



NOTICE

THIS WILL BE A REMOTE MEETING WHICH MEMBERS OF THE PUBLIC MAY ATTEND BY FOLLOWING THE LINK BELOW

To: All Members of Seaton Town Council

**Extraordinary Meeting of Seaton Town Council
on Monday 21st December 2020**

16th December 2020

You are hereby summoned to attend the above meeting to be held on **Monday, 21st December 2020 at 5.45pm**. In accordance with the provisions of *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*, this meeting will be held remotely and members of Seaton Town Council ("the Council") and members of the public can access the meeting by taking the following steps:

Log on to: www.zoom.us

Click on: 'Join Meeting' and then enter:

- Meeting ID: 928 6172 3363
- Passcode: 954138

It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers appropriate.

This meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media, or members of the public. Please be aware that the Council cannot guarantee that members of the public are not filmed, especially if you are speaking or taking an active role.

**Julia Mutlow
Town Clerk**

AGENDA

20/COU/01 Apologies for absence
To receive any apologies for absence

20/COU/02 Declarations of interest
To receive any Members' declarations of interests in respect of items on the agenda



20/COU/03 Minutes

To approve the minutes of the Council meeting held on Monday 7 December 2020

20/COU/04 Public Question Time

To allow any questions or reports from members of the public

20/COU/05 Seafront Enhancement Scheme

To consider a report and recommendation from the Seafront Enhancement Working Group concerning the viability of implementing the scheme permitted by virtue of planning permission 17/0369/FUL

20/COU/06 Budget & Precept 2021/22

To consider and approve the Council's budget and to set the precept for 2021/22

20/COU/07 Policy Update

To consider and adopt the following new and updated policies and constitutional documents:

- Smoking Policy
- Lone Working Policy (including risk assessment and procedure)
- Equality & Diversity Policy
- Staff Handbook

20/COU/08 Cyclefest 2021

To consider a request from the organisers of Cyclefest 2021 regarding the suggested updated payment schedule for the sponsorship fee

Confidential Items

The Chairman will move that in accordance with the Council's Standing Order 1(d) press and public will be excluded from the meeting during the discussions of items 9 and 10 on this agenda as there are matters being discussed which include information that is commercially sensitive.

20/COU/09 Annual Grounds Contract

20/COU/10 Refurbishment/replacement of civic regalia



Minutes of the Seaton Town Council Meeting on Monday, 7 December 2020

Present:

Chair: Cllr. K. Beer

Town

Councillors: D. Ledger, D. Haggerty, M. Hartnell, A. Singh, J. Russell, E. Bowman, C. Wood, D. Wright and K. Briggs

Other

Councillors: Cllr. Shaw (DCC), Cllr. Rowland (EDDC)

Officers: Town Clerk and Administration & Events Officer

Public: Two members of the public were present, and the meeting was broadcast live via the Council's Facebook page

Note: All attendees accessed the meeting remotely and could be either seen and/or heard

106. Apologies for absence

No apologies for absence were received

105. Declarations of interest

Cllrs. Hartnell and Ledger declared personal interests as East Devon District Councillors

106. Minutes

Members **RESOLVED** to approve the minutes of the meeting of Seaton Town Council ('the Council') held remotely on 2nd November 2020 (proposed Cllr. Singh; seconded Cllr. Wright)

107. Chairman's Report

The Chairman stated that he had been in lock down so nothing to report other than regular catch up meetings with the town clerk and committee meetings conducted via zoom.

Members noted the Chairman's report.

108. Public Question Time

There were no public questions. However, two members of the public attended to answer any questions arising from their respective grant applications on behalf of SAVE Food Hub and Axe Valley Re:store CIC. Members therefore **RESOLVED** to suspend standing orders and brought item 20 COU 05 forward on the agenda (proposed Cllr. Beer; seconded Cllr. Singh)



109. Community & Shop Front Improvement Grants

Members considered four applications and, after asking questions of representatives of both community groups, they **RESOLVED** to make the following grants:

- **SAVE Food Hub** - £989 towards the establishment of a community larder (proposed Cllr. Briggs; seconded Cllr. Haggerty)
- **Re:Store Axe Valley CIC** - £1,000 towards the provision of Christmas hampers for families in need, in particular books for children (proposed Cllr. Haggerty; seconded Cllr. Wood)

The following shop front improvement grants would be payable once the works were completed and evidence of payment and photographs supplied, in line with the Council's policy

- **Monsoon** - £399 – shop front improvement (proposed Cllr. Singh; seconded Cllr. Hartnell)
- **The Bush Hat** - £274.50 – shop front improvement (proposed Cllr. Macaskill; seconded Cllr. Singh)

(proposed Cllr. Beer; seconded Cllr. Singh)

110. Police Report

Sgt Hutter and PC Speirs attended, and provided an update on current policing in Seaton which included increased visibility and increased collaboration with other stakeholders in the town, such as EDDC on the closure of the barrier to the Underfleet Car Park and switching off lights earlier. A number of s59 warning notices had also been served on individuals.

Members noted the police report.

111. County Councillor Report

Members received and noted the report. Cllr Shaw added that he still had some funds available in his locality budget and could be contacted if assistance were required by any local groups.

Members noted the police report.

112. District Councillor Reports

Cllrs. Rowland and Ledger presented and answered questions on their written reports.

Again, the closure of the Esplanade was raised, and Cllr Rowland reaffirmed his comments of the previous month stated that he could say little on this and the associated development of Fosseyway Court at present, due to legal involvement on behalf of Fosseyway Court Transition Ltd.

Cllr Ledger highlighted the importance of the Town Council responding to all consultation on the emerging local plan.



Members received and noted the reports.

113. Reports from Council representatives on outside bodies

Members received an update from recent meetings of two outside bodies:

- LAG – Cllr Bowman outlined the discussions and the recent LAG meeting and would circulate the minutes
- Seaton Beach Management Group – Cllr Wright summarised the work that was being done and particular the work done by Tom Buxton-Smith on achieving funding which now stood at 90% of the amount required. Further maps were being produced to forecast how any erosion might look at the 50 year, 100 year point and onwards after taking account of the planned mitigation works as this calculation was not included in the currently available plans.

Members noted the reports.

114. Town Clerk's update on 2020/21 priorities, including recommendations as appropriate

Members noted the updated work log and the progress made since the Council's November meeting, including those items specifically listed on this agenda

115. Report of internal auditor

Members received and noted the mid-year report of the Council's internal auditor and the Clerk's comments in response thereto and **RESOLVED** to:

1. note the report of the internal auditor and the Clerk's comments on the observations made
2. ratify the updated dual authorisation of all online payments
3. authorise the Clerk to make arrangements to establish a separate debit card account with a spending limit of £1,000

(proposed Cllr. Ledger; seconded Cllr. Singh)

116. Review of Risk Register & Risk Management Policy

Members reviewed the updated risk management policy and risk register for 2020/21 and **RESOLVED** to:

- approve the updated Risk Management Policy
- note the risks listed and measures in place to mitigate said risks and approve the risk register

(proposed Cllr. Wright; seconded Cllr. Russell)

117. Review of Financial Regulations & Standing Orders

Members reviewed the proposed amendments to the Council's Financial Regulations and Standing Orders and **RESOLVED** to:

- adopt the updated Financial Regulations, including an increased petty cash limit of £200



- adopt the updated Standing Orders
(proposed Cllr. Ledger; seconded Cllr. Singh)

117. Health & Safety Review

Members noted the report and the work carried out by the Administration & Events Officer, as part of the comprehensive health and safety review of Marshlands and **RESOLVED** to:

- approve the quotation for replacement smoke detectors
- authorise officers to obtain 3 quotations for the completion of an asbestos survey
- authorise officers to obtain a quotation from the fire safety contractor for the cost of installing additional smoke detectors where required
- authorise the completion of any remedial works, arising from the electrical installation condition inspection (November 2020).
- approve the updated Health and Safety Policy.

