or after 6 April 2025;
- the child started receiving neonatal care within 28 days after the date on which they were born (the 28 days are counted from the day after the child is born);
- the neonatal care has lasted seven days or longer without interruption (the seven days are counted from the day after the neonatal care started);
- they are taking the leave to care for the child; and
- they have complied with the relevant notice and declaration requirements set out in this policy.

4.3. Amount of NCL

Employees are entitled to one week of neonatal care leave for each qualifying period of one week that a child spends in neonatal care without interruption.

A 'week' is defined as a period of seven days.

The first qualifying period starts the day after the day on which neonatal care begins. For example, if the child started receiving neonatal care on 7 April, the seven-day count begins on 8 April. This means that the employee can start their neonatal care leave on any day from 15 April.

Subsequent qualifying periods start the day after the end of the preceding qualifying period. For example, if a child went into neonatal care on day one, the first qualifying period would start on day two and end on day eight, and the next qualifying period would start on day nine.

The minimum number of weeks that an employee can take as neonatal care leave is one week and the maximum number of weeks that an employee can take as neonatal care leave is capped at 12 weeks.

Employees can take only up to 12 weeks' neonatal care leave, even if multiple children from the same pregnancy require neonatal care.

Both parents of a child are entitled to neonatal care leave, including if they both work for Swanage Town Council.

4.4. How and When NCL Can Be Taken

Neonatal care leave is available to take in two tiers:

Tier 1

The tier 1 period runs from when the child starts receiving neonatal care until the seventh day after the day the baby stops receiving neonatal care.

Tier 1 NCL can therefore be taken from any point after the first week that the child has been in neonatal care until the seventh day after the neonatal care ends.

Tier 1 NCL can be taken in one continuous block or a number of non-continuous blocks of a minimum of one week at a time during this period. A maximum of 12 weeks in total can be taken.

Tier 2

The tier 2 period starts from the eighth day after the neonatal care ends and must end within 68 weeks of the child's date of birth.

Tier 2 NCL, consists of any remaining NCL that was not taken during the tier 1 period.

Tier 2 NCL must be taken in one continuous block.

4.5. Notice to Take NCL

Swanage Town Council understands that having a child in neonatal care is an incredibly difficult time for parents. Please be assured that if it is not possible to meet the timeframes for

giving or withdrawing notice as set out in this policy, the organisation will accept later notice than this and, in some cases, we may waive the requirement to give notice altogether.

4.5.1 Notice during the tier 1 period

The employee must notify the Town Clerk for each week of tier 1 NCL that they wish to take. This can be done verbally or in writing.

Preferably the Town Clerk should be notified before the first day of absence in that week or as soon as is reasonably practicable to do so.

Following the initial request, the employee should then complete the Intention and Entitlement to Take Neonatal Care Leave form, which can be found in Appendix B (birth) or Appendix C (adoption).

There is no expectation that an employee should complete this form straight away while the child is receiving neonatal care. However, the organisation does request that the form is sent to the Town Clerk within 28 days of the first day of neonatal care leave, or if this is not possible, as soon as reasonably practicable.

4.5.2 Notice during the tier 2 period

The employee must notify the Town Clerk if they wish to take any remaining NCL not taken during the tier 1 period. This must be done in writing, using the Neonatal Care Leave form, which can be found in Appendix B (birth) or Appendix C (adoption).

If the employee wishes to take only a single week of neonatal care leave, then their notice should be received by the Town Clerk at least 15 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as it is reasonably practicable.

If the employee wishes to take two or more consecutive weeks of neonatal care leave, their notice should be received by the Town Clerk at least 28 days before the first date that they have chosen for their leave to start, or if this is not possible, as soon as reasonably practicable.

4.5.3 Amending notice to take NCL

If an employee has submitted a notice of intention and entitlement to take neonatal care leave during the tier 2 period but wish to cancel their leave, they must inform the Town Clerk as soon as reasonably practicable.

5. Neonatal Care Leave and Other Types of Parental Leave

Parents will have 68 weeks to take their neonatal care leave entitlement from the baby's date of birth, which means that they will be able to take their full entitlement to neonatal care leave in addition to other types of parental leave.

If an employee has already started a period of statutory leave, but subsequently becomes eligible for neonatal care leave, they can take their neonatal care leave after completing the other statutory leave, provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

If the employee has already started a period of neonatal care leave during the tier 1 period but needs to begin another type of statutory leave (e.g. shared parental leave), their neonatal care leave will be temporarily paused immediately before the other statutory leave begins. They can then resume the remaining weeks of their neonatal care leave in one of two ways:

- if they are still within the tier 1 period - immediately after the end of the other period of statutory leave; or
- if they have transitioned into the tier 2 period - immediately after any other neonatal care leave taken during the tier 2 period.

Employees cannot take neonatal care leave in the tier 2 period if, at the time of giving notice, they are aware that the leave will overlap with another type of statutory leave.

5.1. Maternity Leave

Employees who qualify for maternity leave will need to take their neonatal care leave after their maternity leave ends, as maternity leave will be automatically triggered by the birth of the baby or babies and cannot be paused and restarted.

5.2. Adoption Leave

Employees who qualify for adoption leave will need to take their neonatal care leave once adoption leave has ended. Adoption Leave cannot be paused and restarted.

5.3. Shared Parental Leave

If an employee wishes to take shared parental leave then they can choose to take neonatal care leave either:

- straight after their maternity or adoption leave ends but before their shared parental leave starts; or
- in between/after periods of shared parental leave

provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

5.4. Paternity Leave

Employees who qualify for paternity leave can be take their neonatal care leave either before or after their paternity leave, provided that their neonatal care leave is taken within 68 weeks of the child's birth date.

6. Adoption Placement Disrupted

Employees who have accrued entitlement to neonatal care leave may still be entitled to take their neonatal care leave if their adoption placement is disrupted.

A placement is disrupted where:

- the child is returned after having been placed for adoption,
- ceases to live with the overseas adopter, or
- in the case of a surrogacy arrangement, the parental order does not proceed.

Employees should refer to the Adoption Policy and seek advice from the Town Clerk regarding entitlement to leave and other support that may be available.

7. Bereavement

Employees who have accrued entitlement to neonatal care leave can still take the neonatal care leave that they have accrued if their child passes away.

Employees may also be entitled to parental bereavement leave in these circumstances as set out in the organisation's Leave Policy.

In such cases, employees should speak to the Town Clerk so that their entitlement to leave and other support can be discussed.

8. Neonatal Care Pay (NCP)

The maximum number of weeks for which an employee can receive neonatal care pay is capped at 12 weeks.

Any periods of NCL taken will be paid at the current Statutory Neonatal Care (SNC) rate or at 90% of the employee's average weekly earnings (whichever is lower).

Employees may be eligible to receive Statutory Neonatal Care Pay if:

- They are entitled to take neonatal care leave;
- They have at least 26 weeks' continuous employment with the organisation at the end of the relevant week;

They are still employed at the time of taking NCL

- Their average weekly earnings are not less than the lower earnings limit for national insurance contributions;
- they have complied with the relevant notice and evidential requirements and are able to provide the declarations as set out in this policy; and
- they have confirmed when they wish to start receiving statutory neonatal care pay using the appropriate paperwork.

In this policy "relevant week" means the 15th week before the expected week of childbirth if you are entitled to statutory maternity or paternity pay. In all other cases, it means the week before the neonatal care begins.

9. Keeping In Touch and Returning To Work

Employees should refer to the relevant parental leave policy (maternity, paternity, shared parental, adoption, and parental bereavement leave) for further details on keeping in touch days and returning to work.

10. Continuous Service

Neonatal care leave counts as continuous service for statutory and contractual purposes.

11. Leave During Neonatal Care Leave

11.1. Annual Leave

Annual leave continues to accrue during neonatal care leave.

11.2. Bank/Public Holidays

12. Requesting Support

Employees finding it difficult to cope at work because their child is in neonatal care, are encouraged to speak to the Town Clerk.

Swanage Town Council realise that this may not be an easy subject to talk about. However, we urge you to be as open as possible about any particular issues that you are experiencing to ensure that you are provided with the right level of support.

Any information disclosed by you during discussions will be treated sensitively and in strict confidence.

13. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from the county's LGPS fund.

13.1. Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build a pension in the LGPS as if they were working normally and receiving normal pay.

*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the LGPS website of details of the old rules.

13.2. Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.



Paternity Policy

Swanage Town Council

1. To Whom This Policy Applies

An employee has a statutory entitlement to take paternity leave for the purpose of caring for a child or supporting the child's mother.

2. Paternity Leave (PL)

2.1. Eligibility Criteria

Employees have a day-one right to Paternity Leave provided they satisfy the following:

- In the case of a birth child, the employee must be:
 - the biological father of the child; or
 - the mother's spouse, civil partner or partner.
- In the case of an adopted child, the employee must be:
 - the spouse, civil partner or partner of an individual who has adopted a child.
 - Where a couple adopt a child jointly, one may take adoption leave and the other paternity leave.
- The employee must have or expect to have responsibility for the upbringing of the child.
- The employee must have complied with the relevant notification requirements and, where requested, have produced evidence to support their claim for paternity leave.
- The employee must have 26 weeks' continuous service with their current employer.

For the purposes of this policy, continuous service is calculated as follows:

- In the case of a birth child, the employee must have 26 weeks' continuous service with their current employer by the end of the 15th week before the week in which the child is expected to be born.
- In the case of a child adopted within the UK, the employee must have 26 weeks' continuous service with their current employer by the end of the week in which the adoption agency formally notifies the adopter that they have been matched with the child.
- In the case of a child adopted from overseas, the employee must have 26 weeks' continuous service with their current employer by the end of the week in which the adopter receives the official adoption notification from the relevant domestic authority, or starting with the week in which the employee's employment began. The latter option allows for the possibility that the official notification may be received a year or more before the child enters the UK, and the employee may have changed employer in this time.

2.2. Paternity Leave (PL)

An employee who meets the qualifying criteria is entitled to two weeks' paternity leave. The entitlement is up to two weeks' leave even where more than one child is born.

An employee can take either one week, two separate blocks of one week, or two consecutive weeks' paternity leave. An employee cannot choose to take odd days of paternity leave and paternity leave cannot be used before the birth.

An employee is not entitled to take paternity leave if they have already taken any shared parental leave in respect of the child.

Paternity leave must be taken within 52 weeks of the birth or placement with their adoptive parent, or in the case of a child adopted from overseas, within the period of 52 weeks beginning with the date the child entered Great Britain.

If the child is born prematurely, paternity leave must be taken during the period that begins with the birth of the child and ends 52 weeks after the week in which the child was expected to be born.

Where the child is born late, the 52-week period runs from the date of the actual birth. An employee cannot start a period of paternity leave before the child is born.

2.3. If the Baby Dies

Employees still qualify for paternity leave and pay if the baby is either

- Stillborn from 24 weeks of pregnancy
- Born alive at any point in the pregnancy but later dies

3. Paternity Leave Pay

Any periods of Paternity Leave taken will be paid at the current Statutory Paternity Pay (SPP) rate.

Employees may be eligible to receive Statutory Paternity Pay if they:

- have 26 weeks' continuous service with their current employer by the end of the 15th week before the child is due. In the case of adoption, it is at least 26 weeks by the relevant or matching week;
- have average weekly earnings of over the lower limit for National Insurance contributions;
- are still employed at the time of taking paternity leave.

4. Notification Requirements for Paternity Leave

4.1. Before Paternity Leave starts

In the case of a birth child, the employee must provide the following in writing by the end of the fifteenth week before the expected week of childbirth. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child and/or the child's birth parent (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- The expected week of childbirth (EWC);
- Confirmation that the employee is the biological father of the child or the mother's spouse, civil partner or partner;
- Confirmation that the employee will be responsible for the child's upbringing and will take time off work to support the mother or care for the child;
- If requested, the employee must also provide a copy of the mother's MATB1.

In the case of an adopted child from within the UK, the employee must provide the following in writing no more than seven days after the date on which the adopter is notified by an approved adoption agency. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- they have been matched with a child for adoption;
- the date on which the adopter was notified of having been matched with the child;
- the date when the child is expected to be placed with the adopter (or, if placement has already occurred, the date of the placement);
- a declaration that they are married to or the civil partner or partner of the child's adopter and that they expect to have main responsibility for the child's upbringing apart from any responsibility of the adopter.

In the case of an adopted child from overseas, the employee must provide the following in writing no more than seven days after the date on which the adopter is notified by an approved adoption agency. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child (and the date(s) they wish to take their leave, as discussed with their manager, if known);
- the date on which the child's adopter received the "official notification";
- the date on which the child is expected to enter Great Britain (or the date on which the child entered Great Britain where this has already occurred); and
- a declaration that they are married to or the civil partner or partner of the child's adopter and have or expect to have main responsibility for the child's upbringing apart from any responsibility of the child's adopter.

In the case of a surrogacy arrangement, the employee must provide the following in writing by the end of the fifteenth week before the expected week of childbirth. If this is not possible, notice must be provided as soon as is reasonably practical:

- Confirmation that they are planning to take paternity leave in order to care for the child and/or the child's intended parent (and the date(s) they wish to take their leave, as discussed with their manager, if known);

- The expected week of childbirth (EWC);
- Confirmation that they and the other intended parent are parental order parents of the child;
- Confirmation that the employee will be responsible for the child's upbringing and will take time off work to support the other intended parent or care for the child;
- If requested, the employee must also provide a copy of the mother's MATB1.

4.2. Notice to take Paternity Leave

An employee must give at least 28 days' notice before any period of paternity leave. If this is not possible, notice must be provided as soon as is reasonably practical.

An employee must put their notice to take paternity leave in writing, if requested.

4.3. After the birth or adoption

The employee must also inform the employer of the date the child was born or placed for adoption, as soon as is reasonably practical after the child's birth or placement.

4.4. Varying dates of Paternity Leave

If an employee wants to cancel a period of paternity leave or they change their mind about the date on which they intend to start a period of paternity leave, then they must inform the employer of the cancellation or revised start date at least 28 days before the earlier of the original or revised date (or as soon as is reasonably practicable, if not in a position to do so within the prescribed period, e.g. if the child is born prematurely).

If an employee wants to start their paternity leave on a predetermined date and the child has not been born or placed with the adopter by then, the employee must give their employer a notice of variation selecting a later date as soon as reasonably practicable.

An employee must put their notice of a cancellation or variation of leave in writing, if requested.

5. Maternity Support Leave (MSL)

The Green Book sets out an entitlement to Maternity/Adoption Support Leave (MSL/ASL) of one week.

To be eligible for Maternity Support Leave the employee must be:

- The child's father; or
- The partner or nominated carer of an expectant mother

To be eligible for Adoption Support Leave, the employee must be:

- The partner of the primary adopter; or
- The nominated carer of the primary adopter at/around the time of placement.

The purpose of this leave is to enable the employee to assist in the care of the child and to provide support to the mother/primary adopter.

There is no qualifying service requirement for this right.

Maternity/Adoption Support Leave replaces one week of Statutory Paternity Leave; during this time any SPP is topped up to full pay. Therefore, an employee who would otherwise have been entitled to two weeks' Statutory Paternity Leave will be entitled to one week's Maternity/Adoption Support Leave (during which Statutory Paternity Pay will be topped up to full pay) and one week's Statutory Paternity Leave (during which they will receive Statutory Paternity Pay).

An employee who wishes to request or vary a period of MSL/ASL must provide the same notification requirements as set out in section 4 above.

6. Attending Pregnancy-Related or Adoption Appointments

An employee who will be taking paternity leave has the right to unpaid time off to attend two pregnancy-related or adoption appointments, with a maximum statutory entitlement of 6 ½ hours' time off for each appointment. These can include attending pregnancy appointments with a surrogate.

The employee must produce evidence of appointments if requested to do so.

7. Continuous Service

Paternity Leave and Maternity Support leave will count as continuous service for statutory and contractual purposes.

8. Annual Leave And Bank/Public Holidays

Annual leave and Bank/Public holidays will continue to accrue during paternity leave and Maternity Support leave.

9. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from your county's LGPS fund.

9.1. Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build up a pension in the LGPS as if they were working normally and receiving normal pay.

*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the LGPS website for details of the old rules.

9.2. Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.



Bereaved Partner's Paternity Leave

Swanage Town Council

1. Introduction

The Bereaved Partner's Paternity Leave Regulations 2026 provide entitlement for an extended period of leave for bereaved partners in a situation where the primary carer has died. They take effect on 6 April 2026 and apply where the primary carer (the mother or the child's primary adopter) dies on or after that date.

2. Other Contractual Leave Rights

During a period when they could take Bereaved Partner's Paternity Leave, which is unpaid, an employee may also have a right to take other types of leave. They could, for example, be entitled to Paternity Leave, and/or Neonatal Care Leave.

These would be separate entitlements with separate eligibility requirements. Where they apply, the law does not specify in which order different types of leave should be taken.

However, regardless of the order in which different types of leave are taken, the Paternity Leave Eligibility period or PLEP (set out below) is not extended. Taking other types of leave during the PLEP will therefore reduce the total amount of Bereaved Partner's Paternity Leave available.

3. Extent of Bereaved Partner's Paternity Leave Entitlement

An eligible employee is entitled to a single period of up to 52 weeks' leave.

