



## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

# AGENDA

<b>DATE:</b>	<b>Wednesday, 23 October 2019</b>
<b>TIME:</b>	<b>7.30 pm</b>
<b>VENUE:</b>	<b>Council Chamber - Council Offices, Thorpe Road, Weeley, CO16 9AJ</b>

### MEMBERSHIP:

**Councillor Chapman (Chairman)**  
**Councillor Griffiths (Vice-Chairman)**  
**Councillor Broderick**  
**Councillor Calver**  
**Councillor Chittock**

**Councillor Clifton**  
**Councillor S Honeywood**  
**Councillor Morrison**  
**Councillor M Stephenson**

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**For further details and general enquiries about this meeting, contact Katie Sullivan on 01255686585.**

**DATE OF PUBLICATION: Friday, 11 October 2019**

## **AGENDA**

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 8)**

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Wednesday 20 February 2019.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

### **4 Questions on Notice pursuant to Council Procedure Rule 38**

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

### **5 Apprenticeships and Career Track**

The Committee will receive a verbal update to the Committee regarding Career Track. The information presented to the Committee will also include apprenticeship statistics, learning programmes and details of apprentices that secure permanent employment or go onto university following the completion of their learning programme.

### **6 Report of the Deputy Chief Executive (Corporate Services) - A.1 - Learning and Development and Investors in People Update (Pages 9 - 14)**

To provide an update on Learning and Development activity during 2018/19 and Investors In People Gold Assessment.

### **7 Report of the Deputy Chief Executive (Corporate Services) - A.2 - Staff Handbook (Pages 15 - 54)**

To provide a useful framework for new members of the Committee in order to see an overview of the Council as an 'employer'.

### **8 Report of the Deputy Chief Executive (Corporate Services) - A.3 - Safeguarding Policy and Procedures (Pages 55 - 78)**

To present for the Committee's approval the revised 'Safeguarding Policy and Procedures'.

**9      Report of the Deputy Chief Executive (Corporate Services) - A.4 - Staffing Statistics Report (Pages 79 - 84)**

To provide the Committee with updated and current staffing statistics including staff numbers, gender, age, ethnicity and disability profiles.

**10     Report of the Deputy Chief Executive (Corporate Services) - A.5 - Human Resources Sub-Committee Panel: Appointment of the Named Sub-Committee Member and the Named Substitute Sub-Committee Member from an Opposition Group (Pages 85 - 86)**

To enable the Committee to appoint a named member and a named substitute member from an opposition group to serve on the Human Resources Sub-Committee Panel.

**11     Exclusion of Press and Public**

The Cabinet is asked to consider the following resolution:

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 12 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”

**12     Report of the Deputy Chief Executive (Corporate Services) - B.1 - A Market Forces Report for a post within Legal Services (Pages 87 - 92)**

The Committee will consider whether to introduce a market forces supplement for a post within Legal Services.

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Human Resources and Council Tax Committee is to be held in the Council Offices, Thorpe Road, Weeley, CO16 9AJ at 7.30 pm on Monday, 24 February 2020.*

# **Information for Visitors**

## **FIRE EVACUATION PROCEDURE**

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Your calmness and assistance is greatly appreciated.

**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX  
COMMITTEE,  
HELD ON WEDNESDAY, 20TH FEBRUARY, 2019 AT 7.30 PM  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

<b>Present:</b>	Councillors Callender (Chairman), Chapman (Vice-Chair), Alexander, Broderick, Ferguson, Griffiths and S A Honeywood
<b>Also Present:</b>	Councillors Amos and P B Honeywood
<b>In Attendance:</b>	Martyn Knappett (Deputy Chief Executive (Corporate Services)), Anastasia Simpson (Head of People, Performance and Projects), Richard Bull (Corporate Finance Manager & Deputy Section 151 Officer)(except items 20 - 24), Ian Ford (Committee Services Manager & Deputy Monitoring Officer), Katie Wilkins (Human Resources and Business Manager) and Debiannne Messenger (Work Based Learning Manager)

**14. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillors Calver (with no substitute), Chittock (with no substitute), King (with Councillor Broderick substituting) and Raby (with Councillor Alexander substituting).