(proposed Cllr. Macaskill; seconded Cllr. Haggerty)

118. Highways maintenance priorities

Members discussed at length the priorities to be put forward to Devon County Council for works and considered the summary provided by the Clerk. It was **RESOLVED** that the entire list of comments should be submitted to DCC with the following three priorities in each category highlighted:

- **Roads**
 - **Fore Street (whole of the pedestrianised area)**
 - **Harepath Road**
 - **Colyford Road**(proposed Cllr Hartnell; seconded Haggerty)
- **Footpaths**
 - **Seaton Down Road**
 - **Valley View**
 - **Colyford Road**(proposed Cllr Beer; seconded Cllr Haggerty)
- **Drainage**
 - **Entirety of Queen St** (proposed Cllr. Hartnell; seconded Cllr. Macaskill)
 - **Barnards Hill Road** (proposed Cllr. Russell; seconded Cllr. Hartnell)
 - **Culvert/ditch between Highcliffe Close and Beer Road**(proposed Cllr. Ledger; seconded Cllr. Singh)



119. Request from Gateway for approval of works and possible funding

Members considered the request from the Gateway to consent to works to the Town Hall to improve the facilities and to make a contribution towards the costs thereof.

Members **RESOLVED** to:

- consent to the proposed works to the town hall (proposed Cllr. Beer; seconded Cllr. Wood)
- invite the Gateway Theatre Company to make an application to the Council for a community grant of up to £1,000 (proposed Cllr. Hartnell; seconded Cllr. Ledger)

121. Cyclefest 2020 – Cllr Ledger

Members considered the request from the organisers of Cyclefest 2021 that 50% (£3,750) of the agreed sponsorship for the 2021 event now be paid over. Concern was expressed by various Members that, due to the ongoing certainty arising from the pandemic, there was a very real possibility that the event may not go ahead and, if this eventuality occurred, monies may not be recoverable.

The Clerk advised that she had raised the issue of cancellation with the organisers, who had committed personally to pay monies back should the event be cancelled, as cancellation insurance was not available for Covid-related reasons. Whilst Members accepted that this commitment was genuine, there was serious concern expressed about payment of public funds, unless the event was guaranteed. At this stage it was impossible to provide such assurance.

As such, Members agreed to pay for the road closure fees which would effectively save the date of the event with the remaining monies being held pending certainty that the event would go ahead.

Members **RESOLVED** to pay for the road closure fees at this stage, to save the date, with the remaining monies being held pending certainty that the event would go ahead.

(proposed Cllr. Hartnell; seconded Cllr. Haggerty)

122. Memorial Benches Policy

Members considered the draft policy on memorial benches and **RESOLVED** to:

- approve the draft policy on memorial benches
- approve the fees for installation as follows:
 - £125 + VAT to install a bench on an existing base
 - £250 + VAT to build a new base and install a bench

(proposed Cllr. Macaskill; seconded Cllr. Haggerty)



123. Update on meeting with young car enthusiasts

Members received an update from Cllr Haggerty on the recent meeting with local young car enthusiasts which had been very positive and future meetings were planned, where other stakeholders would be invited.

Members noted the update.

124. Update on meeting with Youth Genesis

Members received an update from Cllrs Haggerty & Ledger on the recent meeting with Youth Genesis and proposal received. A budgetary allowance for work with Youth Genesis would be considered at the next Finance & General Purposes Committee as part of the 2021//22 budget setting process. Since the meeting, Cllr Ledger had discussed matters with relevant officers at EDDC and it was hoped that a short, medium and longer terms plans could be developed to engage the town's youth. Further updates would be brought in due course for consideration by Council.

Members noted the update.

125. Update on Promote Seaton

Cllr Haggerty provided an update on the work of Promote Seaton and the positive response to the Christmas Lights Competitions which would be judged in the week commencing 14 December and confirmed that the next meeting would be in the New Year.

Members noted the report.

Meeting closed at 8.10pm

Signed_____

Dated_____

20 COU 05 Seafront Enhancement Scheme ('the Scheme')

Introduction

The Seafront Enhancement Working Group and other councillors met on 8 December to discuss the ongoing issues with the scheme. Members had access to previous reports to Council in July and September 2020 outlining procedural and financial concerns. Cllr. Beer chaired the meeting and outlined the history to the project, the current position and problems with taking the scheme forward. The Clerk updated Members on the current position and outstanding issues.

The feasibility and budgetary concerns arising from doing sufficient works commensurate with the implementation of planning permission 17/0369/FUL - in order to keep the permission live in perpetuity - were discussed, as well as the unlikelihood of the finances being available to complete the rest of the scheme, even if the monies could be found to carry out the minor highways works which were required in order to merely implement the planning permission.

Summary of concerns raised by Members

All Members present contributed to the discussions and the points raised are summarised below:

- it was acknowledged that money had been spent in scoping out the project and on professional fees but, when considered objectively, this was a small amount when compared against what could be lost on a project that was unlikely ever to be completed
- the project was beyond the scope and resources of the town council and would have been better led by either DCC or EDDC
- whilst the initial idea was a good one, it had not been well managed in places and even members on the working group had not been invited to meetings or kept fully informed of progress
- the £64K retained in an earmarked reserve could be ringfenced for other smaller projects to improve the seafront that were achievable within a reasonable time scale
- members accepted that there would be some in the town who were disappointed if the scheme did not progress but felt that if the reasons were properly explained – most pertinently the financial position – then any reputational risk could be managed
- concerns were expressed that the material benefit of what the first phase would achieve would be minimal when set against the cost
- the financial impact of the pandemic and also possibly the financial implications of leaving the EU would clearly affect public finances across all sectors and were a factor in whether or not the scheme could realistically be taken forward

Conclusion

In summary, Members concluded that the matter should be brought back to full Council with a **RECOMMENDATION** that:

- the seafront development permitted by virtue of planning permission 17/0369/FUL should not be implemented
- the £62,834 earmarked for the development should be retained and ringfenced for alternative improvements to the seafront

20/COU/06 Budget & Precept 2021/22

Introduction

At its meetings from October to December 2020, members of the Council's Finance & General Purposes Committee met to discuss the required budget for the financial year 2021/22.

On 14 December, Members considered the revised draft budget for 2021/22 (14 December 2020 v.6) and noted that the tax base for 2021/22 had been confirmed by EDDC and remained unchanged at 3231.

Members noted the predicted year end position and recommended that Council:

- approve the draft budget for 2021/22 (14 December 2020 v.6), with gross expenditure estimated at £384,353 and predicted income £27,414.
- set the precept for 2021/22 at £356,939 – a rise of 5.6% (or £5.86 per year on a Band D property) - making the total annual payment £110.47 on a Band D property

Recommendations

It is **RECOMMENDED** that:

1. the budget for 2021/22, as set out in the spreadsheet accompanying this report (Appendix 1) be approved
2. the precept for 2021/22 be set at £356,939 – a rise of 5.6% (or £5.86 per year on a Band D property) - making the total annual payment £110.47 on a Band D property



SEATON TOWN COUNCIL

EQUALITY AND DIVERSITY POLICY

INTRODUCTION

The Town Council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

POLICY STATEMENT

This policy is intended to assist the Town Council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect, is an important aspect of ensuring equal opportunities in employment.

THE LAW

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, for example, refusing to give a reference for a reason related to one of the protected characteristics.

The Town Council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

TYPES OF UNLAWFUL DISCRIMINATION

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.



Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic. Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

EQUAL OPPORTUNITIES IN EMPLOYMENT

The Town Council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

RECRUITMENT

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability



and personal or home commitments will not form the basis of employment decisions except where necessary.