The period during which leave can be taken, which is called the paternity leave eligibility period (PLEP), starts on the day after the child is born or placed for adoption and ends 52 weeks after that day. Leave cannot start until after the bereavement date.

If the bereavement occurs less than a fortnight before the end of the 52 weeks, the eligibility period ends 14 days after the bereavement date.

4. Pay During Bereaved Partner's Paternity Leave

Bereaved Partner's Paternity Leave is unpaid.

5. Eligibility Criteria for Bereaved Partner's Paternity Leave

Bereaved Partner's Paternity Leave is a 'day one right', which means that employees are eligible from the first day of their employment.

A person is entitled to a period of bereaved partner's paternity leave (BPPL) for the purpose of caring for a child where the child's primary carer (the mother or the child's primary adopter) dies, if they have the main responsibility for the upbringing of the child and:

In a birth case:

- They are the child's father
Or
- Immediately before the mother's death, they were married to or were the civil partner or partner of the child's mother.

In the case of an adoption from within the UK:

- They were married to, or were the civil partner or the partner of, the child's adopter –
(i) on the date on which the child was placed for adoption, or
(ii) immediately before the death of the child's adopter

In the case of an adoption from within the UK the child must be under the age of 18 when they were placed for adoption with the adopter.

The Regulations also apply to overseas adoption and parental order (surrogacy) cases.

6. Notice of Taking Bereaved Partner's Paternity Leave

Different notice requirements apply depending on when the employee intends to start their leave.

6.1 Starting Leave No More Than Eight Weeks After Bereavement

If leave is to start no more than eight weeks after the bereavement date, notice can be given either orally or in writing.

The employee must tell the employer:

- the bereavement date
- the date they intend to start their leave.
- the date of the child's birth or placement for adoption

The notice must be given before the employee is due to start work on the first day of their leave. This could allow, for example, an employee to phone their employer before they would be expected to start work to say that they are going to take bereavement leave.

Subsequently, the employee must provide the employer with a written notice setting out:

- the length of time for which they intend to be absent
- their intended return date, which can be no later than the day after the final day of the PLEP
- if the intended return date is more than eight weeks after the bereavement date, confirmation of the date the child was born or placed for adoption and a declaration

that they are taking the leave to care for the child and that they satisfy the relationship conditions for taking leave.

This notice must be provided no more than eight weeks after the bereavement date and at least one week before the intended return date.

6.2 Startin Leave More Thank Eight Weeks After Bereavement

If the employee wants to start their leave more than eight weeks after the bereavement they must give written notice at least one week before the first day of their absence on leave.

The notice must set out:

- the bereavement date
- the date they intend to start their leave
- the date of the child's birth or placement for adoption
- their intended return date, which can be no later than the day after the final day of the PLEP
- a declaration that they are taking the leave to care for the child and that they satisfy the relationship conditions for taking leave.

7. Varying the Start Date of Leave

An employee can vary the date on which they start their leave. The amount of notice required depends upon whether or not the last notified start date was no more than eight weeks after the bereavement date (BD), as follows:

Last notified start date is no more than eight weeks after bereavement date

If the new date remains within the eight weeks after the BD, notice can be given orally and the employer must be informed of the change before whichever is the earlier of the new or the last notified start date. If the employee subsequently wants to push their start date back so that it is more than eight weeks after the BD, they must inform the employer in writing before the last notified date and at least one week before the new date.

Last notified start date is more than eight weeks after bereavement date

If the last notified start date is more than eight weeks after the BD, notice must be given in writing at least one week before whichever is the earlier of either the new or the last notified start date.

8. Varying the Intended Return Date

The employee can also vary the date they intend to return. If the last notified intended return date is no more than eight weeks after the BD, they must give written notice at least one week before whichever is the earlier of the new and the last notified return date.

If the last notified intended return date is more than eight weeks after the BD, they must give written notice at least eight weeks before whichever is the earlier of the new and the last notified return date.

If an employee attempts to return to work without having correctly notified their employer of their intended return date, or variation of that date, the employer can give them a written notice of postponement to ensure that it has the notice that it is entitled to as set out above. The return date cannot be postponed beyond the day immediately following the end of the PLEP. An employer who legitimately postpones an employee's return is under no contractual obligation to pay an employee who returns to work before the postponed return date.

9. Cancelling Leave

An employee can also cancel their leave. If it was due to start no more than eight weeks after the BD, they can cancel by giving notice before the last notified start date. Otherwise at least one week's notice before this date is required.

10. Where the Child Also Dies or (In the Case of Adoption) Is Returned

Bereaved Partner's Paternity Leave in this situation

If the child also dies, or in the case of adoption is returned, the employee will no longer be able to fulfil the purpose of the leave, which is to care for the child.

However, in these situations an employee will be able to take the greater of eight weeks' Bereaved Partner's Paternity Leave (starting with the Sunday following the week in which the child died or was returned) or to the end of the PLEP. This entitlement applies to the birth of a stillborn child after 24 weeks of pregnancy.

As well as complying with the notice provisions set out above, the employee must inform the employer of the date of the child's death or return; this notification must be given either orally or in writing before the first day of absence following this occurrence. An employee who has already returned to work from Bereaved Partner's Paternity Leave does not have a statutory entitlement to further leave under the Regulations due to the death or return of the child.

Other Entitlements

In addition to Bereaved Partners Paternity Leave, employees may also be entitled to Parental Bereavement Leave and, where eligible, pay. This leave must be taken within 56 weeks of the child dying. Details of this are set out in the [Leave Policy].

Employees may also still qualify for paternity leave and, where eligible, pay. This leave must be taken within 52 weeks of the child's birth. This includes if the baby is either stillborn from 24 weeks of pregnancy or is born alive at any point in the pregnancy but later dies. For details of this entitlement please refer to the [Paternity Leave Policy].

11. Keeping in Touch

An employee can work up to 10 days' during their Bereaved Partner's Paternity Leave, in agreement with their manager, without bringing their leave to an end. Working for part of a day will count as one day.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employees whilst they are on Bereaved Partner's Paternity Leave. If the employee does not wish to be contacted, then they should notify their line manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on leave.

12. Continuous Service

Bereaved Partner's Paternity Leave counts as continuous service for statutory and contractual purposes.

13. Leave During Bereaved Partner's Paternity Leave

13.1 Annual Leave

Annual leave continues to accrue during Bereaved Partner's Paternity Leave.

13.2 Bank/Public Holidays

Bank/public holidays continue to accrue during Bereaved Partner's Paternity Leave.

13.3 Carry Forward of Annual Leave

Where circumstances allow, the employee and their manager should review annual leave arrangements before the start of Bereaved Partner's Paternity Leave and before the employee's return to work.

Where taking Bereaved Partner's Paternity Leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

14. Treatment of Leave Where an Employee Changes Their Hours after Bereaved Partner's Paternity Leave

If an employee changes their hours after taking Bereaved Partner's Paternity Leave maternity leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

15. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from your county's LGPS fund.

15.1 Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build up a pension in the LGPS as if they were working normally and receiving normal pay.

[*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the LGPS website for details of the old rules.]

15.2 Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.



Adoption Policy

Swanage Town Council

1. To Whom This Policy Applies

This policy applies to all employees. It does not apply to workers, contractors, volunteers or interns working for the organisation.

2. Adoption Leave

2.1. Adoption from within the UK

Eligibility to Adoption Leave

There is no qualifying service requirement to be eligible for statutory adoption leave for employees who are adopting a child from within the UK.

Entitlement to Adoption Leave

Employees are entitled to 26 weeks' ordinary adoption leave followed immediately by 26 weeks' additional adoption leave, provided they have:

- been matched with a child for adoption (this includes the situation where a local authority places a child with the employee in a "foster to adopt" arrangement); and
- notified the adoption agency that they agree that the child should be placed with them for adoption and on the date of placement.

Notice of Adoption Leave

Employees must give the Town Clerk notice in writing within seven days of being matched with a child, or as soon as possible afterwards, of:

- their intention to take adoption leave;
- the date on which the child is expected to be placed with them;
- the date on which they wish their adoption leave to start; and
- if they don't intend to take the full 52 weeks of adoption leave, the date they intend to return to work.

The Town Clerk will normally write to the employee within 28 days of receipt of their notice confirming the date on which the employee is expected to return to work. If no return date has been given, it should be assumed that they will take the full 52 weeks of adoption leave.

The Town Clerk may ask the employee to provide evidence in the form of one or more documents issued by the adoption agency confirming:

- the name and address of the adoption agency;

- the date on which the employee was notified that they'd been matched with the child; and
- the expected date of placement.

Commencement of Adoption Leave

Employees can choose to start their adoption leave on the day the child is placed with them for adoption or on a fixed date up to 14 days before this date.

Changing Adoption Leave Start Date

Employees who wish to bring forward their adoption leave start date, must inform the Town Clerk in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable.

Employees who wish to postpone their adoption leave start date, must inform the Town Clerk in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

If an employee changes their adoption leave start date, the Town Clerk will write to them within 28 days of the start of their adoption leave confirming the revised date on which they must return to work if they take the full 52-week entitlement to adoption leave.

2.2. Adoption from Overseas

Eligibility to Adoption Leave

There is no qualifying service requirement to be eligible for statutory adoption leave for employees who are adopting a child from overseas.

Entitlement to Adoption Leave

Employees who are adopting a child from overseas and have received official notification in respect of that child, are entitled to 26 weeks' ordinary adoption leave followed immediately by 26 weeks' additional adoption leave.

Notice of Adoption Leave

Employees will need to give the Town Clerk notice in writing within 28 days of receiving the official notification of:

- their intention to take adoption leave;
- the date on which the official notification was received by the employee;
- the date on which the child is expected to enter Great Britain;
- the date on which they intend to start their adoption leave; and
- if they don't intend to take the full 52 weeks of adoption leave, the date they intend to return to work.

The Town Clerk will normally write to the employee within 28 days of receipt of their notice confirming the date on which the employee is expected to return to work. If no return date has been given, it should be assumed that they will take the full 52 weeks of adoption leave.

Within 28 days of the child entry into Great Britain, the employee must inform the Town Clerk of the date of entry and provide evidence in the form of a plane ticket or copies of entry clearance documents. The Town Clerk may also ask the employee to provide a copy of the official notification.

Commencement of Adoption Leave

Employees can choose to start their adoption leave on the day on which:

- the child enters Great Britain or
- on a fixed date that is no later than 28 days after this date.

Changing Adoption Leave Start Date

Employees who wish to bring forward their adoption leave start date, must inform the Town Clerk in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable.

Employees who wish to postpone their adoption leave start date, must inform the Town Clerk in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

If an employee changes their adoption leave start date, the Town Clerk will write to them within 28 days of the start of their adoption leave confirming the revised date on which they must return to work if they take the full 52-week entitlement to adoption leave.

2.3. Surrogacy

In a surrogacy arrangement:

- The surrogate mother may be entitled to maternity leave and pay (see Maternity Policy)
- One intended/adoptive parent may be entitled to adoption leave and pay (as set out in this policy)
- The other intended/adoptive parent may be entitled to paternity leave and pay (see Paternity Policy)

Eligibility to Adoption Leave

There is no qualifying service requirement to be eligible for statutory adoption leave for employees who are having a child through a surrogacy arrangement.

Entitlement to Adoption Leave

Employees who are having a child through a surrogacy arrangement are entitled to 26 weeks' ordinary adoption leave followed immediately by 26 weeks' additional adoption leave, provided they:

- adopt the child; or
- intend to apply for a parental order within six months of the child's birth and expect the order to be granted.

Notice of Adoption Leave

In the case of a surrogacy arrangement, employees will need to give the Town Clerk notice in writing by no later than the 15th week before the expected week of childbirth, or as soon as possible afterwards, of:

- their intention to take adoption leave; and
- the expected week of childbirth.

The Town Clerk will normally write to the employee within 28 days of receipt of their notice confirming the date on which the employee is expected to return to work if they take the full 52-week entitlement to adoption leave.

The Town Clerk may ask the employee to provide a statutory declaration confirming that they intend to apply for a parental order within six months of the child's birth and expect the order to be granted.

Employees must give the Town Clerk further notice, as soon as reasonably practicable, of the child's date of birth.

Commencement of Adoption Leave

Employees having a child through a surrogacy arrangement, can start their adoption leave on the day on which the baby is born or the day after.

Changing adoption leave start date

Employees who are having a child through a surrogacy arrangement cannot change their adoption leave start date.

3. Adoption Pay

The following information applies to employees adopting a child within the UK, from overseas or via surrogacy.

3.1 Entitlement

Payments for employees shall be the employee's entitlement to Statutory Adoption Pay (SAP), where eligible.

Statutory Adoption Pay is paid for up to 39 weeks. The weekly amount is:

- 90% of employees average weekly earnings for the first 6 weeks
- SAP or 90% of employees average weekly earnings (whichever is lower) for the next 33 weeks

This provision is the statutory entitlement. Details of the current rates of Adoption Pay may be found on the government's website www.gov.uk

3.2 Eligibility Criteria

Employees will qualify for statutory adoption pay if:

- they have been continuously employed for at least 26 weeks ending with the week in which they were notified of being matched with the child for adoption (or in a surrogacy arrangement, ending with the 15th week before the expected week of childbirth);
- they have chosen to receive statutory adoption pay rather than statutory paternity pay;
- they have given the correct notice;
- they have stopped working; and
- their average weekly earnings are not less than the lower earnings limit for national insurance contributions.

3.3 Evidence

To receive adoption pay, the employee must provide the **Town/Parish Clerk** with either a matching certificate and/or a letter from the adoption agency which shows the following:

- the employee's name and address;
- the name and address of the adoption agency;
- the date the child is expected to be placed for adoption, or where the child has already been placed, the date of placement, and;
- the date the employee was informed that the child would be placed with them
- the date the foster carer was told that a child would be placed with them on a foster to adopt basis;
- the relevant UK authority's 'official notification' confirming you're allowed to adopt (overseas adoptions only);
- the date the child arrived in the UK - for example a plane ticket (overseas adoptions only).

Employees will also be required to provide a 'matching certificate' from their adoption agency to enable the organisation to establish whether an entitlement to Statutory Adoption Pay exists.

Where an employee is entitled to Statutory Adoption Pay (SAP) they must provide a signed declaration that they have elected to receive SAP and not statutory paternity pay (SPP).

4. Adoption Appointments

The main adopter has the right to take paid time off for up to five adoption appointments.

The secondary adopter will be entitled to take unpaid time off for up to two appointments.

The purpose of the adoption appointments is to enable employees to have contact with the child and for any other reason connected with the adoption.

Swanage Town Council may ask employees to provide proof, such as a letter or email from the adoption agency confirming the date and time of the appointment and that the appointment has been arranged by or at the request of the adoption agency.

Employees must give Town Clerk as much notice as possible of their adoption appointments and, wherever possible, try to arrange them outside working hours/outside core hours/as near as possible to the start or end of the working day.

5. Leave During Adoption Leave

5.1 Annual Leave

Annual leave continues to accrue during adoption leave.

5.2 Bank/Public Holidays

Bank/public holidays continue to accrue during adoption leave.

5.3 Carry Forward of Annual Leave

The employee and their line manager should review annual leave arrangements prior to adoption leave being taken. Where taking adoption leave means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

5.4 Treatment of Leave Where an Employee Changes Their Hours after Adoption Leave

If an employee changes their hours after taking adoption leave, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated on their new hours.

Within 7 days, or as soon as possible after the day the employee receives notification from the adoption agency that they have been matched with a child, an employee must inform the Town Clerk in writing of the following:

- the date the child is expected to be placed with them for adoption;
- the date the employee has chosen to start their leave and pay.

6. Continuous Service

Adoption leave counts as continuous service for statutory and contractual purposes.

7. Foster Parents Who Adopt a Child

If an employee has been notified of a child's placement they may be able to take statutory adoption leave if they go on to adopt a child but only if:

- The child that the employee fostered is then matched with the employee for adoption by a UK adoption agency - adoption via a court order does not count.
- The child is then actually placed with the employee for adoption.
- The adoption leave relates to the actual placement for adoption - any period of foster caring does not qualify for adoption leave.

8. Returning to Work

8.1. Notification Requirements

Managers must assume that an employee will return after 52 weeks. An employee need only notify their employer that they are returning to work if they are going to do so before the end of the adoption leave. Otherwise, the employee simply returns at the end of the adoption leave. Please note that an employee can change their mind up to the point when they actually give notice and resign. If an employee can let their manager know when they are likely to return as soon as possible that would be appreciated.

8.2. Early Return

If an employee wishes to return early or on a different date than they had previously notified, they must give 8 weeks' notice.

8.3. Keeping in Touch

An employee can do up to 10 days' work during their adoption leave, in agreement with their manager, without bringing their adoption leave to an end. Working for part of a day will count as one day. An employee will not lose any SAP (Statutory Adoption Pay) for working up to 10 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace.

Managers need to ensure that they keep in touch with their employee whilst they are on adoption leave. If you do not wish to be contacted please notify your manager. Newsletters and any other relevant correspondence will be sent to all employees whilst they are on adoption leave.

9. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from your county's LGPS fund

9.1. Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build up a pension in the LGPS as if they were working normally and receiving normal pay.