**15. MINUTES OF THE LAST MEETING OF THE HUMAN RESOURCES & COUNCIL TAX COMMITTEE HELD ON 24 SEPTEMBER 2018**

It was moved by Councillor Chapman, seconded by Councillor S A Honeywood and:-

**RESOLVED** that the minutes of the meeting of the Human Resources and Council Tax Committee, held on 24 September 2018, be approved as a correct record and signed by the Chairman.

**16. DECLARATIONS OF INTEREST**

For the record and as a point of information, Councillor Griffiths reminded the Committee that he was a member of the GMB union and a Shop Steward but not at Tendring District Council.

**17. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37**

There were none on this occasion.

**18. UPDATE ON APPRENTICESHIPS**

The Council's Work Based Learning Manager (Debiannne Messenger) provided the Committee with an update on Apprenticeships.

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The main points covered included:

1. What is an Apprenticeship?
  - (a) Frameworks
    - (i) National Vocational Qualification;
    - (ii) Functional skills in English, Maths and ICT.
  - (b) Standards
    - (i) NVQ not required but delivered;
    - (ii) End point Assessment
2. Career Track Numbers
  - (a) 42 apprentices (plus six new starts imminent)
  - (b) 27 apprentices with TDC
  - (c) External employers too including Colchester Borough and Maldon District Councils
  - (d) Work ongoing to expand employer base
3. Apprenticeship Reform
  - (a) April 2017 – changes to funding for apprenticeships including levy on employers
  - (b) Providers applied to become independent (including TDC)
  - (c) New standards were introduced including funding rules and OFSTED inspections
4. Apprenticeship Levy
  - (a) Levy applies to all employers with an annual pay bill of over £3million
  - (b) 0.5% of annual pay bill goes into a digital account
  - (c) For local authorities target of 2.3% of staff as new apprentices by 2020

Members raised questions which were responded to by the Work Based Learning Manager and the Head of People, Performance and Projects, as appropriate.

The Chairman thanked the Work Based Learning Manager for her update.

**19. REPORT OF DEPUTY CHIEF EXECUTIVE - A.1 - FORMAL CONFIRMATION OF COUNCIL TAX AMOUNTS FOR 2019/20 FOLLOWING THE NOTIFICATION OF THE PRECEPTS FROM THE MAJOR PRECEPTING AUTHORITIES**

Before the commencement of this item the Chairman read out the following:-

*“Members are reminded of Section 106 of the Local Government Finance Act 1992, which provides that any Member, who is in arrears by at least 2 months with their Council Tax payments, cannot vote on matters concerning either the level of, or administration of, Council Tax. It is important to note that this also covers Council Tax liabilities outside of the District and property which may not be your main residence. If present at the meeting, a Member to whom this provision applies must disclose the fact*

*and may speak on the item, but cannot vote. Non-compliance with this section is a criminal offence. Therefore, should this provision apply to any Member, this should be disclosed."*

The Committee's confirmation was sought in respect of the final Council Tax amounts for 2019/20 including the precepts issued for 2019/20 by Essex County Council and the Essex Police, Fire and Crime Commissioner.

Members were informed that, once the precepts were received from the major precepting authorities, the Human Resources and Council Tax Committee had the delegated responsibility to agree the total Council Tax for 2019/20. The total Council Tax for the year was made up of the District and Parish / Town Council amounts approved by this Council and the corresponding amounts agreed by the major precepting authorities. Legislation required this formal confirmation even though the process was dictated by legislative formulae and there was no actual judgement or choice to be made.

The Committee was aware that the District and Parish/Town Council precepts for 2019/20 had been approved at the meeting of the Council held on 5 February 2019 and were set out in Appendix B to the report. Since that date the precepts from the major precepting authorities for 2019/20 had been received. The table set out below showed the precepts issued for 2019/20 for Essex County Council, Essex Police services and Essex Fire services:-

Precepting Authority	Council Tax Amount (Band D equivalent)	Increase
Essex County Council	£1,270.44	3.99%
Essex Fire Services	£72.45	2.94%
Essex Police Services	£192.96	14.16%

It was reported that when added to the amounts relating to the District and Parish / Town Council Services, as approved by Council on 5 February 2019, the average Band D Tax totalled £1,742.98 for 2019/20. Appendix A to the report set out the full precept details and Appendix C set out for confirmation the 2019/20 Council Tax amounts including the precepts from the major precepting authorities by property band for the unparished and parished areas of the District.