WORKING PRACTICES

The Town Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Town Council considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Town Council will comply with its obligations in relation to statutory requests for contract variations. The Town Council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

EQUAL OPPORTUNITIES MONITORING

The Town Council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The Town Council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in Chapter 9 of the Town Council's constitution.

DIGNITY AT WORK

The Town Council has a separate dignity at work statement concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with. This can be found in the Staff Handbook, Chapter 4 of the Town Council's Constitution.

PEOPLE NOT EMPLOYED BY THE TOWN COUNCIL

The Town Council will not discriminate unlawfully against those using or seeking to use the services provided by the Town Council. You should report any bullying or harassment by suppliers, visitors or others to the Town Council who will take appropriate action.



TRAINING

The Town Council will provide training, where necessary, to raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. The Town Council will offer training to raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment.

The Town Council will provide additional training, where necessary, to managers to enable them to deal more effectively with complaints of bullying and harassment.

YOUR RESPONSIBILITIES

Every employee is required to assist the Town Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Town Council for any act of unlawful discrimination.

Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Town Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

GRIEVANCES

If you consider that you may have been unlawfully discriminated against, you should use the Town Council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work statement in the Staff Handbook. The Town Council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

POLICY REVIEW

Seaton Town Council is committed to reviewing its policies and making improvements where possible. This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law and in accordance with the results shown by the monitoring.

Adopted:

Reviewed:

Policy Due for Review:



SEATON TOWN COUNCIL

LONE WORKING POLICY

INTRODUCTION

Seaton Town Council ('the Council') recognises that its employees may be required to work by themselves for periods of time without close or direct supervision and out of normal office hours. The purpose of this policy is to protect such staff, so far as is reasonably practicable, from the risks of lone working.

The Council also recognises that it has an obligation under the Health and Safety at Work (1974) and the Management of Health and Safety at Work Regulations 1999, for the health, safety and welfare at work of its employees.

POLICY STATEMENT

This policy applies to all situations involving lone working arising in connection with the duties and activities of the Council's employees.

Definition of 'lone workers' - the Health and Safety Executive defines lone workers as "those who work by themselves without close or direct supervision". This covers all the Council's employees who are all, at times, required to carry out their duties for all or part of their working day working in isolation. This may be within the office or outside the office.

The aim of the policy is to:

- Increase staff awareness of safety issues relating to lone working
- Recognise and reduce risk by ensuring that the risk of lone working is assessed in a systematic and ongoing way, and that safe systems and methods of work are put in place to reduce the risk so far as reasonably practicable
- Ensure that appropriate training is available to all staff in all areas that equips them to recognise risk and provides practical advice on safety when working alone
- Ensure that appropriate support is available to staff who have to work alone
- Encourage full reporting and recording of all adverse incidents relating to lone working



RESPONSIBILITIES

The Town Clerk, on behalf of the Council, is responsible for:

- Ensuring that there are arrangements for identifying, evaluating and managing risk associated with lone working
- Providing resources for putting the policy into practice
- Ensuring that there are arrangements for monitoring incidents linked to lone working and that the Town Council regularly reviews the effectiveness of this policy
- Ensuring that all staff are aware of the policy
- Ensuring that risk assessments are carried out and reviewed regularly
- Putting procedures and safe systems of work into practice which are designed to eliminate or reduce the risks associated with working alone
- Ensuring that staff are given appropriate information, instruction and training
- Ensuring that appropriate support is given to staff involved in any incident.
- Managing the effectiveness of preventative measures through an effective system of reporting, investigating and recording incidents

As outlined in the Staff Handbook, Chapter 4 of the Council's Constitution, employees are responsible for:

- Taking reasonable care of themselves and others affected by their actions
- Co-operating by following rules and procedures designed for safe working
- Reporting all incidents that may affect the health and safety of themselves or others and asking for guidance as appropriate
- Taking part in training designed to meet the requirements of the policy
- Reporting any dangers or potential dangers they identify or any concerns they might have in respect of working alone

RISK ASSESSMENT

Risk assessment is essential to good risk management. Assessment will be carried out for and by all staff whose working practice makes them vulnerable. This includes staff that are site based but work in isolation as well as mobile staff whose work takes them out into the community. Recommendations will be made to eliminate or to reduce the risk to the lowest level reasonably practicable. A lone workers' checklist will be completed (See Appendix 1) and this will be used as the basis for a risk assessment. For site based lone workers, any risk assessment should also include information regarding:



- Safe access and exit.
- Risk of violence.
- Safety of equipment for individual use.
- Channels of communication in an emergency.
- Site security.
- Security arrangements i.e. alarm systems and mobile telephones.
- Level and adequacy of on/off site supervision.

Risk assessments for mobile lone workers should, additionally, include information regarding:

- Travelling between sites.
- Reporting and recording arrangements.
- Communication and traceability.
- Personal safety/security.

Following completion of the Risk Assessment, consideration will be given to any appropriate action that is required.

MANDATORY PROCEDURES

To ensure the security of buildings, appropriate steps should be taken to control access to the building and to ensure that emergency exits are accessible. Alarm systems must be tested regularly. Staff who work alone must ensure that they are familiar with the exits and alarms. There must be access to a telephone and first aid equipment for staff working alone.

If there is any indication that the building has been broken into, a staff member must not enter alone, but must wait for back up from the emergency services.

To ensure personal safety, staff must not assume that having a mobile phone and a backup plan is sufficient. The first priority is to plan for a reduction of risk. Staff should take all reasonable precautions to ensure their own safety.

Before working alone, assessment of the risks involved should be made in conjunction with the line manager. Staff must inform their line manager or other identified person when they will be working alone, giving details of their location and following an agreed plan. If a member of staff does not report as expected, an agreed plan should be put into operation, initially to check on the situation and then to respond as appropriate.



Where staff work alone for extended periods and/or on a regular basis, managers must make provision for regular contact, to monitor and to counter the effect of working in isolation.

INCIDENT REPORTING

An incident is defined as “an unplanned or uncontrolled event or sequence of events that has the potential to cause injury, ill health or damage”. In order to maintain an appropriate record of incidents involving lone workers, it is essential that all incidents be reported to the Town Clerk who will prioritise each incident and identify any immediate action. All staff are provided with the Town Clerk’s contact details. Staff should ensure that all incidents where they feel threatened or “unsafe” are reported. This includes incidents of verbal abuse.

The Council is committed to protecting the staff from violence and assault and will support criminal proceedings against those who carry out assault. All staff are encouraged to report violent incidents to the police and will be supported by the Council throughout the process. Except in the cases of emergency, employees should inform the Town Clerk of any incident immediately. The Town Clerk will thereafter take responsibility for contacting the police to report the details of the incident.

Employees working for the Council should know that their safety comes first. Staff should be aware of how to deal with situations where they feel they are at risk, or unsafe. Staff should also be able to recognise how their own actions could influence or even trigger an aggressive response. The Town Clerk will ensure that all lone workers training needs are assessed and that they receive the appropriate training.

In the event of a violent incident involving a lone worker, the Town Clerk will immediately ensure that the employee receives any necessary medical treatment and/or advice. If an incident occurs out of hours the Chairman should be contacted by the Town Clerk. The Town Clerk will also consider whether the employee needs specific information or assistance relating to any legal or insurance matters. The Town Clerk will also ensure appropriate written and verbal reporting of any violent incident.

POLICY REVIEW

Seaton Town Council is committed to reviewing its policies and making improvements where possible.