*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption

leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the [LGPS website](#) for details of the 'old' rules.

9.2. Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.



Shared Parental Leave Policy

Swanage Town Council

1. Definitions

The following definitions are used in this policy:

- "Expected week of childbirth" (EWC) means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth; and
- "Qualifying week" means the fifteenth week before the expected week of childbirth
- "Primary adopter" refers to the nominated parent (when a couple is adopting) who is entitled to take the statutory adoption leave / pay.

2. Abbreviations

The following abbreviations are used within this policy:

- SPL Shared Parental Leave
- ShPP Shared Parental Pay
- SMP Statutory Maternity Pay
- SAP Statutory Adoption Pay
- MA Maternity Allowance

3. Overview

In 2015 the Government introduced new legislation which enables mothers, fathers/partners and primary adopters to decide how to share the care of their child during the first year of birth or adoption.

The legislation enables mothers or primary adopters who wish to, to end their maternity or adoption leave/pay period early and share the remaining entitlement with their partner.

It is important to understand that there is a distinction between the entitlement to leave and pay.

It is also important to understand that each individual (i.e. the mother/primary adopter and the father/partner) wishing to take a period of Shared Parental Leave and/or receive Shared Parental Pay must be assessed in his/her own right to check whether he/she is eligible.

Depending upon whether they satisfy specific qualification criteria, individuals may be entitled to:

- Leave (SPL) and pay (ShPP)
- Pay (ShPP) but not leave (SPL)
- Leave (SPL) but not pay (ShPP)

- Neither leave (SPL) nor pay (ShPP)

SPL can only be used by two people:

- The mother/primary adopter and
- One of the following:
 - The father of the child (in the case of birth) or
 - The spouse, civil partner or the partner of the child's mother/primary adopter.

4. Shared Parental Leave

4.1. Entitlement to Shared Parental Leave

The total amount of leave to which employees may be entitled is calculated using the mother's/primary adopter's entitlement to maternity/adoption leave/pay. The maximum amount of SPL available is 52 weeks. SPL must be taken during the child's first year of birth/placement and must end no later than one year after the birth/placement of the child.

A mother/primary adopter who is entitled to maternity/adoption leave must take a period of compulsory leave of two weeks immediately after the birth or placement of the child. Following this they can take a period of up to 50 weeks' maternity/adoption leave. This means that a mother/primary adopter who ends their maternity/adoption leave at the earliest opportunity could share up to 50 weeks' SPL with their partner.

A mother/primary adopter who is not entitled to Maternity Leave (e.g. an agency worker, casual worker or not in work) may still be entitled to pay. This could be Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA). These are paid for 39 weeks. As above, the mother/primary adopter must take SMP/SAP/MA for a compulsory period of two weeks immediately after the birth or placement of the child. If the mother/primary adopter ends their period of pay before the 38th week of pay, the father/partner may be entitled to up to 50 weeks of Shared Parental Leave, some of which may be paid. The amount of Shared Parental Leave available to the father/partner is calculated by deducting from 52 weeks the number of weeks of SMP, SAP or MA taken by the mother/primary adopter.

4.2. Eligibility to Shared Parental Leave

It is the employee's responsibility to prove that they are eligible for SPL and ShPP. Employees can check their eligibility for SPL and ShPP via the Gov website: <https://www.gov.uk/shared-parental-leave-and-pay-employer-guide/overview>. To be eligible for SPL both individuals must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

Eligibility for shared parental leave if you are the mother/primary adopter:

A mother/primary adopter is entitled to shared parental leave if they:

- have at least 26 weeks' continuous employment at the end of the qualifying week;
- remain in continuous employment until the week before any period of shared parental leave that they take;
- have main responsibility for the care of the child at the date of the child's birth (apart from the partner);

- are entitled to statutory maternity pay or leave, adoption pay or leave or maternity allowance in respect of the child;
- have brought their statutory maternity/adoption leave to an end by giving a maternity/adoption leave curtailment notice (or returned to work before the end of your statutory maternity/adoption leave period); and
- have complied with the relevant notice and evidential requirements set out in this policy.

In addition, the partner must:

- have been employed or been a self-employed earner for at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance* threshold in any 13 of those 66 weeks; and
- have main responsibility for the care of the child at the date of the child's birth (apart from the mother/primary adopter).

Eligibility for shared parental leave if you are the partner:

The partner is entitled to shared parental leave if they:

- have at least 26 weeks' continuous employment at the end of the qualifying week;
- remain in continuous employment until the week before any period of shared parental leave that they take;
- have main responsibility for the care of the child at the date of the child's birth (apart from the mother); and
- have complied with the relevant notice and evidential requirements set out in this policy.

In addition, the mother/primary adopter must:

- have been employed or been a self-employed earner for at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance* threshold in any 13 of those 66 weeks;
- have main responsibility for the care of the child at the date of the child's birth (apart from the partner);
- be entitled to statutory maternity/adoption leave, statutory maternity/adoption pay or maternity allowance in respect of the child; and
- have brought their statutory maternity/adoption leave to an end by giving a maternity/adoption leave curtailment notice (or returned to work before the end of their statutory maternity/adoption leave period).

*This is a statutory amount and is subject to annual review

5. Shared Parental Pay

5.1. Entitlement to Shared Parental Pay

The total amount of pay to which employees may be entitled will depend upon how much Statutory Maternity/Adoption Pay or Maternity Allowance the mother/primary adopter has been paid at the date when their maternity/adoption leave or maternity/adoption pay period

ends. The principle is that any pay (SMP/SAP/MA) not taken can be converted into Shared Parental Pay as long as the person wanting to take this is eligible.

SMP/SAP/MA is paid for 39 weeks. A mother/primary adopter who is entitled to this must take two weeks' of pay during the compulsory two week period immediately after the birth/placement. The mother/primary adopter may choose to end their maternity/adoption pay early at some point after this. In this case any paid weeks not taken as SMP/SAP/MA (as long as there are at least two weeks' pay remaining) may be taken as Shared Parental Pay (ShPP). If the mother/primary adopter took the minimum amount of SMP/SAP/MA, this would therefore enable 37 weeks' of Shared Parental Pay to be taken.

Any Statutory Shared Parental Pay due during shared parental leave will be paid at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

5.2. Eligibility for statutory shared parental pay (ShPP)

It is the employee's responsibility to prove that they are eligible for SPL and ShPP. Employees can check their eligibility for SPL and ShPP via the Gov website: <https://www.gov.uk/shared-parental-leave-and-pay-employer-guide/overview>

For employees to be eligible for ShPP, both parents must each meet certain eligibility requirements.

Eligibility for shared parental pay if you are the mother/primary adopter

A mother/primary adopter is entitled to shared parental pay if they:

- have at least 26 weeks' continuous employment at the end of the qualifying week;
- remain in continuous employment until the week before any period of shared parental pay begins;
- have average weekly earnings for a period of eight weeks ending with the qualifying week which are not less than the lower earnings limit for national insurance contributions;
- have main responsibility for the care of the child at the date of the child's birth (apart from the partner);
- are absent from work and intend to care for the child during each week in which they receive statutory shared parental pay; and
- are entitled to statutory maternity/adoption pay in respect of the child, but the maternity/adoption pay period has been reduced; and
- have complied with the relevant notice and evidential requirements set out in this policy.

In addition, the partner must:

- have been employed or been a self-employed earner for at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance* threshold in any 13 of those 66 weeks; and
- have main responsibility for the care of the child at the date of the child's birth (apart from the mother).

Eligibility for shared parental pay if you are the partner

The partner is entitled to shared parental pay if they:

- have at least 26 weeks' continuous employment at the end of the qualifying week;
- remain in continuous employment until the week before any period of shared parental pay begins;
- have average weekly earnings for a period of eight weeks ending with the qualifying week which are not less than the lower earnings limit for national insurance contributions;
- have main responsibility for the care of the child at the date of the child's birth (apart from the mother/primary adopter);
- are absent from work and intend to care for the child during each week in which you receive statutory shared parental pay; and
- have complied with the relevant notice and evidential requirements set out in this policy.

In addition, the mother/primary adopter must:

- have been employed or been a self-employed earner for at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance* threshold in any 13 of those 66 weeks;
- have main responsibility for the care of the child at the date of the child's birth (apart from the partner); and
- be entitled to statutory maternity pay, statutory adoption pay or maternity allowance in respect of the child, but the maternity/adoption pay period or maternity allowance period has been reduced.

*This is a statutory amount and is subject to annual review

6. Requesting Shared Parental Leave

An employee considering taking SPL is encouraged to contact the Town Clerk to arrange an informal discussion as early as possible regarding their potential entitlement.

Once an employee has checked that they are eligible for SPL and/or ShPP, they should then complete a 'Notice of Entitlement and Intention' form which should then be given to the Town Clerk.

Before SPL can begin the mother/primary adopter must end their maternity/adoption leave and/or pay entitlement. Therefore if the employee is the mother/primary adopter then they must also complete the 'Curtailment of Maternity/Adoption Leave and/or Pay' form.

6.1. Requesting Further Evidence of Eligibility

The Council may request, within 14 days of receiving the 'Notice of Entitlement and Intention' form being given:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead).
- In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).

- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

In order to be entitled to Shared Parental Leave, the employee must produce this information within 14 days of the employer's request.

6.2. Booking Shared Parental Leave

In addition to notifying the employer of entitlement to SPL/ShPP via the 'Notice of Entitlement and Intention' form, an employee must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.

Requests for leave should be made via the 'Period of Shared Parental Leave Notice'.

The employee must book leave by giving the correct notification at least eight weeks before the date on which they wish to start the leave and, if applicable, receive ShPP.

Eligible employees have the right to submit up to three notifications specifying leave periods they are intending to take.

Each period of leave may consist of either a) a single period of weeks of leave; or b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.

Leave must be taken in complete weeks but can start on any day of the week.

Periods of Shared Parental Leave can be taken either at the same as or at different times to leave taken by their partner.

The father/partner may begin Shared Parental Leave (SPL) immediately following the birth or placement of the child. This may be taken either before any period of paternity leave or after paternity leave has been taken.

SPL must be taken during the child's first year of birth/placement and must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption will be lost.

6.3. Continuous Periods of Shared Parental Leave

If the employee submits a 'Period of Shared Parental Leave Notice' requesting one continuous period of leave, they will be automatically entitled to take that period of leave.

6.4. Discontinuous Periods of Shared Parental Leave

The employee may submit a Period of Shared Parental Leave Notice requesting discontinuous periods of leave. For example, the mother and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

If the employee submits a request for a period of discontinuous of leave, the Town Council can, in the two weeks beginning with the date the period of leave notice was given:

- Consent to the pattern of leave requested;
- Propose an alternative pattern of leave; or
- Refuse the pattern of leave requested.

If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the Town Council of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

Alternatively, if the Town Council has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave.

The employee can withdraw a Period of Shared Parental Leave Notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

6.5. Arranging a Meeting to Discuss Leave Requests

Any meetings arranged to discuss leave requests and/or entitlement to SPL should take place in private and be arranged in advance. If the initial date is problematic then another date will be arranged if possible. If an alternative date cannot be arranged then the meeting may be held over the telephone.

At the meeting the employee may, if they wish, be accompanied by a work colleague or trade union representative.

The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the Town Council, and what the outcome may be if no agreement is reached.

A response to the SPL request should be given no later than the 14th day after the request was made.

6.6. Variations to Arranged Shared Parental Leave

The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the Town Council, in writing at least eight weeks before the date of the variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification and will reduce by one the employee's right to book/vary leave.

However a change as a result of a child being born early, or as a result of the Town Council requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the Town Council.

7. Fraudulent Claims

Where there is a suspicion that fraudulent information may have been provided or where the Council has been informed by the HMRC that a fraudulent claim was made, the Town Council can investigate the matter further in accordance with their usual investigation and disciplinary procedures, and also without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

8. Continuous Service

Any periods of Shared Parental Leave will count as continuous service for statutory and contractual purposes.

9. Leave During Shared Parental Leave

9.1 Annual Leave and Bank/Public Holidays

Annual leave and bank/public holidays continue to accrue during SPL. Where bank/public holidays fall during a period of SPL, the employee will be entitled to a day's holiday (pro rata if part-time) in lieu of each bank/public holiday.

9.2 Carry Forward of Annual Leave and Bank/Public Holidays

The employee and their line manager should review annual leave arrangements prior to SPL being taken. Where taking SPL means that the employee is unable to take their full annual leave entitlement in the current annual leave year, the outstanding leave (including any days in lieu of bank/public holidays) can be carried over to the next annual leave year.

9.3 Treatment of Leave Where an Employee Changes Their Hours after Shared Parental Leave

If an employee changes their hours after taking SPL, all leave accrued up to the agreed date when their hours change is calculated based on their original hours and any leave accrued subsequently is calculated based on their new hours.

10. Returning To Work

10.1 Shared Parental Leave In Touch Days (SPLIT)

Employees can work up to 20 days without bringing their Shared Parental Leave to an end. These are called Shared Parental Leave In Touch (SPLIT) days.

Working for part of a day will count as one day. An employee will not lose any SPL or ShPP for working up to 20 days.

Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. SPLIT days are optional - both the employee and your employer must agree to them. Managers need to ensure that they keep in touch with their employees whilst they are on Shared Parental Leave. If you do not wish to be contacted, please notify your manager and/or the Town Clerk. Any relevant correspondence will be sent to all employees whilst they are on Shared Parental Leave.

11. Pension

The following information relates to employees who are members of the Local Government Pension Scheme and who take leave on or after 1 April 2026 (6 April 2026 for Bereaved Partner's Paternity Leave). Full details can be found on the Local Government Pension Scheme (LGPS) website or from your county's LGPS fund.

11.1. Pension During Relevant Child-related Leave

Relevant child-related leave in the Local Government Pension Scheme means:

- Maternity or adoption leave, both paid and unpaid*
- Shared parental leave, both paid and unpaid*
- Paternity leave, whether paid/unpaid
- Paid parental bereavement leave
- Paid neonatal care leave
- Bereaved partner's paternity leave, which is always unpaid

During a period of relevant child-related leave, the employee's pension is usually worked out using their Assumed Pensionable Pay. Assumed Pensionable Pay is a notional figure that is used to make sure their pension is not affected by the pay reduction. They would continue to build up a pension in the LGPS as if they were working normally and receiving normal pay.

*Note: Weeks 27-52 of maternity/adoption leave are classed as 'additional maternity/adoption leave'. If the unpaid period of additional maternity/adoption leave or the unpaid period of shared parental leave started before 1 April 2026, Assumed Pensionable pay would not apply during this period. Please see the LGPS website for details of the old rules.

11.2. Pension When Assumed Pensionable Pay Does Not Apply

Assumed Pensionable Pay does not apply during:

- Unpaid parental bereavement leave
- Unpaid neonatal care leave

Where the period of unpaid leave started on or after 1 April 2026, it is treated as authorised unpaid leave. How pension is affected depends on how long it lasts.

Authorised Leave Without Pay (Less Than 15 Days)

If the unpaid leave lasts less than 15 days, the employee's pension will continue to build up in this period. The employee and employer both pay the pension contributions that would have been paid if the employee was at work receiving their normal pay.

Authorised Leave Without Pay (15 days or More)

If the unpaid leave lasts for 15 days or more, the break will not automatically count for pension purposes.

The employee can, if they wish, choose to pay extra contributions to buy the pension they 'lost' in the unpaid period.

If they elect to pay these extra contributions within a year of returning to work, the cost is split between the employee and their employer. The contributions can be paid by lump sum or regular deductions from the employee's pay. The employer will be able to provide information about the cost and the employee's payment options.

An arrangement to buy pension 'lost' in a period of unpaid leave that started 1 April 2026 or later is known as a Qualifying Additional Pension Arrangement or QAPA.



Absence Management Policy

Swanage Town Council

1. Introduction

The Council is committed to providing effective, high-quality service to all its customers and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short-term sickness or extended periods of absence as appropriate.

1.1 Aims

In order for the Council to meet its responsibilities, it will ensure that:

- It provides a supportive environment for those employees affected by ill-health;
- Managers and employees adhere to this policy and procedure; and
- Levels of sickness absence are the subject of routine monitoring.

1.2 Responsibilities

It is important that employees read and understand this document. If employees are not sure about any part of it, they should ask their line manager, who will provide the necessary clarification.

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The overall responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Town Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

1.3 Miscellaneous

It is important that employees comply with this procedure so that:

- The Council can monitor sickness absence across the workforce and identify any intervention/support needed;
- The Council can provide assistance to individual employees where necessary; and
- Any sick pay to which the employee would otherwise be entitled is not withheld or refused.

If an employee wilfully abuses the sickness absence/payments provisions or absented themselves without permission, then this will be dealt with in accordance with the Council's disciplinary process.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality at all times, in accordance with the provisions of prevailing Data Protection legislation. The employee is entitled to access their records on request.

2. Absence Reporting

Employees who are unable to work due to illness/injury must contact their Line Manager as soon as possible or arrange for someone else to do this on their behalf. This should be no later than half an hour after the specified time of commencement of work on the first day of absence or the nearest working day. The employee should provide some indication of:

- The nature of the absence;
- The date the injury/illness began (including weekends and holidays);
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If their Line Manager is unavailable, the employee should ensure that contact is made with the next appropriate person (as designated by their Line Manager) or the payroll team via the Town Hall reception.