It was moved by Councillor Ferguson, seconded by Councillor S A Honeywood and unanimously:-

**RESOLVED** that -

- (a) the precepts issued by Essex County Council, Essex Police and Essex Fire for 2018/19, as set out in Appendix A to the report, be noted; and
- (b) the amounts of Council Tax for 2019/20 for each of the categories of dwellings, as shown in Appendix C to the report, be confirmed.

**20. REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.2 - STAFF STATISTICS REPORT**

There was submitted a report by the Deputy Chief Executive (Corporate Services) (A.2) presented by Human Resources and Business Manager (Katie Wilkins), which provided the Committee with updated and current staffing statistics including:

- (1) Number of Staff Employed – Full-Time and Part-Time;
- (2) Gender Profile;
- (3) Age Profile;
- (4) Disability Profile;
- (5) Ethnicity Profile; and
- (6) Sickness Absence (information was included on the management procedures and preventative action taken together with the sources of support available for staff).

The Committee had circulated to them at the meeting further updated gender pay gap figures which demonstrated that the Council's gender pay gap (which was already minimal) had reduced even further.

Officers responded to questions raised by Members on various topics and where an answer was not immediately available, the Human Resources and Business Manager undertook to respond to Members as soon as possible after the meeting.

Following discussion it was **RESOLVED** that the contents of the report be noted.

**21. REPORT OF DEPUTY CHIEF EXECUTIVE - A.3 - PAY POLICY STATEMENT 2019/20 AND PAY ASSIMILATION**

There was submitted a report by the Deputy Chief Executive (Corporate Services) (A.3) presented to the Committee by the Head of People, Performance and Projects (Anastasia Simpson) on the proposed Pay Policy Statement for 2019/2020 and pay assimilation.

The Committee was reminded that Section 38(1) of the Localism Act 2011 required local authorities to produce a Pay Policy Statement and that those matters which were required to be included in the statutory Pay Policy Statement were as follows:

- A local authority's policy on the level and elements of remuneration for each Chief Officer;
- A local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition);
- A local authority's policy on the relationship between the remuneration of its Chief Officers and other Officers; and
- A local authority's policy on other aspects of Chief Officers' remuneration: remuneration on recruitment increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

It was reported that the Pay Policy Statement 2019/20 had been designed to give an overview of the Council's framework regarding pay and rewards for staff within the Council. The framework was based on the principle of fairness and that rewards should



be proportional to the weight of each role and each individual's performance. The framework aimed to ensure the ability of the Council to recruit talented individuals whilst reassuring the citizens of Tendring that their money was being used efficiently.

It was further reported that a pay assimilation exercise had been carried out by the Council, in order to move across to the new nationally agreed pay bands for 2019/20, which had resulted in multiple inflationary variations across the pay scale. The new spine would replace entirely the current spine and accordingly employees would assimilate across from their current Spinal Column Point (SCP) to the new corresponding SCP in April 2019. Changes included:-

#### New Pay Spine 1 April 2019

- A bottom rate of £9.00 per hour (£17,364) on new Spinal Column Point (SCP) 1 (equivalent to old SCP's 6 & 7).
- 'Pairing off' old SCP's 6-17 incl. to create new SCP's 1-6 inclusive.
- Equal steps of 2.0% between each new SCP's 1 to 22 inclusive (equivalent to old SCP's 6-28 inclusive.)
- By creating equal steps between those pay points, new SCP's 10, 13, 16, 18 and 21 were generated to which no old SCP's would assimilate.
- On new SCP's 23 and above (equivalent to old SCP's 29 and above), 2.0% increase on 2018 rate.

Members were informed that by adopting the new National Joint Council (NJC) pay spine locally, two issues had been identified by officers (other authorities had reported similar issues):

- The current Grade 3 would lose all potential for progression and become a spot salary.
- The current Grade 5 would be made up of 7 SCP's. This was above the NJC recommendation of a maximum of 6 SCP's in one grade.

The NJC had therefore recommended that local employers considered various options and presented formal proposals around which there would be local negotiations with a view to reaching agreement. Officers had completed work on the assimilation to the new pay spine in October 2018 and had submitted proposals to both the Regional Unison Branch and Regional Employers for consideration. Following a series of meetings those proposals had been agreed by Tendring District Council, as the 'employer' and UNISON.

It was reported that the proposals recognised the principle of fairness and that rewards should be proportional to the required skill and expertise of each role. The Regional Employers had determined that this Council's proposals were sound and fair and UNISON fully supported the approach being taken by the Council.