Adopted:

Reviewed:

Policy Due for Review:



APPENDIX A: SEATON TOWN COUNCIL – LONE WORKING CHECKLIST

Checklist completed by:	
Date completed:	
Location:	

Areas of Concern:	Please circle		Comments:
Do staff work alone?	YES	NO	
Do staff work outside normal office hours?	YES	NO	
Do staff meet members of the public in isolated locations?	YES	NO	
Is there safe access to the building?	YES	NO	
Do staff carry out high-risk activities?	YES	NO	
Do staff work in isolated areas?	YES	NO	
Control Measures for Consideration:			
Is joint working provided for high risk activities?	YES	NO	
Are regular colleague checks carried out during the working day?	YES	NO	



Is there security lighting around entrance and exit doors and in parking areas?	YES	NO	
Do staff have information and training on basic personal safety?	YES	NO	
Are staff able to confidently implement strategies for minimising and preventing violence?	YES	NO	
Is there a buddy system for monitoring staff whereabouts when someone is lone working?	YES	NO	
Are staff aware of the need to report incidents and are they familiar with the system for doing this?	YES	NO	

Are the existing control measures adequate? YES ☐ NO ☐

If no, what additional actions are required:

1	
2	
3	
4	
5	
6	
7	
8	



SEATON TOWN COUNCIL

Marshlands Centre, Harbour Road, Seaton EX12 2LT
admin@seaton.gov.uk 01297 21388 www.seaton.gov.uk

Town Mayor Cllr Ken Beer

Town Clerk Julia Mutlow



Seaton Town Council recognises that its employees may be required to work by themselves for periods of time without close or direct supervision and out of normal office hours.

This is a risk assessment for dealing with Lone Working at Seaton Town Council.





What are the hazards?	Who might be harmed	Controls Required	Additional Controls	Action by who?	Action by when?	Done
Driving – accident / breakdown	Employees / members of the public	<ul style="list-style-type: none"> All staff to ensure their vehicles are roadworthy with adequate breakdown cover. Staff to always have a fully charged mobile phone with them. When attending meetings outside of normal office hours, staff to plan to inform a colleague of safe arrival home. 	<p>All staff to be encouraged to work from home in the event of bad weather.</p> <p>All staff to be reminded to “buddy” with a colleague when lone working outside of normal office hours.</p> <p>All staff to be reminded to discuss any concerns with their line manager.</p>			
Accident / injury / assault whilst completing maintenance works within the community	Maintenance staff / members of the public	<ul style="list-style-type: none"> Staff to always have a fully charged mobile phone with them. Staff to inform colleagues of whereabouts and expected time of return. Staff to update colleagues in the event that timescales overrun. Staff to report all aggressive / violent incidents, including near misses immediately to their line manager. 	<p>All staff to be reminded to be aware of the risks and how to minimise them.</p> <p>All staff to be reminded to avoid working alone for prolonged periods of time.</p> <p>All staff to be reminded to “buddy” with a colleague when lone working outside of normal office hours.</p> <p>All staff to be reminded to discuss any concerns with their line manager.</p>			



Accident / injury / assault whilst carrying out council related work in a remote location	Maintenance staff / members of the public	<ul style="list-style-type: none"> • Staff to always have a fully charged mobile phone with them. • Staff to inform colleagues of whereabouts and expected time of return. • Staff to update colleagues in the event that work overruns. • Staff to report all aggressive / violent incidents, including near misses immediately to their line manager. 	<p>All staff to be reminded not to work alone and in isolated locations where possible.</p> <p>All staff to be reminded to avoid working alone for prolonged periods of time.</p> <p>All staff to be reminded to be aware of the risks and how to minimise them.</p> <p>All staff to be reminded to “buddy” with a colleague when lone working outside of normal office hours.</p> <p>All staff to be reminded to discuss any concerns with their line manager.</p>			
Accident / injury / assault whilst working alone in town council property	Employees	<ul style="list-style-type: none"> • Staff to ensure they always have easy access to a mobile phone or land line. • All entrance door to be kept locked. • If expecting visitors, staff to inform a colleague who and when will be onsite and expected duration of meeting. • Staff to make arrangements to inform a colleague when they have safely left the building. 	<p>All staff to be reminded to avoid working alone for prolonged periods of time.</p> <p>All staff to be reminded to be aware of the risks and how to minimise them.</p> <p>All staff to be reminded to “buddy” with a colleague when lone working outside of normal office hours.</p> <p>All staff to be reminded to discuss any concerns with their line manager.</p>			



SEATON TOWN COUNCIL

Non-Smoking and Non-Vaping Policy

INTRODUCTION

Exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Seaton Town Council ('the Council') is committed to protecting all employees, councillors, tenants, contractors and visitors from exposure to second-hand smoke.

The British Medical Association has said that more research is needed to establish the safety of electronic cigarettes. For this reason, the Council feels it is prudent to protect all employees, councillors, tenants, contractors and visitors from potential risks associated with vapours produced by these devices.

LEGISLATION

The Health Act 2006 was implemented in England on 1 July 2007. It is now a criminal offence to smoke in virtually all enclosed public places, workplaces and in public and work vehicles. Managers of smoke-free premises and vehicles have legal responsibilities to prevent smoking and to ensure that 'no smoking' signs are displayed as required by this law.

POLICY STATEMENT

This policy applies to all employees, councillors, tenants, contractors and visitors to all of the Council's premises and vehicles. This policy applies to anything that can be smoked, including cigarettes, pipes (including water pipes such as shisha and hookah pipes), cigars and herbal cigarettes, and it also applies to electronic cigarettes (also known as e-cigarettes or vapes).

It is the policy of the Council that all council-owned workplace buildings are smoke-free, and all employees have the right to work in a smoke-free environment. Smoking is prohibited in all enclosed and substantially enclosed premises in the workplace. Substantially enclosed includes door entrances and council owned vehicles. The same prohibition applies to vaping (the use of electronic cigarettes).

Appropriate 'no smoking' signs will be clearly displayed at the entrances to and within the premises and in all smoke-free vehicles, making everybody who uses them aware that they are legally required to be smoke-free. If the frequency of vaping warrants it, signage will be provided to make it clear that this practice is also prohibited.



Overall responsibility for policy implementation rests with the Town Clerk however, all employees, councillors, tenants, contractors and visitors to the building are obliged to adhere to and support the implementation of this policy.

In the event that someone does smoke in a smoke-free environment, the following procedure will apply:

- the person's attention will be drawn to the no-smoking signs and they will be requested to stop smoking or go outside
- it will be pointed out that the person is committing a criminal offence by smoking in a smoke-free premises or vehicle
- the person will be informed that Council employees have a responsibility to prevent smoking on Council premises and in Council vehicles and that both the person and the employees could receive a fine if smoking is not prevented
- in the event that the member of the public refuses to stop smoking, a member of staff will request the person's name and address in order to report the incident to East Devon District Council

Because vaping is not covered by the Health Act 2006, a different procedure should be followed if a person is found to be using an electronic cigarette in a Council building or vehicle:

- the person will be informed that vaping is prohibited by this policy and they will be requested to stop using their electronic cigarette or go outside

Disciplinary procedures will be followed for members of staff who do not comply with this policy. Those who do not comply with the smoke-free legislation may also be liable to a fixed penalty fine and possible criminal prosecution.

The NHS offers a range of free services to help people to stop smoking. Any employees wishing to give up smoking will, upon request, be signposted to these resources.

POLICY REVIEW

Seaton Town Council is committed to reviewing its policies and making improvements where possible.

Adopted:

Reviewed:



Policy Due for Review:



SEATON TOWN COUNCIL

Marshlands Centre, Harbour Road, Seaton EX12 2LT
admin@seaton.gov.uk 01297 21388 www.seaton.gov.uk

Town Mayor Cllr Ken Beer

Town Clerk Julia Mutlow



Seaton Town Council Constitution

Chapter 4 Staff Handbook

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

Seaton Town Council

Staff Handbook – March 2020

Welcome to Seaton Town Council Staff Handbook

Our aim in producing this document is to create a one-stop information point where you are able to access all the information you are likely to need in relation to your employment with the Council. The Handbook and corresponding policy documents form part of your contract of employment with Seaton Town Council.