The employee must maintain contact with his or her Line Manager during any period of sickness absence lasting longer than one day, so that the Line Manager is aware of any progress and the expected date of return to work. If the employee is unable to do so, they must arrange for someone else to do this on their behalf.

Failure to follow the sickness reporting process might lead to the absence from work being considered as unauthorised, resulting in loss of pay and possible disciplinary action.

3. Certification

3.1 Absence Period of up to Seven Days

Where the absence is for a period of up to seven days (including weekends) and not covered by a statement of fitness to work ("fit note"), the employee will be asked to complete a self-certification form on their return to work.

3.2 Absence Period Exceeding Seven Days

If the absence exceeds seven days and the employee has not already done so, they must provide medical evidence in the form of a fit note for the remainder of the absence. If the absence continues, the employee will need to ensure that the employer is always provided with a current fit note.

All fit notes must be certified by a healthcare professional who has assessed the employee's fitness for work. Healthcare professionals who are eligible to issue fit notes are doctors, nurses, occupational therapists, pharmacists and physiotherapists. The fit note should state whether or not the employee needs to see a doctor or other healthcare professional again before returning to work.

If the fit note states that the employee "may be fit for work", the employee should inform their Line Manager immediately. They will refer to the fit note and discuss with the employee whether there are any additional measures that may be needed to facilitate the return to work, taking into account the doctor's or healthcare professional's advice. This may take place at a Return-to-Work Interview or an Absence Review Meeting. If appropriate measures cannot be taken, the employee will remain on sick leave and the Line Manager will set a date to review the situation.

4. Return to Work Meetings

When the employee returns to work after any period of absence, the Line Manager will arrange to meet with them. This meeting will occur on the first day back or as soon as possible.

The purpose of the return-to-work meeting is:

- To provide an opportunity for the Line Manager to check that the employee is fit enough to return to work;
- To give the employee an opportunity to voice any concerns that they may have and/or to identify any domestic, welfare, or work-related problems in an appropriate forum;
- To ensure that the employee is aware of work-related matters that have occurred during their absence; and
- To fill out the Sickness Declaration Form.

Return to Work interviews should still be carried out following any absences that occur during any formal monitoring periods as set out below.

5. Short-Term Frequent Intermittent Absence

5.1 Absence Triggers

The Council will instigate a more formal review of attendance records and reasons for absence with an employee if there has been either (a) four episodes of absence or (b) a total of 10 working days' short-term sickness absence within any period of 12 months.

The number of days of sickness absence which constitutes the absence trigger point will be reduced pro rata for employees who work less than 5 days per week as follows:

Normal Days Worked Per Week	Absence Trigger – Total No. of Working Days
5	10
4	8
3	6
2	4
1	2

5.2 Action When Absence Triggers are Reached

The guidance in the following sections sets out the procedure for addressing short term absence when absence triggers are reached. A flow chart to support the guidance can be found at Appendix 1.

If an employee's level of attendance improves satisfactorily during a period of monitoring, then at the end of the monitoring period they will be informed that no further action will be taken.

There is, however, an expectation that a satisfactory level of attendance will then be sustained. If the employee's absence meets a trigger in situations where absence monitoring has recently ended or where an employee has repeatedly been subject to absence monitoring, consideration can be given to picking up the procedure at the next or most recent stage rather than starting the process from the beginning.

5.3 Stage 1 – Short-Term Absence Review Meeting

The relevant manager will arrange an absence review meeting with any employee whose absence record matches or exceeds the above criteria set out in 5.1 above. The employee will be invited in writing to attend the review meeting and notified of their right to be accompanied by a Trade Union Representative or colleague. The employee should be reminded that the aim of the meeting is to find ways to improve their attendance.

During the meeting, the manager should draw the employee's attention to their poor attendance record and the problems that their absences are causing for the Council and other employees. The manager and the employee should also consider any steps that can be put in place to help the employee to improve their attendance as well as signposting them to any additional support that can be accessed such as employee assistant programmes.

During the meeting, if the employee discloses an underlying health condition, then the advice in section 9 should be followed.

At the meeting, the employee will normally be advised that:

- They are being issued with a Stage 1 Short-Term Absence Warning, to inform them that if they are unable to sustain an improved level of absence then this procedure will continue to be followed.
- A 6-month monitoring period will be put in place.
- During that time their absence is not expected to exceed half the annual triggers set out in 5.1 above.

- The manager will meet them at the end of the 6-month period to review their absence levels.
- If they exceed the half-year triggers before the end of the 6-month monitoring period, the review meeting should take place at this point.
- If the half-year triggers are exceeded during the monitoring period, then a decision may be taken to move to Stage 2, as set out below.

This will be confirmed in writing and the employee will be notified of their right to appeal.

5.4 Stage 2 – Further Short-Term Absence Review Meeting

If the employee reaches the absence trigger set for their stage 1 monitoring period, the relevant manager will arrange a further absence review meeting. The employee should be reminded that the aim of the meeting is to find ways to improve their attendance. The employee will be invited in writing to attend the further review meeting and notified of their right to be accompanied by a Trade Union Representative or colleague.

During the meeting, the manager should remind the employee of the problems caused by their absences. The manager and the employee should also review any steps that may have been put in place to help the employee to improve their attendance and consider any further support that may be needed. The employee should also be reminded of any additional support that they can access such as employee assistant programmes.

During the meeting, if the employee discloses an underlying health condition which hasn't previously been raised then the advice in section 9 should be followed.

The employee will normally be advised that:

- They are being issued with a Stage 2 Short-Term Absence Warning, to inform them that if they are unable to sustain an improved level of absence then this procedure will continue to be followed and their employment may be terminated.
- A further 6-month monitoring period will be put in place.
- During that time their absence is not expected to exceed half the annual triggers set out in 5.1 above.
- The manager will meet them at the end of the 6-month period to review their absence levels.
- If they exceed the half-year triggers above before the end of the 6-month monitoring period, the review meeting should take place at this point.
- If the half-year triggers are exceeded during the monitoring period, then a decision may be taken to move to Stage 3, as set out below.

This will be confirmed in writing and the employee will be notified of their right to appeal.

5.5 Stage 3 – Final Short-Term Absence Review Meeting

Where an employee's attendance has still not improved to the required level, the relevant manager will arrange a final absence review meeting. The employee should be made aware that the aim of the meeting is to review and discuss their attendance and for the manager to decide whether a Short-Term Attendance Hearing should be held to consider dismissal.

Although there is no statutory right to be accompanied at this meeting, the relevant manager may extend this offer to the employee as a supportive measure.

During the meeting, the manager should review the employee's absence record and remind the employee of the problems caused by their absences. The manager and the employee should also review any steps that may have been put in place to help the employee to improve their attendance and consider any further support that may be needed. The employee should also be reminded of any additional support that they can access such as employee assistant programmes.

During the meeting, if the employee discloses an underlying health condition which hasn't previously been raised then the advice in section 9 should be followed.

The manager should then inform the employee whether the decision has been made to proceed to an Attendance Hearing or not. Alternative options made include a further period of monitoring or a review of the trigger levels.

5.6 Attendance Hearing for Short-Term Absence

Where the decision is made to proceed to an Attendance Hearing, the employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Panel for a hearing will normally comprise of the Town Clerk (or three members of the Personnel Committee, in relation to matters concerning the Town Clerk) and an independent HR representative to advise, as appropriate. The relevant manager will attend to outline the history of absence; details of absence monitoring carried out; support given; and other relevant information, including, where applicable, any medical advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

Once the Panel has considered the manager's and employee's cases, and all other relevant information, it will adjourn to make a decision.

The decision to terminate the employee's employment may take place where the organisation can no longer tolerate the high level of absence.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

- 1) The Panel's decision:
 - a) If a stage 3 warning has been issued, the timescale for this (normally 6 months), the level of improvement required and any other measures/support put in place;
 - b) If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and
- 2) The employee's right of appeal.

6. Long-Term Absence

All cases of long-term absence will be treated sympathetically, and every assistance will be given to the employee to return to work.

6.1 Long-Term Absence Review Meetings

The Council will maintain contact with the employee and advise them that they should keep the Council informed of developments relating to their medical condition.

The Council will hold regular Absence Review Meetings with the employee during their absence, as appropriate. The purpose of the meetings is to keep the employee up to date, review the on-going absence, and offer support to the employee where appropriate.

Where an employee remains absent and a return to work is not foreseeable within a reasonable timescale, the line manager will arrange a Final Absence Review meeting which may lead to an Attendance Hearing to consider dismissal.

6.2 Final Long-Term Absence Review Meeting

Prior to an absence hearing being arranged for an employee on long-term sickness absence, the relevant manager will normally meet with the individual for a final absence review meeting.

The purpose of the meeting is to provide a final opportunity to review and discuss the employee's current situation and for the relevant manager to decide whether an Attendance Hearing should be held. Alternative outcomes from the final absence review meeting could include seeking further medical advice or setting a date for a further absence review (e.g. where a medical appointment is due).

In order to decide whether to proceed to an Attendance Hearing, the relevant manager will make sure that they have fully explored all the relevant information relating to the employee's absence. This would also be provided to the Attendance Hearing Panel if a decision is made to proceed to an Attendance Hearing.

This will depend upon the individual case, but may include:

- Relevant absence history and the date on which the current absence started;
- The reason for the employee's current absence;
- Details of absence review meetings and other communications during this absence;
- Any treatment/investigations being undertaken and the timescales for these to be completed;
- Whether there has been any recent improvement in the employee's condition and whether this is expected to continue;
- Whether there is any prospect of them returning to work within a reasonable timescale;
- Any reasonable adjustments or other support which would enable the employee to return to work within a reasonable timeframe;
- Any vacant roles within the organisation which the employee would be capable of performing and, where applicable, whether they would wish for this to be considered.

It is usually advisable to seek up to date medical reports from an Occupational Health provider or the employee's medical professional prior to an Attendance Hearing.

6.3 Long-Term Absence Hearing

Where the decision is made to proceed to a Long-Term Absence Hearing, the employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Panel for a hearing will normally comprise of the Town Clerk (or three members of the Personnel Committee, in relation to matters concerning the Town Clerk) and an independent HR representative to advise, as appropriate. The relevant manager will attend to outline the history of absence and relevant information described in Section 6.2 above.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

Once the Panel has considered the manager's and employee's cases, and all other relevant information, it will adjourn to make a decision.

The decision to terminate the employees employment may take place where:

- An employee is declared permanently unfit for work;
- An employee is declared medically unfit for their work and alternative employment has not been found;
- The service can no longer support the employee's continued absence for operational/financial reasons.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out the Panel's decision:

- If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this; or
- If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and
- The employee's right of appeal.

7. Appeals

Employees have the right to appeal against any decision to issue a formal warning or dismissal under this procedure. If an employee wishes to appeal, they should write to the Town Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

Appeals will be heard by a separate panel of members, who will normally be part of the Personnel Committee. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may be called.

Once the Appeal Panel has considered both the employee's appeal and the Hearing Chair's case, and considered all other relevant information, it will adjourn to make a decision.

The decision of the Appeal Panel is final and will be confirmed to the employee in writing within 5 working days. There is no further right of Appeal.

8. Occupational Health

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to cases of absence, employees may be referred to the Council's Occupational Health Advisor.

Examples of when an employee may be referred to occupational health include to:

- establish when the employee might be able to return to work;
- ask for guidance on an employee's health condition;
- discuss any adjustments that could be considered in order to support the employee.

Where the Occupational Health Advisor makes a recommendation that might affect the employee's continued employment, the relevant manager will discuss the advice and options going forward at an Absence Review Meeting with the employee. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

In certain cases, the Occupational Health Advisor might find that an employee is unfit to perform a particular job but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

Where a return to work following a period of prolonged absence might be facilitated by temporary redeployment or phased re-introduction (e.g. reduction in hours) an employee can discuss these options with their manager and, if such measures are appropriate, the Council will ensure that the support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

9. Underlying Medical Conditions

Where an employee and/or their manager identifies that the employee's attendance may be affected by an underlying medical condition, the line manager will give consideration whether to request that an Occupational Health referral is arranged.

This process would involve discussing with the employee the proposal to undertake a referral to the Council's Occupational Health Service. The purpose of this referral would be to obtain independent medical advice on:

- The nature of any underlying/recurrent condition;
- How to support the employee to improve their attendance, e.g. suggestions for reasonable adjustments to the employee's work, which the Council could consider.

Any agreed adjustments should be taken into account when applying the following procedure, which may need to be adapted accordingly.

Where appropriate, an employee may be referred to Occupational Health on more than one occasion e.g. when there has been a change to an employee's underlying health condition or prior to an attendance hearing.

10. Personal, Domestic, or Work-Related Problems

Where an employee reveals that their absence has been a consequence of personal, domestic, or work-related problems, the relevant manager should endeavour to discuss with them any relevant details that they wish to disclose.

Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded that such matters will be treated confidentially and that the Council cannot assist them if it is not made aware of the problem. If an employee wishes to discuss matters with someone other than the relevant manager or the Town Clerk, the Chair of the Personnel Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be offered to the employee. In some circumstances, special leave, temporary adjustments in working arrangements, or referral to specialist agencies may be granted.

11. Alcohol/Drug Dependency

Where an employee discloses that their absences are a consequence of alcohol- or drug-related problems, they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees may be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through the Council's Disciplinary Procedure.

12. Welfare

If, as a consequence of medically related issues, the relevant manager has any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, they should encourage them to seek advice from their GP. If necessary, consideration could be given to suspending them with pay or finding alternative duties whilst medical advice is sought from the Occupational Health Provider.

13. Monitoring of Absence Records

Monitoring is an important part of sickness absence management. In order for this to take place, it is important that all absence from the workplace is reported and recorded. All signed Sickness Declaration Forms and Return to Work Forms should be returned as soon as possible after the employee's Return to Work Interview has been conducted.

The Town Clerk will ensure that absence records are maintained for all employees. These records will provide the base data for the compilation, as required, of statistics showing the level of sickness absence across the Council.

The absence monitoring system will also enable the Town Clerk to identify individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, the manager should not rely on this as a substitute for pro-actively identifying and addressing problems or potential problems.

Managers should ensure that records of contact during and after absence are completed thoroughly and correctly stored on the employee's personnel record. These could include Sickness Absence Declaration forms, return to work meeting records, fit notes, notes of absence review meetings, correspondence and medical reports. These should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.



Disciplinary Procedure

Swanage Town Council

1. Introduction

This procedure is designed to help and encourage all employees to achieve and maintain acceptable standards of conduct and job performance. The aim is to ensure consistent and fair treatment for the individual. This procedure sets out the framework for resolving issues relating to misconduct and unsatisfactory performance in accordance with the Employment Rights Act 1996, Human Rights Act 1998, and the ACAS Code of Practice on Disciplinary Procedures.

This procedure applies to all employees except where it conflicts with a contractual or statutory requirement, which takes precedence. A flow chart to support the procedure can be found in Appendix 2.

2. General Principles

The procedure is not a substitute for good management practices and should only be invoked when initial attempts to improve conduct have been made following discussions between the employee and their manager. However, where there has been gross misconduct or a serious breach of disciplinary rules, the formal procedure should be actioned immediately.

No disciplinary action will be taken against an employee until the circumstances have been fully investigated.

The employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case at the appropriate stage.

The employee has the right to be represented at disciplinary hearings and appeals.

In all instances of alleged misconduct, the employee will be given at least 5 working days' notice of the requirement to attend a hearing or appeal. Should the employee fail to attend without an acceptable reason, then the Chair of the hearing or appeal may proceed in the employee's absence.

Any disciplinary action taken will depend on the nature of the offence, the past recorded behaviour of the employee concerned, the consequence to the Council of the offence, and any explanation presented by the employee.

Employees have the right to appeal against any disciplinary warnings and dismissal. It is important that employees read and understand this document. If employees are not sure about any part of it, they should ask their line manager, who will provide the necessary clarification

3. Roles and Responsibilities

It is advisable to determine the roles and responsibilities of those potentially involved in the disciplinary procedure at the earliest opportunity so that those roles are not compromised.

3.1 Line Manager

The line manager is normally responsible for considering minor disciplinary issues and resolving them, if they can, without recourse to the formal procedure. The line manager could also be the Town Clerk.

Allegations of more serious misconduct or where a previous warning has been given but the required improvement has not been made should immediately be referred to the Town Clerk.

3.2 Town Clerk

The Town Clerk is normally responsible for managing the formal disciplinary procedure including appointing an appropriate Investigating Officer. Alternatively, they may appoint another individual to manage the process, if required.

3.3 Personnel Committee

The Personnel Committee is normally responsible for managing the disciplinary process and appointing an appropriate Investigating Officer for misconduct which relates to the Town Clerk.

3.4 Investigating Officer

The Investigating Officer is responsible for collecting evidence and gathering all documentation in relation to the allegation. The Investigating Officer need not be the employee's supervisor or line manager, although this would normally be the case. Where appropriate, an external investigating officer may be used. The Investigating Officer who carries out an investigation should not participate in any subsequent decision to take action under the procedure.