#### The model for Tendring

The Committee was made aware that the revised grade structure adopted all new SCPs in order to prevent deviation from the full NJC pay spine, with the adjusted grade boundaries including an additional increment for employees currently at the top of the

adjusted grades 3, 4 and 5. This allowed for a % increase that was comparable to the NJC proposal throughout.

The proposed model therefore:

- Recognised the NJC proposal and fulfilled our obligation to adopt the new pay spine.
- Where possible, pay progression had been built into the revised grade structure.\*
- Minimised disruption to the existing grading structure.

\*Grade 1c was the only exception having 1 SCP in the new model however the midpoint for this grade had increased by 7.01%.

The Committee was advised that the original salaries budget for 2018/19 had been £15.233m, rising to an estimate of £16.421m in 2019/20, an increase of £1.188m. Of this increase, £648,000 could be attributed to the cost of assimilating to the new pay spine (gross pay only). This figure included both the permanent staffing establishment and casual workforce. An element of the £648k pay award increase related to the estimated cost of adjusting grade boundaries for grades 3, 4 and 5. However, it was proposed to withhold awarding the new SCP's at the top of those grades until 2020/21, resulting in an anticipated underspend against the base salaries budget of £51,000 in 2019/20.

Members raised questions which were responded to by Officers.

It was moved by Councillor Broderick, seconded by Councillor Ferguson and unanimously:-

**RESOLVED** that this Committee recommends to Council that -

- (a) the Pay Policy Statement 2019/20, as set out at Appendix A, be adopted;
- (b) the new Pay Spine that will come into effect from 1 April 2019, as set out in Appendix B, be noted.

**22. REPORT OF DEPUTY CHIEF EXECUTIVE - A.4 - DEFENCE EMPLOYER  
RECOGNITION SCHEME UPDATE REPORT**

There was submitted a report by the Deputy Chief Executive (Corporate Resources) (A.4) presented by the Human Resources and Business Manager (Katie Wilkins) that updated Human Resources Committee on the work that had been undertaken to date, and future activities planned, to support the armed forces/veteran community, including Tendring District Council's participation in the Defence Employer Recognition Scheme (ERS).

The Committee was aware that the ERS encouraged employers to support the Armed Forces/veteran community and inspire others to do the same. The scheme encompassed bronze, silver and gold awards for employer organisations that pledged, demonstrated or advocated support to the armed forces/ veteran community, and aligned their values with the [Armed Forces Covenant](#) (*the Armed Forces Covenant was*

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*a promise by the nation ensuring that those who served or who had served in the armed forces, and their families, were treated with fairness and respect in the communities, economy and society they served with their lives).*

It was reported that the covenant focussed on helping members of the armed forces community to have the same access to government and commercial services and products as any other citizen. This support was provided in a number of areas including:-

- Education and family well-being;
- Having a home;
- Starting a new career;
- Access to healthcare;
- Financial assistance;
- Discounted services.

Members were informed that this Council currently held ERS bronze award status, in achieving this, the Council had demonstrated its commitment to being '*armed forces-friendly*' and that it was open to employing reservists, armed forces veterans (*including the wounded, injured and sick*), cadet instructors and military spouses/partners.

The Committee was advised that Officers were keen to develop this work, not only to support the priorities outlined in the Armed Forces Covenant; but also to support the Council's recruitment priorities. Colchester Barracks discharged around 400 military personnel each year, a number of which decided to remain in the Colchester and Tendring area. Those personnel were highly trained and skilled and as such the Council was keen to tap into this talent pipeline.

Members were made aware that Officers were now working in partnership with Samantha Goodman (*Armed Forces Development Officer, at Colchester Borough Council (CBC)*), towards the attainment of silver accreditation. Samantha had led CBC's submission and achievement of silver status in 2018. Tendring District Council also has an Elected Member Lead for work relating to support for the Armed Forces (Councillor Christopher Amos).

It was reported that Employers could self-nominate for the ERS. Once the nomination had been validated it would be considered by a selection board at national level for gold awards and regional level for silver awards. The selection boards would be a panel chaired by a senior military officer and they would consider each nomination against the award criteria. Organisations selected for gold and silver awards would be formally notified in writing and invited to the relevant award event.

Appendix 1 to the report detailed both the activity undertaken to date, and the proposed future activity to support the armed forces/veteran community and the achievement of silver award status.