The document gives an overview of the terms and conditions of your employment, and outlines what you can expect from us as your employer. In return we ask you for a high degree of commitment, dedication and loyalty to help us achieve the aims and objectives of the Council.

I hope you find this a useful guide during your employment with us. However, if you are unable to find the answer to your question here, please feel free to contact your line manager who will be able to find an answer for you.

Cllr. Amrik Singh
Chairman
Personnel Committee*

*(*Note – where the Personnel Committee, or Chairman thereof, is referred to in this document, such reference will be taken to include any successor or replacement Committee which takes on some or all functions of the existing Personnel Committee. Furthermore, any delegation of the Personnel Committee or any successor can equally be exercised by a meeting of full Council).*

Your induction

Seaton Town Council believes its employees are its greatest asset and recognises its responsibility to ensure that they are afforded appropriate development throughout their employment.

Our aim is to support and develop employees in their role so that they feel confident to undertake the responsibilities placed upon them and ultimately are able to contribute to the success of the organisation.

Statement of Employment Terms and Conditions

As an employee of Seaton Town Council you will have received a document setting out specific terms and conditions of service as they relate to your post. This includes details of:

- the names of the employer and the employee;
- the date when the employment (and any period of continuous employment) began;
- remuneration and the intervals at which it is to be paid;
- hours of work;
- holiday entitlement;
- entitlement to sick leave, including any entitlement to sick pay;
- pensions and pension schemes;
- the entitlement of employer and employee to notice of termination;
- job title (or a brief job description);
- where it is not permanent, the period for which the employment is expected to continue or, if it is for a fixed term, the date when it is to end;
- the place of work.

Seaton Town Council reserves the right to change its terms and conditions and employment policies from time to time. You will be notified at the earliest opportunity of these changes by way of general notice to all employees affected by the change. Where a contractual change in your terms and conditions of employment results in a change to your written statement of particulars of employment, we will give you a written statement of the change at the earliest opportunity.

Probation Periods

All new staff are subject to a probationary period as stated in your contract of employment. Your appointment will be confirmed on satisfactory completion of the probationary period. During this probationary period you will be given appropriate support and development opportunity to help you reach the required standards. Extension of the probationary period may be granted to enable the required standards to be achieved, but failure to do so could result in termination of your employment.

Your Attendance at Work

Seaton Town Council values good attendance at work and is committed to improving the general wellbeing of its employees to achieve this. Although we aim to secure regular attendance, we do not expect employees to attend when they are unwell.

Notification of Absence

Your line manager, or in their absence, Chairman of Personnel, should be notified if you are unable to attend work due to sickness or injury, preferably by telephone before your normal start time or as soon thereafter as possible on the first day of absence, if possible indicating a date of return. During prolonged periods of absence, your line manager, or in their absence, Chairman of Personnel should be kept informed of progress and an expected date

of return. Any employee who has been absent due to sickness and is found not to have been genuinely ill will be subject to disciplinary action, which could include dismissal.

Council Sickness Payments

Payment of Sick Pay will be paid in accordance with the Council's Sickness & Absence Management Policy. From your first day of absence you will be required to complete a self-certification form available through your line manager on your return; if greater than 7 days you will require a statement of fitness for work from your G.P.

Statutory Sick Pay (SSP)

Most employees have a right to statutory sick pay (SSP) as long as they earn more than the lower earnings level and are not over state retirement age. SSP is not however payable for the first three qualifying days of absence. (A qualifying day is a day on which you are normally expected to work under your contract of employment).

Sick pay will be paid in accordance with the terms set out in your contract of employment.

Seaton Town Council reserves the right to refuse to pay sick pay if it has reasonable cause to think that an employee is not genuinely sick, if it has cause to believe that an employee is abusing the sick pay scheme, if an employee has failed to comply with the notification requirements, or has not supplied the appropriate certification. If the sick pay scheme has been abused, disciplinary action may follow.

Payments of sick pay may be terminated, suspended or reduced if an employee fails to notify the Council of relevant facts, or if their absence or continued absence is due to their taking an unwarranted risk (in or out of work), conducting themselves in a way that prejudices their recovery, abusing alcohol or drugs or other substances, or recklessly endangering the health and safety at work of themselves and others

Hours of Work

Your normal hours and working pattern will be specified in your Statement of Terms and Conditions of Employment.

The full-time contracted hours for all posts within the organisation are 37 hours per week excluding daily meal breaks. A daily unpaid lunch break of a minimum of 30 minutes must be taken if you work more than six hours daily.

Seaton Town Council reserves the right to vary your hours and pattern of working, following consultation and agreement with you.

Persistent poor timekeeping means that colleagues are put under pressure to cover your duties. This is not acceptable and will therefore be treated as a potential disciplinary offence under our disciplinary procedures

Flexible Working

Seaton Town Council has a policy of trying to assist staff with their work life balance and is therefore willing to consider requests from staff to vary their working hours or work pattern. Such requests will be considered taking into account the impact on the organisation, work colleagues and any other relevant factors. Should you wish to discuss this you should speak to your line manager/chairman of Personnel.

Staff with children under the age of six, or under eighteen if the child receives Disability Living Allowance, have a statutory right to request flexible working and Seaton Town Council has a duty to seriously consider this request.

Conflict of Interest

You should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes with, or is likely to interfere with, your independent exercise of judgement in Seaton Town Council's best interests.

Generally a conflict of interests exists when an employee is involved in an activity:

- which provides products or services directly to, or purchases products or services from, Seaton Town Council;
- which subjects the employee to unreasonable time demands that prevent the employee from devoting proper attention to his or her responsibilities to Seaton Town Council;
- which operates so that the employee's involvement with the outside business activity will reflect adversely on Seaton Town Council.

Should you be in doubt as to whether an activity involves a conflict, you should discuss the situation with your line manager, or in their absence, the Chairman of Personnel.

Standards of Performance and Behaviour at Work

When working in an office environment you **MUST** keep in mind that your work desk is kept clean, tidy, secure and looks professional. Paper documents when not in use must be kept in the filing cabinet. This shows a professional working environment that is both secure with regards to sensitive information and tidy whilst you are working. At the end of your shift your working desk should be cleared of all documents and ready for the next employee to work from. The following guidelines are to help further understand this policy:

PLEASE ALWAYS

- * Keep your personal mobile use to a minimum and ring tone to a minimum.
- * Because the general public visits our offices, be aware of what sensitive documents are open on your desk.
- * Always keep your desk neat and tidy, to show a high level of professionalism and to promote security at work.
- * Keep all your personal possessions secure in your bag and out of sight.
- * Keep friends / family visits to a minimum at the Marshlands Office.
- * You must remove printed materials from the printer or photocopier immediately for confidential reasons, so others cannot read.
- * Lock filing cabinets at the end of the day.
- * Secure keys to safes and filing cabinets in a locked draw or other.
- * Sensitive documents no longer required **MUST** be shredded asap.

PLEASE DON'T

- * Don't leave passwords to PCs and emails unsecured and left open for reading.

Appearance

Seaton Town Council does not seek to inhibit individual choice in relation to staffs' appearance. However, you are expected to dress appropriately at all times in relation to your role, and to ensure that your personal hygiene and grooming are properly attended to prior to presenting yourself at work. If you have any queries about what is appropriate, these should be directed to your line manager.

Council Premises

You must not remove Seaton Town Council property from the Council's premises unless prior authority from your line manager/chairman of Personnel has been given.

Personal Property

Any personal property such as jewellery, cash, credit cards, clothes, cars, motorbikes or bicycles etc. left on Council premises is done so entirely at your own risk. You are strongly advised not to leave any valuables unattended, either on our premises or in your own vehicle. Seaton Town Council does not accept liability for loss or damage to any personal property whatsoever.