3.5 Hearing Panel

The Panel for a hearing will normally comprise of the Town Clerk. For matters concerning the Town Clerk then the panel would normally comprise of three members of the Personnel Committee. The responsibilities and objective of the panel is set out in section 6.5.

The panel members hearing a case should not have been involved in the investigation beforehand. The panel must not include the Investigating Officer. An independent HR representative can be called upon to advise the panel, if appropriate.

3.6 Appeal Panel

The Appeal Panel will normally comprise of three members of the Personnel Committee. The responsibilities and objective of the appeal panel is set out in section 7.2.

The appeal panel members should not have had any previous involvement in the matter. An independent HR representative can be called upon to advise the panel, if appropriate.

3.7 Note Taker

During each stage of the disciplinary procedure, it is recommended that a note taker is present to capture the context of the meetings.

3.8 Authorisation to Issue Sanctions

Outcome	Who is authorised to issue sanction
Oral Warning	Line Managers and Town Clerk
First Written Warning	Line Managers and Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk)
Final Written Warning	Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk)
Dismissal with notice	Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk)
Dismissal without notice	Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk)

In exceptional circumstances, such as the absence of the Clerk or where the Clerk is involved in the disciplinary process, it may be appropriate for the Personnel Committee to be given delegated authority to issue any level of sanction required.

4. Representation

Employees have the right to representation, either by a trade union representative or a work colleague, at the hearing and appeal stages of the formal procedure.

Representatives have the right to put forward the employees' case, confer with the employee, respond on their behalf to any view expressed and to sum up the worker's case. However, they have no right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer explaining their case.

Employees do not have an automatic right to be accompanied by a representative at the informal stage; any such accompaniment is at the discretion of the employer.

5. Informal Procedure

5.1 Informal Advice and Guidance

Where a minor breach of acceptable/established standards of conduct occurs, which does not justify formal disciplinary action, the Line Manager (who could also be the Town Clerk) will advise the employee concerned of the conduct and the standard expected in the future. In many cases, this will provide sufficient encouragement for the employee not to commit further acts of misconduct.

The employee will be offered guidance, support, and additional training – where appropriate – to achieve the necessary standards. Representation will not normally be appropriate. Managers should make a note of such informal advice and guidance and should set out in writing to the employee the required improvements and standards of conduct that are expected in the future. Records of informal advice/counselling should be kept on employee's personal files.

6. The Formal Procedure

The formal procedure will apply when:

- Previous informal advice or warnings have proved ineffective; or
- The allegation is of a serious nature; or
- A number of minor allegations are made which taken together could constitute a serious breach of discipline.

6.1. Suspension

In some circumstances, the Town Clerk or a Departmental Manager (or the Personnel Committee, in relation to matters concerning the Town Clerk) may consider suspension with pay, pending further investigation or until the disciplinary hearing takes place. Suspension may be appropriate where:

- Cases potentially involve gross misconduct;
- Relationships have broken down; or
- There is a risk to the employer's property or to other people.

An employee should be advised that suspension in itself does not constitute disciplinary action.

An employee should be advised of the reasons for suspension in writing. The period of suspension should not normally last for more than 20 working days. However, this period can be extended where necessary.

The decision regarding whether or not suspension is necessary can be reviewed at any time during the disciplinary process.

6.2. Determining roles and responsibilities

Ahead of any investigation commencing, it is advisable to determine the roles and responsibilities of those involved. This would normally include:

- Appointing an investigating officer
- Appointing the person / panel who would hear the disciplinary if later required.
- Appointing the panel / panel who would hear the appeal, if later required.

Further guidance regarding roles and responsibilities is set out in section 3.

6.3. Investigation

Before any decision can be made about whether or not a disciplinary hearing is necessary, an investigation must take place. The Town Clerk (or the Personnel Committee, in relation to matters concerning the Town Clerk) will appoint an appropriate Investigating Officer – who could be an external adviser – who will report back with their findings and make recommendations as to whether a disciplinary hearing should be convened.

The responsibilities of the Investigating Officer are to collect evidence by interviewing any relevant witnesses and gathering all documentation. An Investigatory Interview will normally be held with the employee concerned. The purpose of the interview is to gather the employee's initial response to the allegations and to identify whether any further investigation is needed.

For the benefit of the employee and the Council, any investigation must be concluded within a reasonable timescale. If there is a delay in completing the investigation, it is the responsibility of the Investigating Officer to regularly update the employee or their representatives on the progress of the investigation.

Once the Investigating Officer has gathered all the relevant facts and reviewed the evidence, a report should be drafted to the Town Clerk (or Personnel Committee) recommending one of the following:

- Take no further action and inform the employee accordingly;
- Advise the arrangement of counselling, training, extra supervision, or written advice (as appropriate); or
- Arrange a disciplinary hearing.

6.4. Arranging a Hearing

If, following the recommendations of the Investigating Officer, the Town Clerk concludes that a hearing is required then the necessary arrangements should be made by the Town Clerk.

The employee will be given at least 5 working days' notice in writing. The letter to the employee should include a clear written statement of the allegation, state the potential outcome of the hearing and a reminder of the employee's right to be represented. Enclosed with the letter should also be the investigation pack which would normally include a copy of the investigation report, supporting appendices and the relevant policy.

The Investigating Officer is responsible for presenting the case and making arrangements for any witnesses that they rely upon to attend the hearing.

The employee is responsible for arranging any representation they choose to have and any witnesses that they may wish to call. Details of any witnesses the employee intends to call and a copy of all documents that the employee may wish to refer to at the hearing must be submitted to the Hearing Chair at least 3 working days prior to the hearing.

6.5. Conducting a hearing

The objective of the Hearing panel is:

- To hear the evidence in respect of the allegation, the employee's response, and to decide whether or not the allegation is substantiated; and

- If the allegation is substantiated, to determine the disciplinary sanction to be applied in light of the seriousness of the offence and having regard to previous relevant disciplinary history.

The procedure to be followed is:

1. Introduction of the Panel members and outline of their roles;
2. Statement of the purpose of the hearing and the allegation(s);
3. Presentation of the case by the Investigating Officer with witnesses called as necessary;
4. Questions by employee or their representative;
5. Questions by the Panel;
6. Presentation of the case by the employee or their representative with witnesses called as necessary;
7. Questions from Investigating Officer;
8. Questions from Panel;
9. Concluding statement by Investigating Officer;
10. Concluding statement by employee or their representative;
11. Adjournment of the Panel to make their decision;
12. The Panel reconvenes and the employee/representative is informed of the decision and, if necessary, their rights of appeal.

Requests for an adjournment can be made at any stage and it is up to the Chair to decide whether or not a request should be granted.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

- The Panel's decision;
- The length of time that any warning will be active for;
- The expected improvement in conduct;
- Any assistance that will be provided to achieve this; and
- The employee's right to appeal.

6.6. Levels of Disciplinary Action

In determining the appropriate disciplinary action, regard should be given to the employee's previous record, the gravity of the offence, and any explanation given.

Although the procedure implies a sequential approach, there may be certain circumstances where the matter needs to be considered immediately under Stages 2, 3, or 4.

Stage	Outcome	Description
Stage 1	Oral Warning	For a minor offence, a formal verbal warning (confirmed in writing) making it clear that further misconduct will render the employee liable to further disciplinary action including more severe consequences.
Stage 2	First Written Warning	For a more serious offence or where a previous warning to the employee has not resulted in the required improvement to their conduct.

Stage 3	Final Written Warning	For a sufficiently serious offence, which might warrant only one written warning but is insufficiently serious to justify dismissal, or where previous warnings have been ineffective.
Stage 4	Dismissal with notice	For an act or acts of misconduct, other than gross misconduct, by an employee who is under a written or final written warning. The employee will be liable to dismissal with notice or pay in lieu of notice.
	Dismissal without notice	In cases where gross misconduct is established, the employee will be liable to summary dismissal, i.e. without notice or pay in lieu of notice.

6.7. Length of Warnings

Records of informal meetings and formal warnings will be kept on employee's personal files. An oral warning will be live for 6 months, written warnings for 12 months and final written warnings will be live for 2 years from the date of the disciplinary hearing.

7. The Right of Appeal

An employee has the right to appeal against disciplinary action resulting in a warning or their dismissal. Three members of the Personnel Committee will hear the appeal, providing that they have had no previous involvement in the matter, assisted by an independent adviser, if appropriate.

An employee who wishes to appeal must do so in writing to the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). This must be done within 10 working days of the disciplinary hearing informing them of the disciplinary action taken. The appeal letter must set out the grounds for the appeal, normally under one of the following headings:

- The severity of the disciplinary action;
- The findings of the Panel on a point of fact which is pertinent to the decision of the hearing; and
- A failure to adhere to the disciplinary procedure.

7.1. Arranging an Appeal

The date and time of the appeal will be organised by the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). It is the responsibility of each side to prepare themselves for the appeal, including arranging for any witnesses to attend.

The Chair of the original Panel and the employee or their representative will, where possible, agree papers for submission to the appeal 5 days prior to the hearing.

7.2. Conducting an Appeal Hearing

The objective is:

- To review the decision of the disciplinary hearing and decide whether that action is warranted or not; and
- If the action is not warranted, to determine what action if any is appropriate;

In doing so, the Appeal Panel will have regard to seriousness of the offence and any previous relevant disciplinary history.

The procedure to be followed is:

1. Presentation of the case by the Manager (the Chair of the previous hearing) who took the disciplinary action;
2. Questions by the appellant to the Manager;
3. Presentation of the appellant's case, including calling any witnesses;
4. Questions by the Manager to the appellant and their witnesses;
5. Questions by the Appeals Panel to both parties and their witnesses;
6. Concluding statements by the parties. No new information should be introduced at this stage and the appellant should have the opportunity to sum up last;
7. Adjournment of the Panel to make their decision;
8. The appeal is reconvened if possible and both parties are informed of the decision;
9. Written confirmation of the Appeals Panel's decision within 5 working days of the hearing.

The Appeals Panel has the right to call its own witnesses should it consider this to be of assistance in making its decision.

8. Trade Union Officials

In normal circumstances, no action will be taken against an officer of a recognised trade union until the matter has been discussed with a full-time officer of that union.

9. Disciplinary Rules

It is difficult to define all the acts of misconduct that might lead to disciplinary action. As a general principle, a test of reasonableness would be applied, i.e. would a reasonable person be aware that disciplinary action would result from a certain act or omission?

The following are examples of the types of conduct that are unacceptable and might lead to disciplinary action. The list is not exhaustive and other behaviour not listed may lead to disciplinary action.

- Poor time-keeping/ attendance;
- Unjustifiable absence from work;
- Waste, loss or damage of Council property through failure to take due care;
- Negligence or failure in performance of duty;
- Inappropriate or unauthorised use of e-mail, IT, or telephone facilities; or
- Being under the influence of alcohol or drugs.

9.1. Types of Gross Misconduct

Unacceptable conduct, which may be regarded as gross misconduct, is likely to lead to an employee's summary dismissal. This means dismissal without notice and occurs when the employment relationship between the Council and employee, and the trust which is inherent in that, is irrevocably broken.

The list below gives examples of matters likely to be regarded as gross misconduct and is not exhaustive.

- Refusing to follow reasonable management instructions;
- Theft from the Council, its Members, employees, or the public;
- Physical assault or verbal abuse;
- Fraud or deliberate falsification of records;
- Covert recording;
- Falsification of qualifications;
- Serious negligence which causes unacceptable loss, injury, or damage;
- Serious acts of insubordination;
- Serious breach of confidence;
- Use of privileged information for personal gain;
- Malicious damage to the Council's property;
- Sexual misconduct at work;
- Discrimination, victimisation, or harassment;
- Serious breaches of safety rules;
- Serious incapability through alcohol or drugs;
- Accessing or distributing pornography on the Council's IT facilities.

10. Training

Appropriate training will be given to the Town Clerk or any Members who might be involved in disciplinary or appeals meetings to ensure that they fulfil their responsibilities under this procedure.



Grievance Policy

Swanage Town Council

1. Policy Statement

The Council recognises that individual employees or groups of employees may, from time to time, feel they have been treated unfairly and wish to raise a concern about an aspect of their employment. The Council accepts that each employee has the right to raise a grievance and to expect that management will consider it and respond.

The purpose of the accompanying procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to encourage communication between employees and managers to ensure that problems arising during the course of employment can be expressed and resolved at the earliest opportunity and minimise the need for escalation to formal stages of this process. A flow chart to support the procedure can be found at Appendix 3.

Matters appropriately dealt with under the Council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:

- Matters that have already been considered in accordance with this procedure;
- Matters arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
- Matters in respect of issues over which the Council has no control. e.g. external legislation;
- Matters that are already the subject of a collective grievance or dispute; and
- Matters relating to Councillors who have allegedly breached the Council's Code of Conduct. (See section 2 for further information regarding how these matters should be addressed).

The timescales shown in the following procedure may be altered by mutual agreement.

This policy and the following procedure will be the subject of periodic review.

2. Grievances Relating to Breaches of the Council's Code of Conduct by Councillors

A grievance or complaint which relates to a breach of the Council's Code of Conduct by one or more Councillors of Swanage Town Council can initially be addressed informally as described in 3.2. below. However, if this is not possible/successful then a complaint should be made to the Monitoring Officer at Dorset Council rather than being addressed via the formal stages of this Grievance Procedure. As a matter of courtesy the Town Clerk and the Mayor should be informed if the matter has been raised with the Monitoring Officer at Dorset Council.

Where only part of a grievance or complaint relates to a Code of Conduct complaint, consideration should be given to which part(s) can be addressed under the Council's Grievance Procedure and which must be referred to the Monitoring Officer.

A copy of the Councillor Code of Conduct may be accessed on the Town Council's website.

3. Procedural Guidelines

3.1 General Principles

The grievance procedure should not be used as a substitute for constructive dialogue between employees or difficult conversations between employees and managers.

Grievances will be handled as quickly and fairly as possible.

Throughout any investigation that takes place, the Town Clerk or other nominated point of contact will ensure that any employees affected by this process are informed of likely timescales.

All employees involved in a grievance process should respect confidentiality and the privacy of others at all times. Confidentiality breaches may result in disciplinary action being taken.

The Council will take all grievances seriously. However, where there is evidence to suggest that a grievance has been raised in bad faith and/or is malicious or vexatious this may be addressed as a disciplinary matter.

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

Employees may wish to seek the advice of a trade union representative or work colleague when considering raising a grievance or when doing so.

3.2 Informal Resolution

In many cases the most effective way to resolve a grievance is to do so quickly and informally. Employees are encouraged to try to do this wherever possible.

Grievances should be raised informally as soon as possible and, other than in exceptional circumstances, within **twenty working days** of the incident or event. However, it is recognised that in some cases a recent grievance can include a series of directly related incidents which have had a cumulative effect and have happened over a longer time period.

Options include:

- The employee can discuss their grievance with the person/people who are the subject of those concerns in order to resolve the situation.
- The employee can have an informal discussion with their line manager to explain their grievance and ask them to assist in resolving it.

- The employee can have an informal discussion with the Town Clerk to explain their grievance and ask them to assist in resolving it.
- In a situation where the grievance relates to the Town Clerk, the employee can have an informal discussion with the Chair of the Personnel Committee to explain their grievance and ask them to assist in resolving it.
- Mediation (see below).

Where the employee approaches their line manager, the Town Clerk or the Chair of the Personnel Committee for assistance, those individuals should consider and seek to resolve the grievance within **ten working days**. Whether or not informal resolution proves possible, the employee should in every case be given relevant feedback.

3.3 Mediation

Workplace mediation is a voluntary and confidential process that can be used to attempt to resolve workplace conflict.

This option is available to the Town Council as a means to resolve the grievance informally, although mediation may also be used at any stage of the grievance process.

During mediation a trained, impartial mediator works with the parties to try to:

- clarify each person's concerns, perspectives and desired outcomes;
- support them to express this to the other party/parties in a safe and controlled environment;
- facilitate further discussion to explore the issues and reach a shared understanding;
- reach agreement about how things will work in future to resolve their differences and avoid future conflict.

3.4 Formal Resolution

If the aggrieved employee is not satisfied with the result of the informal process, they can take the matter up with the Town Clerk in writing, stating the nature of the grievance. This should be done within **ten working days** of receiving feedback on the informal process.

3.4.1 Review of grievance

Upon review of the formal written grievance submission, the Town Clerk will decide whether further investigation is needed or whether the grievance can proceed straight to a meeting.

Should the Town Clerk be unable to investigate or respond to a grievance, e.g. because they have been named as a witness, then the grievance should be sent to the Chair of the Personnel Committee as in Section 5 below.

3.4.2 Investigation

If it is decided that an investigation is needed, then the Town Clerk will appoint an appropriate investigator. This may be the Town Clerk, another manager or someone external to the Town Council.

The investigation may involve interviewing other parties. All evidence collected during the investigation may be collated into a report, which would then be presented at the meeting.

The investigation will be concluded as soon as reasonably practicable.

3.4.3 The Grievance Meeting

The Town Clerk will arrange a meeting with the employee to discuss the grievance as soon as possible and normally within five working days of receiving the formal written grievance. If this is not possible, for example because an investigation is being carried out, the employee should be informed of the reason for any delay.

It is not expected that other parties, such as those named within the grievance, would attend the meeting. However, if it is determined by the Town Clerk that their contributions would facilitate consideration of the grievance, they will be asked to make themselves available in order to respond to any matters raised by the aggrieved employee during the course of the meeting.

When an investigation has not been carried out in advance it is still possible that, during the meeting, the Town Clerk may decide that it is necessary to adjourn the grievance meeting to conduct an investigation. This would be undertaken as set out in 3.4.2 above.

When an investigation has been carried out in advance, it is still possible that the Town Clerk may decide during the meeting that further investigation is needed. The meeting would be adjourned to enable this to be undertaken, usually by the original investigator.

In either of these situations where the meeting has been adjourned to enable investigation, once this has been completed the Town Clerk will decide whether to:

- reconvene the meeting to confirm the outcome and follow up in writing as set out below or
- confirm the outcome in writing as set out below without reconvening the meeting.

3.4.4 The Outcome

A formal written response to the grievance should be issued within 5 working days of either the initial or the reconvened grievance meeting taking place or following the conclusion of an investigation, as appropriate.

4. Appeal

If the employee is still aggrieved, there is a right of appeal to a panel of members of the Personnel Committee. The appeal should be submitted in writing within **ten working days** of receipt of the formal written response issued by the Town Clerk. The Appeal Panel shall consider the appeal within **twenty working days** of receipt of the written appeal.

There is no further right of appeal.

5. Grievances Relating to the Town/Parish Clerk

If the grievance relates directly to the action or omission of the Town Clerk, the grievance should be submitted in writing directly to the Chair of the Personnel Committee who will seek HR advice as appropriate, oversee the investigation process and respond to the grievance as outlined above. This will also be the case if the Clerk is unable to investigate or respond to a grievance, e.g. because they have been named as a witness.

If the grievance is being raised by the Town Clerk the grievance should be submitted in writing to the Chair of the Personnel Committee as above.

6. Representation

An individual raising a formal grievance may be accompanied throughout the formal stages of the process by a trade union representative or work colleague.

Representatives have the right to put forward the employees' case, confer with the employee, respond on their behalf to any view expressed and to sum up the worker's case. However, they have no right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer explaining their case



Capability Procedure

Swanage Town Council

1. Introduction

This procedure is used to support, enhance, and improve the performance of employees. This procedure sets out a framework for resolving issues relating to poor performance, in accordance with the Employment Rights Act 1996, Human Rights Act 1998, and the ACAS Code of Practice on Disciplinary Procedures. The procedure aims to ensure that consistent and fair treatment is given to all individuals.

2. Scope

Where there are issues of misconduct or of negligence, these will be dealt with under the Disciplinary Procedure. For matters of sickness, disability, or ill health, the Absence Management Policy will be used.

3. General Principles

The Procedure is not a substitute for good management practices. It should only be invoked when initial attempts to improve performance have been unsuccessful following discussions between the employee and their manager.

The employee must be given at least 5 working days' notice of the requirement to attend a formal review meeting or an appeal.

The employee has the right to be represented at formal review meetings or appeals.

In the event of a formal warning or a dismissal, the employee has the right of appeal.

4. Related Procedures

When using the procedure, it may be necessary to refer to the contents of other agreed documents such as:

- The Equal Opportunities Policy;
- The Grievance Procedure;
- The Absence Management Policy;
- Other conditions set out in the Staff Handbook.

5. Representation

Employees have the right to representation, either by a trade union representative or a work colleague, at the hearing and appeal stages of the formal capability procedure.

Representatives have the right to put forward the employees' case, confer with the employee, respond on their behalf to any view expressed and to sum up the worker's case. However, they have no right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer explaining their case.

Employees do not have an automatic right to be accompanied by a representative at the informal stage or at review meetings; any such accompaniment is at the discretion of the employer.

6. Action against A Trade Union Official

In normal circumstances no action will be taken against an officer of a recognised Trade Union until the matter has been discussed with a full-time officer of that union.

7. The Informal Procedure

The Departmental Manager (or Town Clerk in relation to a Departmental Manager; or Chair of the Personnel Committee in relation to matters concerning the Town Clerk) should deal with minor issues of poor performance in the first instance.

A meeting with the employee to discuss poor performance should be arranged and any problems or areas for concern should be raised by the Departmental Manager. Appropriate support and training should be offered to assist the individual towards meeting the required standards in the future. Realistic targets should be agreed with the individual and future expectations made clear by the Departmental Manager. The Manager will record the points discussed in the meeting and confirm this in writing to the employee along with the agreed plan to achieve acceptable levels of performance. A review meeting should be arranged within 2 months to assess whether the targets have been met and whether the performance is satisfactory.

In most cases, these meetings should provide sufficient guidance, support, and clarification of standards to rectify the situation.

However, the formal procedure will apply when:

- Previous informal advice or guidance has proved ineffective; or
- The performance is so poor that informal discussions are unlikely to help.

8. The Formal Review

If informal discussions have proved unsuccessful in raising performance levels to the standards set by the Departmental Manager then the formal procedure will be invoked. There are three stages to the formal procedure. The employee has the right of representation at each stage.

During each stage, the employee's performance will be monitored closely. The method of doing this will be made clear to them at the conclusion of each review meeting.

8.1. Stage 1: The Capability Review

The Capability Review should build on the informal discussions. It should be sufficiently specific so that the employee knows exactly what it is about their performance that is unsatisfactory and how they can improve to the required standard. The Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk) will carry out the Review in conjunction with the Departmental Manager.

The review has four main purposes:

1. To allow the Town Clerk to discuss with the employee: (i) the standards of work required; (ii) what improvement is necessary; (iii) how the employee can be helped to achieve them; and (iv) how improvement will be assessed and the timescale which must be reasonable.
2. To allow the employee to: (i) obtain a clear understanding of what is expected of them; (ii) give an explanation or comment on their work; and (iii) give their views on how the problem can best be tackled.
3. To allow the Town Clerk and the employee to explore other options, such as: (i) additional instruction, training, or personal development activity; or referral to occupational health, which may involve alternative action under the Council's Absence Management Policy. Please refer to the Absence Management Policy.
4. To make clear to the employee: (i) the timescale for improvement; (ii) how and by whom their work will be monitored during the review period; and (iii) the consequences if their work does not improve or if improvement is not maintained.

Ideally, standards of performance should be agreed between the Town Clerk and employee. However, in the absence of such an agreement, the Town Clerk must satisfy himself or herself that any targets set are reasonable and non-discriminatory. If training has already been given then its effectiveness should be reviewed and any further training and support agreed.

If the Town Clerk is satisfied at the conclusion of the review that there is a shortfall in performance, the employee will be issued with a formal warning and an action plan, including timescales, to achieve. It will also be made clear that failure to achieve the action plan will lead to the next stage of the formal procedure. The length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances it should not be more than 3 months. The Town Clerk should confirm the outcome of the meeting in writing to the individual within 5 working days.

8.2. Stage 2 – The Capability Review

If the employee fails to achieve the standards or the timescales set out in the action plan then Stage 2 of the procedure is invoked. This involves a further review based on the same structure as Stage 1.

Stage 2 of the Capability Review will be conducted by the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). If it is concluded that there is still a performance issue to be addressed, a further formal warning should be issued along with an action plan giving details of the standards of performance required and the timescales within which these must be achieved. The employee should be reminded that if the action plan is not achieved, then Stage 3 will be invoked. It needs to be made clear that Stage 3 may result in a decision to dismiss the employee. Again, the length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances should not be more than 3 months. A letter to confirm the outcome of the meeting should be

sent to the employee within 5 working days, it should also explain the employee's right to appeal against any warning issued.

8.3. Stage 3 – The Final Capability Review

The Final Capability Review will be heard by three members of the Personnel Committee.

The Town Clerk who conducted Stages 1 and 2 should also be present to provide details of the previous review meetings and of the steps taken to encourage improvement in the employee's performance.

The employee will have the opportunity to respond and put forward any points they wish to be considered.

Consideration should be given to any alternatives to dismissal, such as redeployment or options of downgrading. However, this may not always be possible and will depend on each individual situation and the circumstances of the organisation.

The Panel must satisfy themselves that they have heard all of the relevant information and that the employee has been given sufficient opportunity to improve. If they consider that the employee's performance remains unsatisfactory, they must inform the employee that their employment is terminated on the grounds of capability or any alternatives to dismissal.

The employee's dismissal will be with notice or, if serving their notice period is not in the interests of the Council, they will receive pay in lieu of notice. The dismissal must be confirmed in writing within 5 working days, stating the reasons for it, and informing the employee of their right of appeal.

8.4. Levels Of Authority

Guidance is given here on the appropriate levels of authority, although alternative arrangements may have to be made on occasion.

Formal	Officer	Authority
Stage 1 & 2	Town Clerk	Formal warnings
Stage 3	Personnel Committee	Dismissal

8.5. The Right Of Appeal

In the event of a formal warning or dismissal, the employee has the right of appeal to the Personnel Committee. The Appeal must be made in writing within 10 days of the date of the letter confirming dismissal.

Three members of the Personnel Committee will hear the appeal, providing that they have had no previous involvement in the matter. They will be assisted by an independent adviser.

The appeal will take place as soon as is practically possible. The Appeal Panel will consider the details of the poor performance presented by the Chair of the Final Capability Review and will consider the comments of the employee.

The decision of any appeal hearing is final.

8.6. Training

Appropriate training will be given to the Town Clerk or any Members who might be involved in capability or appeals meetings to ensure that they fulfil their responsibilities under this procedure.



Bullying and Harassment Policy

Swanage Town Council

1. Policy Statement

Employees are Swanage Town Council's most valuable and important resource, and the organisation has a legal, moral, and ethical duty to ensure that the environment in which they work enables them to contribute to their fullest potential and that they feel confident and comfortable about that working environment.

As well as considering the welfare of its employees, there is a strong business case for ensuring the elimination and prevention of harassment and bullying such as the financial impact (e.g. cost of reduced performance), health and safety (e.g. physical and emotional effects on employees), and recruitment and retention (e.g. people will not wish to join us or to remain with us). The organisation is also legally obliged to take reasonable steps to prevent sexual harassment of their employees in the course of their employment.

Swanage Town Council believes that all its employees have the right to be treated with dignity and respect, and that victimisation and all forms of harassment is totally unacceptable and unlawful. We therefore adopt a zero-tolerance approach to instances of bullying or all forms of harassment. This applies to everyone in the organisation, regardless of role or status. You should take the time to ensure you understand what types of behaviour are unacceptable under this policy.

The Council will deal effectively with any form of harassment or bullying and take any steps it sees fit to either stop or prevent it. This may include taking disciplinary action, up to and including dismissal.

2. Scope of the Policy

This policy should be read in conjunction with other policies and procedures of the organisation, such as the Equal Opportunities Policy, Disciplinary Procedure and Grievance Procedure.

The policy covers harassment and bullying by Officers and Members of the Council. It does not cover harassment and bullying from the public or contractors, except for sexual harassment. However, the organisation has a duty of care towards its employees. Therefore, in all cases of bullying or harassment, employees should report any such behaviour to their line manager, who will decide upon the appropriate action.

3. Aims of the Policy

The information given below shows how harassment and bullying can affect both individuals and the organisation and demonstrates the need for a policy.

The aims of having a bullying and harassment policy are as follows:

- To ensure that all the organisation's employees are treated with dignity and respect;
- To ensure that harassment and bullying, including sexual harassment, is prevented and, if it does occur, that action is taken to stop it;
- To ensure that the working environment is such that each employee feels confident and comfortable about the way they will be treated whilst at work;
- To ensure that all the organisation's employees know what harassment and bullying are and what the organisation's policy is;
- To explain the responsibilities of Members, management, and employees;
- To explain the procedures for dealing with harassment and bullying.

4. Harassment

4.1 Who is protected from harassment?

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

- age;
- disability;
- gender reassignment;
- race (including ethnic origin, skin colour, nationality and national origin);
- religion or belief;
- sex;
- sexual orientation.

Pregnancy, maternity, marriage and civil partnership are not specifically protected under the legal provisions on harassment. However, the organisation also considers harassment on these grounds to be unacceptable. Any such harassment will be dealt with in the same way as for the characteristics above.

4.2 Definition of harassment

Harassment is defined by ACAS as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of:

- violating an individual's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

It is also unacceptable to harass any individual:

- Based on their association with another individual with a protected characteristic (e.g. an employee married to someone of a different ethnic origin); or
- Based on a perception that they have a protected characteristic (e.g. a heterosexual employee who is made fun of because their colleagues believe they are homosexual).

4.3 Examples of harassment

Harassment can, for example, take place:

- in a work situation;

- during any situation related to work, such as at a social event with colleagues;
- against a colleague or other person connected to the employer outside of a work situation, including on social media;
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

Harassment can also occur in many forms. Examples include:

Sexual orientation harassment:

- Homophobic remarks, innuendos, jokes;
- Offensive actions;
- Physical attack;

Racial harassment:

- Embarrassing or derogatory remarks such as racist jokes, name-calling or nicknames;
- Deliberate isolation or different treatment.

Harassment on the grounds of disability:

- Name calling;
- Uninvited, patronising or unnecessary assistance.

Harassment on the grounds of religion or belief:

- Ridicule and religious jokes;
- Scorning of belief.

Age harassment:

- Negative comments generalising about the age group of the individual;
- Exclusion from informal groups such as social events due to the individual's age.

4.4 Sexual Harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Examples of sexual harassment include:

- asking questions about someone's sex life or discussing their own sex life;
- making sexual remarks about someone's body, clothing or appearance;
- telling sexually offensive jokes;
- making sexual comments or jokes about someone's sexual orientation or gender reassignment;
- overt staring, leering, whistling or making sexually suggestive gestures;

- displaying or sharing pornographic or sexual images, or other sexual content;
- making propositions and sexual advances;
- making promises in return for sexual favours;
- unwelcome touching or touching someone against their will, for example hugging, kissing or massaging;
- sexual assault or rape.

Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

5. Bullying

ACAS states that bullying can be characterised as ‘offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient’.

It must be clearly understood that it is a manager's responsibility to set targets and review work performance; this is not bullying. It is also the manager's role to ensure that corrective processes are put in place when individuals do not reach targets. These discussions are sometimes difficult for both parties but need to take place to ensure employees work competently. In this context bullying will only occur when a manager abuses their authority.

It should be noted that bullying does not only occur in manager/subordinate relationships. It can occur when there is unacceptable peer pressure or pressure by others in a position of ‘authority’, e.g. elected Members.

Examples of bullying behaviour can include:

- Spreading malicious rumours;
- Making the employee the butt of jokes;
- Aggressive, insulting and unco-operative attitude;
- Destructive innuendo and sarcasm;
- Constant unjustified criticism;
- Unjustifiably removing responsibilities and replacing them with trivial tasks to do instead;
- Shouting at employees;
- Unreasonable refusal of requests (e.g. leave or training);
- Deliberately ignoring or excluding individuals from activities;
- Imposing unreasonable workloads and/or unjustifiably reducing deadlines;
- Constantly undermining an employee in terms of their professional or personal standing;
- Undervaluing an employee's efforts;
- Seeking to make an employee appear incompetent, or intentionally creating an unacceptable working environment, with the object of either achieving a dismissal or of making them resign.

Swanage Town Council recognises the fact that employees may initially submit to a particular instance of harassment or bullying, but this does not mean that they find the behaviour

acceptable. For example, an employee who is the butt of jokes may not wish to object initially, but this should not prevent them from addressing the issue once they feel able to do so.

6. Complaints Against Councillors

If you perceive that you are being bullied or harassed by a councillor, please raise this with the Town Clerk or the chairman of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is as set out in Stage One of the Council's Bullying and Harassment Complaints Procedure. In certain circumstances the Council may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Town Clerk will discuss this with you if it is appropriate.

Formal concerns regarding potential breaches of the Councillors' Code of Conduct must be investigated by the Monitoring Officer. Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc.

7. Victimisation

Any employee who makes a complaint or supports another employee who has done so must not be subjected to any victimisation or less favourable treatment as a result. Swanage Town Council will not tolerate any such behaviour and will take appropriate action to stop/prevent this, which may include disciplinary action.

8. Responsibilities of Managers, Town Clerk, Employees, Members and Third Parties

8.1 Managers

Managers will have the following responsibilities:

- Compliance with this policy;
- Creating/ensuring that there is a supportive working environment;
- Ensuring employees comply with this policy;
- Making sure that their employees know the details of this policy and the consequences of breaching this policy;
- Making sure that their employees know how to report bullying and harassment, including sexual harassment;
- Making sure that their employees know what standards of behaviour are expected of them;
- Taking allegations of harassment and/or bullying seriously and dealing with them as quickly as possible;
- Ensuring that victims of harassment and/or bullying receive appropriate support which might include counselling (Note: consideration should be given as to whether the

harasser/bully should also be given access to counselling, as the employee who has been accused of bullying/harassment can find this a stressful situation);

- Dealing with complaints under the Bullying and Harassment Complaints Procedure (see below);
- Ensuring that matters are dealt with confidentially and impartially;
- Ensuring that their employees attend any training requirement; and
- Liaising with the Town Clerk on how to deal with cases that arise.