Telephones & Correspondence

Council telephone / mobile phone or postal facilities must not be used for private purposes without prior permission from your line manager/Chairman of Personnel. If for any reason personal use is made of these items then arrangements must be made to pay the cost price of all services used. Abuse of these facilities will be considered a potential disciplinary matter.

Smoking and Other Substances at Work

Legislation now exists which makes it illegal to smoke in enclosed public spaces. Smoking is therefore strictly prohibited on all Council premises. **Please refer to the Council's separate Non Smoking and Non Vaping Policy.**

Bringing alcohol or any unlawful drugs to the workplace, and / or imbibing them there is strictly prohibited both during work time or during a period prior to work where the effects carry over to the workplace. Any such instances will be dealt with under the disciplinary procedure and may lead to your summary dismissal.

Confidentiality

It is a condition of your employment that you have a duty of confidentiality to Seaton Town Council.

During the course of your employment you may find yourself in possession of sensitive information, the disclosure of which could be construed as a breach of confidentiality. You must not discuss any Council sensitive or confidential matter whatsoever with any individual or outside organization, including the media.

Any such breach of confidentiality would be deemed as gross misconduct except as otherwise provided or as permitted by any current legislation (e.g. the UK Public Interest Disclosure Act 1998) and could lead to your dismissal.

After you have left the Council you must not use or divulge to any person or organization any confidential information relating to the business of Seaton Town Council. All STC correspondence that you have in your possession off-site must be returned by the last day of employment.

Computer, email and internet use

If you have access to the Council's computers, including email and access to the internet as part of your job, you must not abuse this by using these facilities for purposes unrelated to Council business. Computers are regularly monitored. The use of memory sticks or external drives is strictly prohibited without the express permission of your line manager or chairman of Personnel.

Limited personal use of the internet is permitted during your formal breaks. All internet use is monitored and accessing pornographic or other unsuitable material, including auction or certain social networking sites, is strictly prohibited and would be considered a serious disciplinary offence which may result in dismissal.

Only software packages properly licensed, authorised and installed by the Council may be used on Council equipment. You must therefore not load any unauthorised software onto Council computers.

If you have a Council email address, this is provided for responsible and professional use on Council business only and should not be used in any other way whatsoever. You are not permitted to receive or send any Council information or communications to or from your personal email address.

All passwords to Council computers are to be advised to the Clerk, chairman of the Council and chairman of Personnel only.

Receipt of Gifts

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts. Offers of this kind to you or your family can place you in a difficult position. No employee or any member of his or her immediate family should accept from a supplier, customer or other person doing business with Seaton Town Council, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

- they are in each instance of a very minor nature usually associated with accepted business practice;
- they do not improperly interfere with your independence of judgement or action in the performance of your employment.

In every circumstance, where a gift is offered, the advice of your line manager must be sought.

Bribery and other Corrupt Behaviour

Seaton Town Council has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the Council, or to obtain or retain an advantage in the conduct of the Council's business. this will be considered gross misconduct. Similarly, accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the Council's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

Staff are expected to recognise that they are representatives of Seaton Town Council and should therefore behave in a positive and professional way at all times. Also, that they are expected to promote the work of the Council in a positive way including ensuring that the public areas of the Council offices are kept in good order - refer to Standard Expected of All Staff in Contract of Employment.

Disciplinary Procedure

1.0 Purpose and scope

- 1.1 This procedure is designed to help and encourage all employees to achieve and maintain acceptable standards of conduct, attendance and job performance. This

procedure applies to all employees except where it conflicts with a contractual or statutory requirement, which takes precedence. The aim is to ensure consistent and fair treatment for all in the Council.

2.0 Principles

- 2.1 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 Town Clerk. Where there has been gross misconduct or serious breach of disciplinary rules, however, the formal procedure should be actioned immediately.
- 2.2 No disciplinary action will be taken against an employee until the circumstances have been fully investigated.
- 2.3 The employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting.
- 2.4 Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- 2.5 At all stages of the procedure the employee will have the right to be accompanied by a trade union representative or work colleague.
- 2.6 No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.
- 2.7 An employee will have the right to appeal against any disciplinary action.
- 2.8 The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

3.0 Roles & Responsibilities

- 3.1 Normally the Town Clerk will consider minor disciplinary issues which may result in a verbal warning which, if issued, will be noted on the employee's personnel file and retained for six months. If the Town Clerk cannot resolve the issue the matter will become subject to the formal procedure.
- 3.2 All other disciplinary issues involving the formal procedure will immediately be referred to the Council's Personnel Committee who will then be responsible for nominating an Investigating Officer who would normally be a member of the Personnel Committee. The Personnel Committee will be responsible for appointing a disciplinary hearing panel.
- 3.3 The Investigating Officer who carries out an investigation should not participate in any subsequent decision to take action under the procedure. Likewise, the Disciplinary Panel hearing the case should not be involved in the investigation beforehand. It is important that respective roles are identified at an early stage so that those roles are not compromised.
- 3.4 Only the Council's Personnel Committee has the right to suspend or dismiss an employee.

4.0 The Formal Procedure

4.1 First written warning

A first written warning may either be for unsatisfactory performance if performance does not meet acceptable standards, or for misconduct if conduct does not meet acceptable standards. This will set out the performance/conduct issue, the improvement that is required, the timescale, any help that may be given, and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the first written warning will be kept for six months but will then be considered spent, subject to achieving and sustaining satisfactory performance and/or conduct. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept but it will be disregarded for disciplinary purposes after six months.

4.2 Final warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the performance issue/misconduct, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal and will refer to the right of appeal. A copy of this written warning will be kept on the employee's personnel file but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

4.3 Employment Dismissal

If there is still further misconduct or failure to improve performance, the final step in the procedure may be dismissal. Dismissal decisions can only be taken by the Council's Personnel Committee and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

5.1 Gross misconduct

The following list provides some examples of offences, which are normally regarded as gross misconduct:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet containing pornographic, offensive or obscene material
- serious misuse of social media
- serious insubordination
- unlawful discrimination or harassment
- bringing the organisation into serious disrepute
- serious incapability at work brought on by alcohol or illegal drugs
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence

5.2 If you are accused of an act of gross misconduct you may be suspended from work on full pay, normally for no more than ten working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the Town Council is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

6.0 Appeals

6.1 An employee who wishes to appeal against a disciplinary decision must do so, in writing, within ten working days

- 6.2 The employee will be invited to an appeal meeting within ten working days and the appeal will be heard by an Appeals Sub-Committee. At the appeal any disciplinary penalty imposed will be reviewed.

Grievance Procedure

1.0 Introduction

- 1.1 The Council recognises that individual employees may from time to time feel aggrieved about an aspect of their employment. Furthermore, it accepts that each employee has the right to raise a grievance and to expect their line manager to consider it and respond.
- 1.2 The purpose of this procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to resolve grievances as near as possible to their point of origin.
- 1.3 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:
- Grievances that have already been considered in accordance with the procedure;
 - Grievances arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
 - Grievances in respect of issues over which the Council has no control. e.g. external legislation.
- 1.4 The timescales shown in this procedure may be altered by mutual agreement.
- 1.5 The nature and number of grievances raised in accordance with this procedure will be monitored annually by the Town Clerk.
- 1.6 This policy and the following procedure will be the subject to periodic review. Responsibility for conducting this review will rest with the Personnel Committee

2.0 Dealing with grievances informally

- 2.1 If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with the Town Clerk. You may be able to agree a solution informally between you.
- 2.2 Where your grievance is against the Town Clerk and you feel unable to approach him or her you should talk to the Chairman of Personnel.

3.0 Formal grievance

- 3.1 If you are not satisfied with the result of the informal process or, if the matter is serious and you wish to raise it formally, you should set out the grievance in writing to the Town Clerk, who will refer the matter to the Personnel Committee. You should keep to the facts and avoid language that is insulting or abusive.
- 3.2 If the grievance is against the Town Clerk, the grievance should be submitted in writing directly to the Chairman of the Personnel Committee.

4.0 Grievance hearing

- 4.1 The Personnel Committee shall, as soon as possible, and in any case within ten working days, arrange a meeting to discuss your grievance. You have the right to be accompanied by a work colleague or trade union representative at this meeting if you

make a reasonable request.

4.2 As soon as possible after this meeting and in any event within five working days, the Chairman of the Personnel Committee shall confirm the Personnel Committee's decision on the grievance in writing to you.

4.3 If the Personnel Committee determines that further investigation is required having listened to your submission, the meeting will be adjourned for a period not exceeding ten working days to facilitate this.

5.0 Appeal

5.1 If you are unhappy with the Personnel Committee's decision and you wish to appeal you should let the Chairman/Vice Chairman of the Council know, in writing, within ten working days of receipt of the decision.

5.2 You will be invited to an appeal meeting within ten working days and your appeal will be heard by an Appeals Committee. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

5.3 After the meeting and, in any event within five working days, the Chairman/Deputy of the Council on behalf of the Appeals Sub-Committee will give you a decision. The Appeal Committee's decision is final.

Data Protection Act 2018 and Access to Information

Seaton Town Council will comply with all statutory requirements of the Data Protection Act 2018 by registering all personal data held on its computer and/or related electronic equipment and by taking all reasonable steps to ensure the accuracy and confidentiality of such information.

The Data Protection Act 2018 protects individuals' rights concerning information about them held on computer. Anyone processing personal data must comply with the eight principles of good practice. Data must be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than necessary
- processed in accordance with the data subject's rights
- secure
- not transferred to countries without adequate protection

Employees can request access to the information held on them by the Council. All requests by employees to gain access to their personnel records should be made in writing.

It is important that our records are correct, as inaccurate or out of date information may affect your salary or cause difficulties in situations where contact is required for emergencies. You **must** notify your Line Manager/chairman of Personnel immediately of all changes to the following personal information:

- Name
- Home Address
- Telephone Number
- Bank Account Details

- Examinations passed/qualifications gained
- Emergency contacts and next of kin
- Driving license penalties (if you are required to drive on Council business)
- Criminal charge, caution or conviction
- Conflict, or potential conflict of interest

Personal data on employees is held in accordance with the provisions of the Council's Data Protection Policy which will be made available for inspection by you if required.

Trade Union Membership

It is your choice as to whether you wish to belong to a trade union.

Valuing Diversity

Statement

Seaton Town Council is committed to valuing diversity and seeks to provide all staff with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job. We believe that people from different backgrounds can bring fresh ideas, thinking and approaches which make the way work is undertaken more effective and efficient.

Seaton Town Council will not tolerate direct or indirect discrimination against any person on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal.

It is also the responsibility of all staff in their daily actions, decisions and behaviour to endeavor to promote these concepts, to comply with all relevant legislation and to ensure that they do not discriminate against colleagues, customers, suppliers or any other person associated with the Council. **The Council's Equality and Diversity policy will be made available to anyone on request.**

Key Actions

In adopting these principles Seaton Town Council:

- Will not tolerate acts that breach this Valuing Diversity Statement and all such breaches alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate;
- Fully recognises its legal obligations under all relevant legislation and codes of practice;
- Will allow staff to pursue any matter through the internal procedures which they believe has exposed them to inequitable treatment within the scope of this policy. If you need to access these procedures they can be obtained from your line manager. e.g. Grievance Procedure;
- Will select candidates only on the basis of their ability to carry out the job, using a clear and open process;
- Will provide all employees with the training and development that they need to carry out their job effectively;
- Will provide all reasonable assistance to employees who are or who become disabled, making reasonable adjustments wherever possible to provide continued employment. We will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary.

Dignity at Work

Statement

The Council believes that the working environment should at all times be supportive of the dignity and respect of individuals. If a complaint of harassment is brought to the attention of the Council, it will be investigated promptly, and appropriate action will be taken.

What is Harassment

Harassment can be defined as conduct which is unwanted and offensive and affects the dignity of an individual or group of individuals.

Sexual harassment is defined as “unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of women and men at work”. This can include unwelcome physical, verbal or non-verbal conduct.

People can be subject to harassment on a wide variety of grounds including:

- race, ethnic origin, nationality or skin colour
- sex or sexual orientation
- religious or political convictions
- willingness to challenge harassment, leading to victimisation
- disabilities, sensory impairments or learning difficulties
- status as ex-offenders
- age
- real or suspected infection with a blood borne virus (eg AIDS/HIV)
- membership of a trade union or activities associated with membership

Forms may include:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters and so on
- visual display of posters, graffiti, obscene gestures, flags and emblems
- isolation or non-cooperation at work, exclusion from social activities
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups
- intrusion by pestering, spying, following someone
- bullying

What should I do if subjected to Harassment?

If you feel you are being harassed, you are strongly encouraged to seek early advice/support from your line manager/chairman of Personnel. If you feel your line manager is harassing you, then you should contact the chairman of Personnel.

You should also keep a written record detailing the incidents of harassment and any requests made to the harasser to stop. This written record should be made as soon as possible after the events giving rise to concern and should include dates, times, places and the circumstances of what happened.

Pay, Benefits & Pensions

Salary Arrangements

Your salary will be paid monthly in arrears as stated in your contract of employment.

Your basic pay was outlined in your letter of appointment/ statement of terms and conditions. Any subsequent amendments to your basic pay will be notified to you in writing by the Council.

Part-time employees will be paid on a pro rata basis based on the hours they work. In all other aspects their salaries will be paid in accordance with the pay arrangements for full-time employees of the Council.

If any queries arise with regard to pay, or if it looks as if a mistake has been made, speak to your line manager immediately so that they can take appropriate action. Unless agreed otherwise, any pay errors, whether of over or underpayment, will be rectified in the next salary payment.

Appropriate deductions will be made from pay including income tax and National Insurance contributions (NICs), which are subject to each employee's earning level, family status and the number of hours worked

Overtime

Overtime is defined as all hours worked in excess of your full-time contracted hours, which has the prior explicit approval of the Personnel committee.

Income Tax

If there are any changes in your personal circumstances which will affect your tax status, you should notify the Inland Revenue, who will automatically inform the Council of any changes to your tax code. Addresses of local offices and enquiry centres can be found here:

<http://www.inlandrevenue.gov.uk/menus/officesmenu.htm>

Pension Scheme

You are eligible to join the Local Government Pension Scheme.

Leave Arrangements

Annual Leave

Holidays must be agreed with your line manager as early as possible. The Council will, where possible, try to accommodate individual preferences for holiday dates but the needs of the business may have to take precedence, particularly where short or inadequate notice is given.

- The holiday year runs from 1 April – 31 March each year
- Your holiday entitlement is as per your Contract of Employment
- Untaken leave may not be carried over from one year to the next
- Leave for employees joining after the start of the leave year accrues at the rate of one twelfth of the annual entitlement for each complete calendar month of service
- Leave for employees who terminate their employment during the leave year is calculated on the same basis. If, however, the annual leave entitlement has been exceeded, a deduction calculated on the same basis will be deducted from the final salary payment.
- Holiday pay in lieu of accrued leave will be paid only on termination of employment.

Bereavement

Seaton Town Council acknowledges the personal nature of bereavement and grief and is committed to supporting employees in practical and reasonable ways. Seaton Town Council recognises that when a close family member dies, employees will need time off for making funeral arrangements, attending the funeral and burial, paying respects to the family at a wake or visitation, dealing with the deceased's possessions and will, and any ancillary matters that employees must address.

When a death occurs in an employee's immediate family, all regular full-time employees may take up to three 3 days off with pay to attend the funeral or make

funeral arrangements. The pay for time off will be pro-rated for part-time employees if the funeral occurs on a scheduled workday. In unusual circumstances it may be necessary to require verification of the need for the bereavement leave.