8.2 Town Clerk

In addition to the above, the Town Clerk will have the following overall additional responsibilities:

- commitment to analysing data around allegations of bullying or harassment; reviewing this policy at regular intervals; monitoring its effectiveness; and implementing any changes that may be required;
- monitoring workplace culture to identify and address any issues in relation to bullying and/or harassment;
- Ensuring that risk assessments are undertaken to determine reasonable measures that can be implemented to minimise the risk of exposure to sexual harassment in the workplace and by third parties with whom you may have contact;
- ensuring that the organisation's zero approach to all forms of discrimination, and bullying and harassment, is communicated to all workers;
- reviewing this policy regularly and, if necessary, amending to ensure that it remains effective.

8.3 Employees

Employees will have the following responsibilities:

- Compliance with this policy;
- Treating their colleagues with dignity and respect;
- Having an awareness of their own standards of behaviour;
- Making it clear that they find harassment and bullying unacceptable;
- Reporting harassment and supporting management with the investigation of complaints;
- Intervening to stop harassment and/or bullying and give support to victims.

8.4 Members

Members will have the following responsibilities:

- Compliance with this policy;
- Treating employees with dignity and respect.



Bullying and Harassment Complaints Procedure

Swanage Town Council

1. Introduction

No employee need put up with bullying or harassment. Swanage Town Council recognises that making a complaint may be a distressing experience. However, all complaints will be taken seriously and dealt with in a sympathetic and sensitive manner.

If you feel that you are being bullied/harassed, the decision about how to pursue this will, in the first instance, rest solely with you. You have the right to redress through either the informal or formal procedure.

Only if the matter is brought to the attention of the alleged harasser/bully or your manager can action be taken to stop the behaviour.

In the interests of natural justice, a complaint should be made as close as possible to the date when the incident occurred. In a situation where, in your view, an accumulation of incidents merit a bullying/harassment complaint, this should be done as close as possible to the date when the 'final straw' incident took place.

Some acts of harassment may also amount to a criminal offence, in this situation we will speak to you about whether you wish for the matter to be reported to the police and support you to do so.

2. Stage One

If it is possible and appropriate to do so, you should ask the person who you feel is harassing or bullying you to stop such behaviour, making it clear that you find it offensive, and it is unwelcome. This can be done face-to-face or in writing.

If you feel that you cannot approach the alleged harasser/bully alone then you may wish to ask a work colleague or trade union representative to accompany you.

It is possible that some people may not have realised that their behaviour was offensive and alerting them to it will alter their behaviour.

3. Stage Two

If you feel unable to use the approach set out in Stage 1, or you feel that this is not appropriate, or if Stage 1 action fails to resolve your complaint, then you can raise this formally if you wish.

In this case you will need to put your complaint in writing to the Town Clerk (or in the case of the Town Clerk to the Personnel Committee), giving details of the specific actions/incidents about which you are complaining.

Once you have done this the matter will be investigated under the organisation's Grievance Procedure.

The line manager or the Town Clerk (or in the case of the Town Clerk members of the Personnel Committee) will discuss your complaint with you. In line with the informal resolution stage set out in the Grievance Procedure, the line manager or Town Clerk will, if appropriate, explore with you whether there are any informal measures that you feel able to pursue in order to attempt to resolve the situation before requesting that formal action is taken. These could include meetings with the alleged harasser/bully facilitated by your line manager or the Town Clerk (or in the case of the Town Clerk members of the Personnel Committee), or more structured mediation.

The formal process must, however, be followed if the particular concern brought to the organisation's attention is serious. For example, where the offence could be considered a criminal matter.

If informal measures are not appropriate/successful or you wish to proceed straight to the formal process, the Town Clerk (or in the case of the Town Clerk members of the Personnel Committee), or their representative, will thoroughly investigate the complaint in accordance with the appropriate procedure which could be Grievance or Disciplinary Procedure.

Decisions made in accordance with the relevant policy could include taking disciplinary action against the alleged bully/harasser; issuing management instructions; arranging mediation if both parties are willing to participate; making changes to working arrangements; or taking no further action. In cases where there has been abuse of power over more junior staff by the alleged bully/harasser, consideration will be given to this when deciding what disciplinary action will be taken.

It should be noted that if disciplinary action is taken against the alleged bully/harasser, you will be informed that disciplinary action is being taken but will not be informed of the outcome of this or have a right of appeal against the decision of the disciplinary panel. Nor do you have the right to raise a grievance about any decision affecting the alleged bully/harasser following a disciplinary hearing or investigation.

4. Confidentiality

Any complaint received, either formally or informally, will be treated with as much confidentiality as possible. However, in order to enable your complaint to be investigated and/or resolved the individuals concerned will have to be made aware of your complaint, and it may not be possible to do this without identifying you.

The knowledge that a complaint has been made will be restricted to the minimum number of people necessary to investigate what happened. All those involved in any complaint must respect this and ensure that they are sensitive to the needs of both the complainant and the alleged harasser/bully.

All involved in investigating a complaint will do so impartially and make no inferences that either party is at fault until the investigation is complete. Breaches in confidentiality may result in disciplinary action.

5. Complaints About the Town Clerk

If the matter involves a complaint against the Town Clerk, you should inform the Mayor who will determine the most appropriate means of dealing properly with the complaint.

6. Complaints About Members

If the matter involves a complaint in relation to a member's conduct, you should inform the Town Clerk, and consideration should be given regarding the need to consult the Monitoring Officer to establish the most appropriate way to deal with this matter.

7. Complaints Involving Third Parties

Bullying and harassment by third parties, such as customers, clients, suppliers and/or contractors, will not be tolerated.

If a matter involving a third party does occur, you should inform the Town Clerk who will determine the most appropriate means of dealing properly with the complaint.

Action may include warning the third party about their behaviour, banning a customer, reporting any criminal acts to the police or sharing information with other branches of the business.

8. Malicious/Unfounded Complaints

This procedure is designed to protect individuals who raise their concerns. It is accepted that some allegations may arise from genuine misunderstandings. However, making a malicious and unfounded complaint may itself constitute harassment and be dealt with under the disciplinary procedure.

9. Support and Advice for Employees Affected by Bullying and Harassment, Including Sexual Harassment

If you would like further information about support and advice services available to you as the complainant or alleged harasser, you can contact:

- an employee assistance programme;
- recognised trade unions (for union members).

You can also access external support and advice such as:

- the Equality Advisory and Support Service (EASS);
- ACAS www.acas.org.uk/discrimination-and-bullying - For information and advice on all aspects of workplace relations and employment law;
- Rights of Women - [Sexual harassment at work advice | Rights of Women](#);
- Protect (the whistleblowing charity);

- local advice centres (The Focus Centre);
- helplines which have been set up to deal with specific forms of harassment (such as the helplines provided to deal with sexual harassment and Rights of Women in England and Wales);
- the EHRC (Equality and Human Rights Commission) have produced technical guidance in this area: Sexual Harassment and harassment at work: technical guidance 2024: <https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance> - responding-to-harassment;
- [Sexual harassment and harassment at work: technical guidance | EHRC](#).



Whistleblowing Policy

Swanage Town Council

1. Policy Statement

Employees are often the first to realise that there may be something wrong within their organisation. However, they may not feel able to express their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer. They may also be apprehensive about the consequences and they may mistakenly feel that it may be easier, therefore, to ignore the concern rather than report what may be no more than a suspicion of malpractice.

Swanage Town Council is committed to the highest standards of openness, probity, and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the Council's work, to come forward and voice those concerns. The word 'whistleblowing' in this procedure refers to the disclosure, internally or externally, by employees of malpractice, as well as illegal acts or omissions at work.

This policy makes it clear that all employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage, and is intended to encourage and enable serious concerns to be raised with the Council, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the Council who speak out against corruption or malpractice at work have statutory protection against victimisation, dismissal or other disadvantage.

2. Scope

This policy applies to employees of Swanage Town Council. Agency workers, casual workers and other individuals performing functions for the Council, such as contractors, are also encouraged to use the procedure.

3. Aims

This policy aims to:

- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their departments;
- Provide alternative avenues for raising concerns;
- Ensure that responses to concerns are made; and
- Reassure employees that they will be protected from possible reprisals or victimisation if they have made a qualifying disclosure to address their concerns.

4. Background

The law provides protection for employees who raise legitimate concerns about specified matters. These are called ‘qualifying disclosures’. A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that one of the following is being, has been, or is likely to be committed:

- A criminal offence;
- A miscarriage of justice;
- **An act of Sexual Harassment;**
- An act creating a risk to health and safety;
- An act causing damage to the physical environment;
- A breach of any other legal obligation; or
- Concealment of any of the above.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment (e.g. disciplinary action), or victimised because he/she has made a disclosure.

The employee has no responsibility for investigating the matter; it is Swanage Town Council’s responsibility to ensure that an investigation takes place.

The Council fully understands that employees who are members of a Trade Union may, in the first instance, wish to seek advice and guidance from their Union on the application of this Policy.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the Council’s Grievance Procedure.

5. Safeguards

5.1. Harassment Or Victimisation

Swanage Town Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is/are the subject of the complaint. However, if employees state the truth when making a disclosure they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

Swanage Town Council will not tolerate any form of harassment or victimisation by any worker and will take appropriate action to protect individuals when they make a qualifying disclosure.

5.2. Confidentiality

All concerns will be treated in confidence and every effort will be made to protect an employee’s identity if that is their wish. At the appropriate time, however, they may need to be called as a witness, following a full factual investigation of the concerns raised.

5.3. Anonymous Allegations

In order to ensure that employees receive the protection of the Public Interest Disclosure Act 1998, employees should put their name to their concern. Concerns expressed anonymously are much less convincing. Anonymous concerns and allegations will therefore be investigated at the discretion of the Council.

In exercising the discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from factual evidence.

5.4. Unsubstantiated Allegations

If an employee makes an allegation which they reasonably believe to be true but it is not confirmed by the investigation, no action will be taken against them. However, if they make an allegation frivolously, maliciously, or for personal gain, disciplinary action may be taken against them.

6. Procedure For Making A Disclosure

6.1. Step One – Raising A Concern

Whenever possible you should raise your concern with your line manager. If this is not appropriate, you should approach the Town Clerk. If the complaint is about the Town Clerk then your concern should be raised with the Chair of the Personnel Committee.

6.2. Step Two – How The Council Will Respond

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally by management, or through the disciplinary or other internal process;
- be referred to the Police;
- be referred to the External Auditor;
- form the subject of an independent inquiry.

In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Concerns or allegations which fall within the scope of specific procedures of Swanage Town Council will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

You will be written to within ten working days:

- acknowledging that the concern has been received;

- indicating how the Council proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- informing you if any initial enquiries have been made;
- whether further investigations will take place and, if not, why not.

6.3. Contact

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

6.4. Attending Meetings

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

6.5. Support

Swanage Town Council will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, Swanage Town Council will advise or arrange for you to have advice about the procedure. Swanage Town Council will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

Swanage Town Council accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

7. How The Matter Can Be Taken Further

This procedure is intended to provide individuals with an avenue to raise concerns within Swanage Town Council. If you are not satisfied, and feel it is right to take the matter further, the following are possible contacts:

- Public Concern at Work - Tel: 020 3117 2520;
- the Council's external auditor;
- the Police;
- Health and Safety Executive;
- His Majesty's Revenue and Customs.

If a matter is taken outside Swanage Town Council, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with the Town Clerk.



Internet and Email Policy

Swanage Town Council

1. Purpose

The purpose of this policy is to ensure the proper use of Swanage Town Council's internet and email system and make users aware of what the Council deems acceptable and unacceptable use of its internet and email system. The Council reserves the right to amend this policy at its discretion – users will be informed if and when amendments are made.

2. General Security

Security of the data on a PC is the user's responsibility and it is therefore recommended that PC's should be logged out and switched off when left unattended.

Passwords must never be disclosed nor may they be displayed openly.

The use of another person's password is not permitted, other than in instances where information is required urgently and can only be accessed by an individual's PC.

Passwords wherever practicable should be changed frequently.

Wherever practicable computer screens should be positioned so that they cannot be overlooked by visitors.

3. Requirements For Use

The following rules MUST be adhered to by all users within the Council. It is prohibited to:

- Send or forward emails containing libellous, defamatory, offensive, racist or obscene remarks. If you receive an email of this sort, you must notify your line manager who will pass this to the Town Clerk if appropriate;
- Forward a sensitive or controversial message without acquiring permission from the sender first;
- Forge or attempt to forge email messages;
- Disguise or attempt to disguise your identity when sending mail;
- Send email messages using another person's email address without permission;
- Copy a confidential message or attachment belonging to another user without permission of the originator.

4. Downloading And Importing Files And Software

Employees must download files only onto those PCs with virus checking software and should check how long downloads will take. If in doubt, employees should check with the Town Clerk or appropriate Departmental Manager.

Employees must exercise extreme care when receiving emails with attachments from third parties – particularly unidentified third parties – as these may contain viruses.

Data from memory sticks, CDs, and other external devices must only be viewed on PCs with appropriate virus checking software. If in any doubt about whether it is safe and permissible to use these devices, employees should ask the appropriate Departmental Manager or the Town Clerk.

5. System Monitoring

Users expressly waive any right of privacy in anything they create, store, send or receive on the Council's computer system.

The Council can, but is not obliged to, monitor emails without prior notification. The organisation considers the following to be examples of valid reasons for checking an employee's emails:

- If an employee is absent for any reason and communications must be checked for the smooth running of the business to continue;
- If the Council suspects that an employee has been viewing or sending offensive or illegal material;
- If the Council suspects that an employee has been using the email system to send/receive an excessive number of personal communications; or
- If the Council suspects that an employee is sending or receiving emails that are detrimental to the Council.

If there is evidence that you are not adhering to the guidelines set out in this policy, the Council reserves the right to take appropriate disciplinary/legal action, which could result in termination of employment.

6. Electronic Signature And Disclaimer

Employees must ensure that their electronic signature and disclaimer is set up in the following format to appear on outgoing emails:

Name
Job Title

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the originator of the message.

Any views expressed in this message are those of the individual sender, except where the sender specifies and with authority, states them to be the views of Swanage Town Council.

Name of Organisation
Departmental Address
Telephone number
Website

7. Personal Use Of Internet And Email

Because the Council has access to broadband technology, usage is at a flat rate regardless of numbers of emails sent or minutes online. As a result, the organisation permits employees to use their PCs to access the internet and send/receive email for limited personal/developmental use where necessary. This permission only applies to times **OUTSIDE** recorded working hours. Employees wishing to use internet/email access for personal/developmental use are deemed to have agreed to the following terms and conditions:

- Personal emails should be clearly marked as such in the subject line;
- Unless you have specific prior permission from the Town Clerk and your line manager, you should not give your work email address as one of your contact details for regular extra-curricular/social/voluntary commitments outside work;
- Do NOT use your work email address for any non-work communication if there is any possibility that the recipient will be influenced (either positively or negatively) by receiving a communication from an officer of the Council;
- To avoid cluttering the system with unwanted adverts or other material, please do not sign up for personal direct mail using your work email address. For example, if you have used the internet (in your own time) to buy goods or services, and are invited to subscribe to 'news of other products' please click 'no' or provide your home email address as the point of contact;
- When sending personal emails, employees should show the same care as when sending work-related emails;
- Jokes or humorous articles are often received from individuals outside the organisation. Users must consider whether anyone is likely to take offence if you pass material on. Passing on offensive material via the work system is a disciplinary matter and may result in legal action or termination of employment;
- No attachments should be opened or links clicked unless the user is sure that the website accessed is legitimate and will not compromise the Council's IT system;
- If any doubt, don't do it!

Abuse of this permission will be regarded as a disciplinary offence and will be subject to action laid out in the policies on code of conduct and elsewhere.

Abuse of Internet/email access could include, but is not limited to:

- Accessing inappropriate web sites;
- Downloading or distributing obscene, offensive, or indecent material;
- Using language or behaviour likely to bring the Council into disrepute;
- Using the Council's official role/status for personal gain;
- Using Council's role/status to support a specific political or issue-based campaign;
- Using the equipment to contribute to fraud; and
- Using or passing on privileged or confidential information.

The personal use of email or Internet access must be completely in accordance with the range of provisions in the current Code of Conduct.

8. Legal Risks

Email is a business communication tool and users are obliged to use this tool in a responsible, effective and lawful manner. While email seems to be less formal than other written communication, the same laws and guidelines apply. Users should be aware of the legal risks of email:

- If you send or forward emails with any libellous, defamatory, offensive, racist or obscene remarks, both you and the Council can be held liable. In addition, it may be considered to have been an infringement of the disciplinary procedure;
- If you unlawfully forward confidential information, you and the Council can be held liable;
- If you unlawfully forward or copy messages without permission, you and the Council can be held liable for copyright infringement;
- If you knowingly send an attachment that contains a virus, you and the Council can be held liable.

Please follow the guidelines in this policy to minimise the legal risks to yourself and the Council. If any user disregards the rules set out in this policy, the user will be fully liable and the Council will disassociate itself from the user as far as legally possible.

9. Queries

If you have any queries about this email policy, please contact the Town Clerk. If you do not have any questions, the Council assumes that you understand and accept the rules and guidelines in this policy and will adhere to them.