An immediate relative includes a spouse, civil partner or partner (including same sex partners),* child,** parent, step-parent, mother/father-in-law, grandparents, grandchildren, son/daughter-in-law, sibling or a person with whom the employee is in a relationship of domestic dependency.

*Partner includes someone with whom the employee is co-habiting but is not the employee's spouse or civil partner.

**Child includes children in respect of whom the employee is the adoptive parent and legal guardians and carers.

An employee should notify their line manager of their need to take leave as soon as possible or, at latest, on the first day of absence. In exceptional circumstances applications for leave will be considered after the first day of absence. The Chairman of the Council and Chairman of the Personnel Committee have the right to exercise discretion in exceptional circumstances as outlined above. Leave days do not have to be taken consecutively.

Annual leave

In the event of a bereavement an employee will be able to take unpaid leave or annual leave at short notice to supplement their bereavement leave. Requests should be directed to your line manager.

Unpaid leave

Unpaid leave on compassionate grounds up to a maximum of 3 days may be granted after bereavement. An employee must consult with their line manager before starting unpaid leave.

Return to work

In certain circumstances a full return to work may not be possible for an employee following the death of an immediate relative, for example when the employee's grief is likely to impact on their ability to perform their role, or where new child care arrangements have to be sourced, or responsibility for the care of an elderly parent has transferred to the employee.

Whistleblowing

Introduction

Seaton Town Council is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the Council to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be

done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. Seaton Town Council has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Council nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Council.

For further information refer to the full Policy

Jury Service

Jury service is a public duty. Unless someone is disqualified, has the right to be excused or has a valid reason for discretionary excusal then they must serve.

If you have been called up for jury service, you should:

- keep your line manager/chairman of Personnel informed as to the likely time you will be on duty;
- hand over a copy of the Confirmation of Jury Service letter you receive from the court to your employer.

You will receive remuneration from the Jury Service, and the Council will make up the difference to your full salary.

Health and Safety

Introduction

Seaton Town Council recognises and accepts its responsibility as an employer to maintain, so far as is reasonably practicable, the safety and health of its employees, and of other persons who may be affected by its activities.

It is your duty as an employee not to put either yourself or others at risk by your acts or omissions. You should also ensure that you are familiar with the Council's health and safety arrangements. Should you feel concern over any health and safety aspects of your work, this should be brought to the attention of your line manager immediately.

Procedure in the event of an accident

An Accident Book is available from your line manager and it is the responsibility of each individual employee to report and record any accident involving personal injury. Any accident or near miss occurrence (i.e. no one was injured but the incident had the potential to injure or kill) at work should be reported immediately to your line manager/chairman of Personnel.

All employees who are absent from work following an accident must complete a self-certification form which clearly states the nature and cause of the injury.

For any employee who suffers an injury at work which results in their being away from work or unable to do their normal work for three days or more (including weekends, rest days or holidays), it is important that their manager is informed as the Health and Safety Executive also need to be informed by the Council. Form 2508 (available from www.riddor.gov.uk/f2508.dot) should be completed in conjunction with your line manager. Employees are not expected to complete these forms themselves.

First Aid

The Council believes that best practice is to ensure that staff have access to a trained First Aider or Appointed Person (someone who can take charge in the event of an accident). Details of these trained staff **are displayed on the Health and Safety noticeboard** and you should familiarise yourself with their names and contact details.

Fire Safety

Employees should follow these steps to help prevent fires:

- Before you use any electrical appliances, carry out a quick check to make sure that the cables, plugs etc are not damaged.
- Do not use any electrical equipment that shows signs of damage, even if you think it is only minor. Report any faults you find to your line manager/chairman of Personnel and find an alternative appliance
- Ensure that you place your rubbish in the proper waste bins. Do not overfill the bins and ensure that your waste bin is accessible to the cleaners
- Fire alarm testing will take place every **Tuesday** morning before 10.00am
- Fire drill will take place monthly
- **The nominated Fire Wardens are displayed on the Health & Safety noticeboard**

Employees should follow the procedures displayed on the sounding of the fire alarm.

Personal Safety

Generally you should try to avoid working alone whenever this is possible. However, if you have to work alone then you need to develop an awareness of the risks and how to minimise them. **Please refer to the Council's separate Lone Working policy to ensure that all appropriate checks and risk assessments are completed as necessary.**

It is good practice to ensure that, prior to making an appointment with someone you do not know, obtain as much information as possible about the person you are meeting and arrange to meet the person in Council premises. Always ring back the telephone number you have been given to confirm that it is legitimate. If a mobile number is given you should always ask for an alternative fixed line number.

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

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

Training and Development

The Council aims to provide training opportunities which will provide:

- An induction programme which all staff will be required to undertake and will assist staff settling into their new role/job
- A progressive training and development scheme to enable staff to develop relevant skills and acquire knowledge to underpin their current role and career aspirations.

All training is to be approved by the Personnel Committee.

Leaving Seaton Town Council

Notice Periods

Terms of notice are as stated in your contract of employment.

Working Notice

In all cases the Council reserves the right to enforce your full notice period. Your full remaining annual leave entitlement should be taken during your notice period in agreement with your line manager, or in their absence, the Chairman of Personnel. Exceptionally, if this is not possible, the Personnel committee may consider making a payment in lieu of this.

If you resign and are in possession of Council property (including computer files), you should make your line manager/chairman of Personnel aware of these and arrange how they will be handed back to the Council. You remain bound by the confidentiality arrangements outlined in your contract of employment during this period.

In exceptional circumstances, if deemed appropriate and as an alternative to working your notice, the Council reserves the right to require you to accept payment in lieu of any entitlement to notice.

Other Conditions on Leaving

On leaving, the Council will deduct from any money due to you such sums as you may owe to the Council.

If you leave without giving notice and without the Council's agreement, you are in breach of your contract and you may forfeit some or all of any salary due to you.

Before leaving, you must hand over to your manager all articles belonging to Seaton Town Council including your ID badge and any documents, equipment and computer software used at home. Documents and software include (but are not limited to) correspondence, diaries, address books, databases, files, reports, plans, records or any other medium for storing information and any intellectual property that you have produced whilst being employed by Seaton Town Council. You should not retain any copies, drafts, reproductions, extracts or summaries of documents and software.

After you have left the Council you must not:

- solicit or seek to entice away any Council staff
- use or divulge to any person or organisation any confidential information relating to the business of Seaton Town Council

Should your employment be terminated following disciplinary action it is likely you will receive payment in lieu of notice. However, as there are numerous reasons as to why someone is dismissed, payment in lieu of notice will be reviewed on an individual basis taking into consideration the reasons behind the dismissal.

Should you be dismissed for reasons of gross misconduct, your employment will be terminated immediately without the benefit of notice or payment in lieu of notice.

Retirement

In line with current legislation Seaton Town Council does not have an age where it expects employees to retire. It is however our policy to have regular workplace /appraisal discussions with all our staff where they can discuss performance and any development needs they may have, as well as their future aims and aspirations. Staff and their line manager can also use this opportunity to discuss retirement planning should the employee wish to do so.

You should ensure that you inform the chairman of Personnel at least 6 months before you plan to retire to ensure all appropriate arrangements are made (e.g. sourcing a replacement, mobilising your pension, etc.).

Maternity, Paternity & Parental Leave Policy

Refer to Policy

Whistleblowing Policy

Refer to the Policy

Sickness and Absence Management Policy

Refer to Policy

I confirm that I have received a copy of Seaton Town Council Staff Handbook (March 2020) and that I have read this and understood the contents.

I also confirm that I have sought clarification from my line manager on any issues outlined in the Handbook about which I am not clear.

Signed: _____

Date: _____

Please return this form duly completed and signed to your line manager.