Social Media Policy

Swanage Town Council

1. Introduction

The widespread availability and use of social networking applications brings opportunities to understand, engage and communicate with our audiences in new ways. It is important that the Council is able to use these technologies and services effectively and flexibly. However, it is also important to ensure that the Council balances this with its duties to its services users and partners, its legal responsibilities and its reputation.

The policy requirements in this document aim to provide this balance to support innovation whilst providing a framework of good practice. Social media must be used sensibly and responsibly, in line with Swanage Town Council's corporate policies.

The purpose of this policy is to ensure:

- that the Council is not exposed to legal and governance risks;
- that social media is used sensibly and responsibly by Council employees, in line with the Council's wider policy framework;
- that the reputation of the Council, Councillors, staff, partner organisations, and government agencies is not adversely affected;
- that our users are able to clearly distinguish where information provided via social networking applications is legitimately representative of the Council.

This policy is divided into two sections:

- Personal use of social media by Council employees
- Business use of social media by Authorised Officers of the Council

Best practice for Town Councillors in their use of Social Media is set out in a separate document, entitled Social Media Guidance for Councillors.

2. Definition

For the purposes of this policy, social media is any online platform or app that allows parties to communicate instantly with each other or to share data in a public forum. This includes social forums such as X (formerly known as Twitter), Facebook and LinkedIn. Social media also covers blogs and video and image-sharing websites such as YouTube. Employees should be aware that there are many more examples of social media than can be listed here and this is a constantly changing area. Employees should follow these guidelines in relation to any social media that they use.

3. Scope

This policy encompasses all employees (including temporary staff who work for the Town Council for any period of time) of the Council who use social media on a personal basis in their own time and use on behalf of the Council.

4. Risks

An employer may be liable for discriminatory acts carried out by their employees. This principle is set out in the Equality Act 2010 which provides that: ‘an act carried out by a person “in the course of their employment” is treated as also having been done by their employer’.

Employees can also put themselves at risk if they misuse social media, either during the employment of the Council or whilst using social media in a personal capacity. The individual(s) concerned could be liable to disciplinary action, including dismissal.

The following risks have been identified with the use of social media. This is not an exhaustive list and is, therefore, for guidance only:

- Civil or criminal action relating to breaches of legislation or copyright.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.
- Virus or other malware (malicious software) infection, this could be via shortened URLs which are commonly used in Tweets.
- Criminals hijacking valid user accounts by trying common passwords to gain access.
- Social engineering attacks (also known as ‘phishing’).
- Damage to user’s career and to the reputation of the Council by posting unguarded or inappropriate comments.
- Disclosure of confidential information.
- Bullying or harassment.

In light of these risks, the use of social media is regulated to ensure that such use does not damage the Council, its employees, Councillors, partners and the people it serves. As such, this policy aims to ensure that:

- a consistent and corporate approach is adopted and maintained in the use of social media;
- Council information remains secure and is not compromised through the use of social media;
- users operate within existing policies, guidelines and relevant legislation;
- the Council’s reputation is not damaged or affected adversely.

5. Personal Use of Social Media by Employees

This Policy applies to all Swanage Town Council employees (including temporary staff who work for the Town Council for any period of time) who use personal social media in their own time or who plan to use it in the future.

All employees are required to adhere to this policy and it should be noted that any breaches of this policy may lead to disciplinary action.

Swanage Town Council recognises that many employees make use of social media in a personal capacity outside of work and that they are responsible for their own activities and statements.

Although they are not acting on behalf of the Council, employees must be aware that their actions on their personal social media accounts could potentially damage the reputation of the Council, especially if they have specified their role and/or employer as part of their social media accounts.

This means that, when using social media in their personal life, an employee must:

- not engage in activities on the internet that might bring the Council, its employees or Councillors into disrepute;
- use caution if posting any comment regarding public policy or political party matters;
- consider whether a comment would make it difficult to fulfil their normal work duties (e.g. in respect of a political matter);
- be aware that matters become particularly sensitive during a pre-election period;
- not use social media to post critical comments about the Council, fellow employees or Town Councillors that could damage the reputation of the Town Council, any individual officer or a Councillor;
- not use information obtained in the course of Council employment, which is subject to a duty of trust and confidence, as the basis for any post;
- not use Swanage Town Council branding, graphics (including Swanage Town Council photographs) or literature on personal social media pages;
- be aware that any reports of inappropriate activity, linking them to the Council, will be investigated;
- be mindful of how comments and information may be perceived by others;
- adhere to the Council's Members' and Officers' Protocol when contacting a Councillor via Social Media and maintain professional standards of conduct at all times;
- not accept 'friend' requests from organisations which could be considered to compromise the independence of decisions made during the course of your work.

This is not an exhaustive list and includes, but is not limited to, the scenarios listed above.

6. Business Use of Council Social Media by Authorised Officers

The Council's use of social media will be managed by the Planning and Communications Manager, in consultation with the Town Clerk.

The Visitor Services & Business Development Manager will work with the Planning and Communications Manager to ensure that their area's social media meets the requirements of this Policy. For the purposes of simplicity, in this document the Planning and Communications Manager, the Town Clerk (or other officer deputising in his absence) and the Visitor Services & Business Development Manager will be referred to as 'Authorised Officers'.

No other Council employees will be permitted to set up accounts, groups, pages or profiles on behalf of their service area, or the Council. Other Council employees can only engage in social media activity on behalf of Swanage Town Council with the express permission of an Authorised Officer, and they must also adhere to the contents of this policy.

When using Council social media, Authorised Officers should always be professional and remember that they are an ambassador for the Council.

Any communications that Authorised Officers make through Council social media must not:

- Bring the organisation into disrepute, for example by:
 - criticising or arguing with customers, colleagues, Councillors, the Council or other organisations;
 - making defamatory comments about individuals or other organisations or groups;
 - posting images that are inappropriate or links to inappropriate content.
- Breach confidentiality, for example by:
 - giving away confidential information about an individual (such as a colleague or customer contact) or an organisation;
 - discussing the organisation's internal workings or its future business plans that have not been communicated to the public.
- Breach copyright, for example by:
 - using someone else's images or written content without permission;
 - failing to give acknowledgement where permission has been given to reproduce something.
- Be considered discriminatory against, or bullying or harassment of, any individual, for example by making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, being married or in a civil partnership, religion or belief or age.
- Be used for political purposes or specific political campaigning purposes.
- Seek to promote Councillors' social media accounts during the pre-election period. The Council will continue to publish important service announcements using social media but reserves the right to remove responses if they are overtly party political.
- Compromise their own safety when placing information on the internet and must not publish information which could leave them vulnerable.

Employees should be aware that misconduct arising from the misuse of social media will be treated in the same way as any other form of misconduct and in line with the Council's disciplinary rules and procedure.

If an Authorised Officer receives any threats, abuse or harassment from members of the public through their use of social media as part of their work they must report such incidents immediately to their line manager. Employees should also refer to the Council's Staff Handbook.

Authorised Officers undertake training in the responsible use of social media.

This policy and guidelines are in addition to any professional standards that govern employees' area of work and all other Council policies which employees are expected to comply with.

7. Disciplinary Action Over Social Media Use

All employees are required to adhere to this policy. Employees should note that any breaches of this policy may lead to disciplinary action in accordance with the Councils Disciplinary Procedure. Serious breaches of this policy, for example incidents of bullying of colleagues or social media activity that might cause serious damage to our organisation, may constitute gross misconduct and lead to summary dismissal.



Payment of Salaries & Trade Unions

Swanage Town Council

1. Payment of Salaries/Wages

The payment of salaries and wages to all employees will be made monthly direct into a bank or building society.

Salaries will be credited by the appropriate amount on or by the 20th day of the month. If the 20th falls on a Saturday or Sunday payment will be credited on the preceding Friday.

On commencement of employment account details must be notified to Personnel using the bank details form. Any subsequent changes must be notified to Personnel without delay.

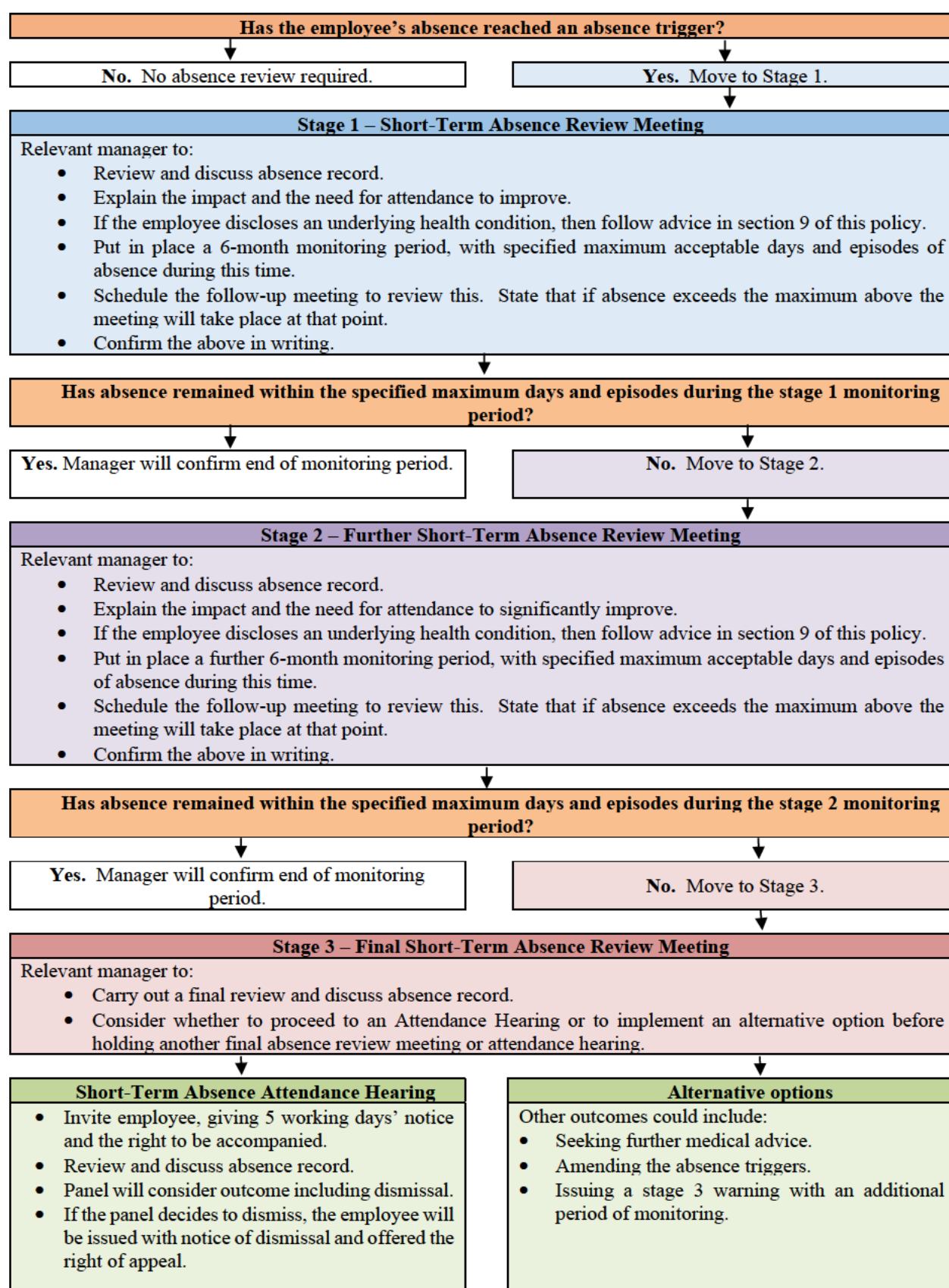
2. Trade Unions

Swanage Town Council are supportive of the benefits of trade union membership and support any member of staff who wishes to join a union.

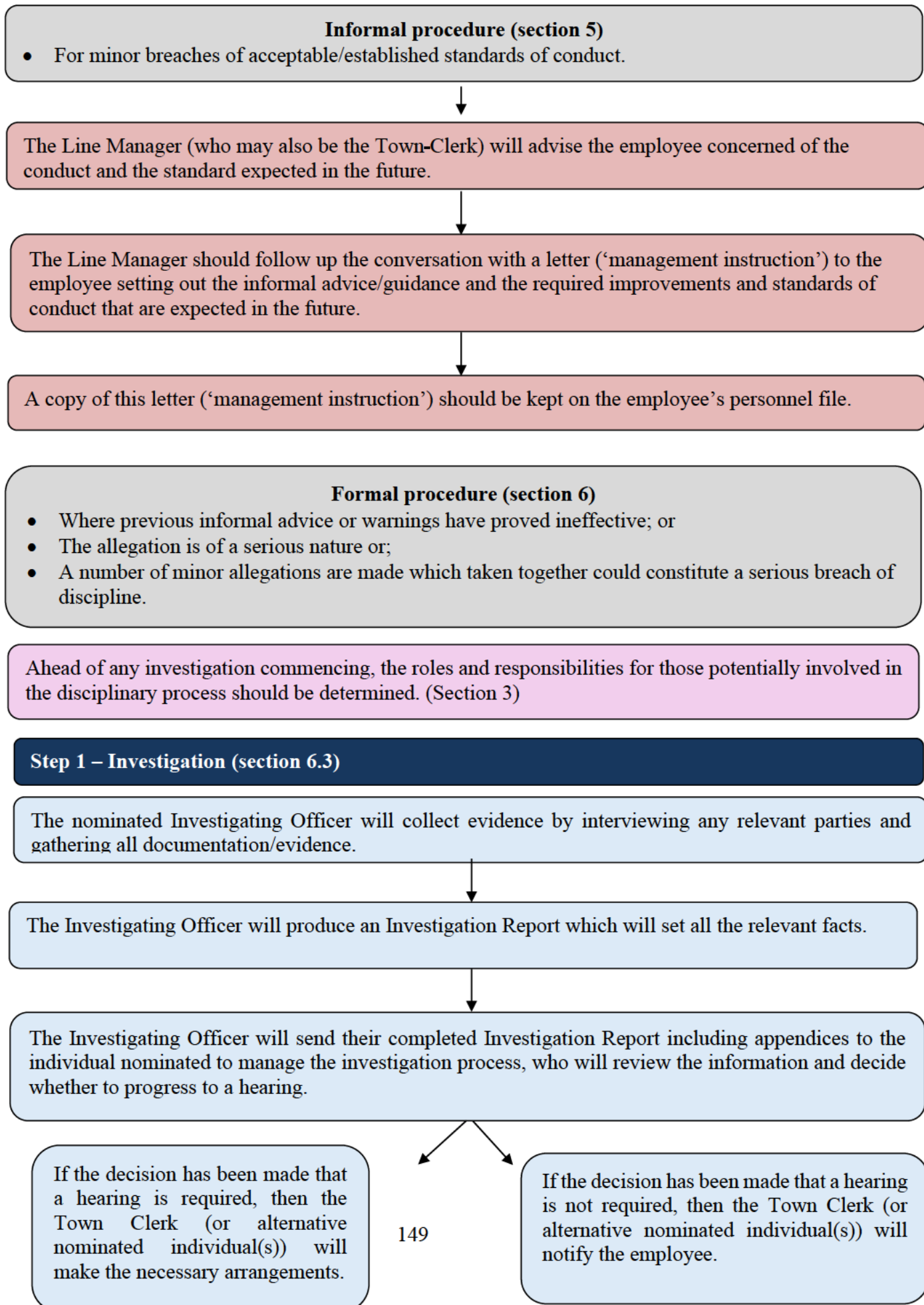
Regular deductions for union membership can be taken from your monthly salary if you wish.

More information is available from the Personnel Department.

Appendix 1 – Managing Short Term Absence – Flow Chart



Appendix 2 – Disciplinary Procedure – Flow Chart



Step 2 – Hearing (section 6.4 & 6.5)

The Town Clerk (or alternative nominated individual(s)) will send a letter to the employee, inviting them to the disciplinary hearing with at least 5 working days' notice. This will include a clear statement of the allegation(s), details of the potential outcome and a reminder of the employee's right to be represented. A copy of the Investigation Pack should also be enclosed.



The objective of the hearing is:

- To hear the evidence in respect of the allegation and the employee's response;
- To decide whether or not the allegation is substantiated; and
- If the allegation is substantiated, to determine the disciplinary sanction to be applied in light of the seriousness of the offence and having regard to previous relevant disciplinary history.



Following the hearing, the decision of the Panel will be confirmed to the employee in writing within 5 working days. This letter will also inform the employee of their right of appeal and identify to whom any appeal letter should be addressed.

Step 3 – Appeal (section 7)

An employee who wishes to appeal must do so in writing to the person nominated in the disciplinary outcome letter, within 10 working days of the notification of the outcome of the disciplinary hearing. The appeal letter must set out the grounds of the appeal.



The appeal hearing will be organised by the nominated person. The employee should be given at least 5 working days' notice in writing of the appeal hearing. The employee must submit any additional papers/evidence to the Chair of the Appeal Panel no later than 5 days prior to the hearing. Papers will be prepared and sent to all parties.



The objective of the appeal hearing is:

- To review the grounds of the appeal in order to determine if the outcome of the hearing was correct; and
- If the decision is overturned, to determine what action is appropriate.



The decision of the Appeal Panel will be confirmed to the employee in writing within 5 working days.

Appendix 3 – Grievance Procedure – Flow Chart