With the permission of the Chairman, Councillor Amos addressed the Committee on the subject matter of this item.

It was moved by Councillor Ferguson, seconded by Councillor Broderick and:-

**RESOLVED** that the contents of the report be noted.

**23. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 11 on the grounds that it involves the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A, as amended, of the Act.

**24. EXEMPT MINUTE OF THE LAST MEETING OF THE HUMAN RESOURCES & COUNCIL TAX COMMITTEE HELD ON 24 SEPTEMBER 2018**

The exempt minute of the meeting of the Human Resources and Council Tax Committee held on 24 September 2018 was approved as a correct record and signed by the Chairman.

The meeting was declared closed at 8.13 pm

**Chairman**

## HUMAN RESOURCES & COUNCIL TAX COMMITTEE

23 OCTOBER 2019

### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE SERVICES)

#### A.1 LEARNING AND DEVELOPMENT and INVESTORS IN PEOPLE UPDATE

(Prepared by Carol Magnus)

##### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To provide an update on Learning and Development (L&D) activity during 2018/19 and Investors In People (IIP) Gold Assessment.
<b>EXECUTIVE SUMMARY</b>
<p>To update Members regarding the centrally organised L&amp;D activity over the period of the 2018 to date and IIP Gold.</p> <p>This report provides summary information on the range of courses that have been provided and attendance. It also highlights the success of the organisation's ongoing sponsorship programme as part of the 'grow our own' approach with 3 staff gaining First Class Honours degrees.</p> <p>The report goes on to outline the Investors In People Award and the process involved in gaining the award following changes to the Standards. Following assessment in December 2018 the organisation retained its Gold Award which is an excellent achievement.</p> <p>Finally this report includes a brief extract from the IIP Report that was received including suggested action points.</p>
<b>RECOMMENDATION(S)</b>
<b>It is recommended that the contents of this report be noted.</b>

##### PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>
This L&D update highlights how key skills priorities are being met and how this contributes towards meeting the Investors In People (IIP) requirements of the Council and ensures that Officers have the skills and knowledge to enable them to support the Council in fulfilling its Community Leadership role.
<b>FINANCE, OTHER RESOURCES AND RISK</b>
No specific risks have been identified. Finance is within existing budgets.
<b>LEGAL</b>
The Council has a legal duty of care to employees to ensure its staff receive the correct training for their role and to ensure health and safety at work, as set out in the Health and Safety at Work Act 1974, and the Management of Health and Safety at Work Regulations 1999 and other related legislation.

## OTHER IMPLICATIONS

None.

## PART 3 – SUPPORTING INFORMATION

### LEARNING AND DEVELOPMENT ACTIVITY

Throughout the financial year of 2016 to 2017 a number of new courses have been centrally organised as part of the Organisation Development function. One of the main areas for attention was that of giving more junior or less experienced staff skills training on note-taking, report writing and handling conflict.

The priorities during this period have been to increase the organisation's understanding of and support for mental health related issues which culminated in the organisation signing the Time To Change Pledge in January 2019. A significant focus has been on preparing staff to work more flexibly and with greater autonomy; two programmes have been key to this; InDependence and managing Remote Teams. All courses were delivered by external providers working very closely with the Organisational Development Manager and HR Operations Manager on design, development and content. The InDependence programme was designed and developed by the Organisational Development Manager with input from an organisation psychologist. The workshops were then delivered by a team of six internal managers who had been trained in how to deliver the programme. Initial feedback reaction to this programme has been positive and a further evaluation is being developed to assess how the learning has enhanced practice within the workplace. The summary table below shows the courses and number of participants.

Date	Training Course	Total Attendees
8.10.18 & 8.11.18	Business writing skills course	22
20.6.18 & 7.6.18	Effective Business Writing	22
17.7.18 & 10.5.18	Effective Minute Taking (AM)	25
10.5.18	Effective Minute Taking (PM)	12
31.10.18	Effective Note & Minute Taking Skills	12
16.5.19, 1.3.19, 28.2.19 & 26.2.19	Emotional Intelligence	39

Courses are running in excess of 90% occupancy.

1.11.18	Essential Business Writing Skills	15
13.6.19 & 6.5.19	Hate Crime Ambassador	23
12.3.19	Inclusion Training	11
1.4.19	Inclusive Employers, EqIA Workshop	11
17.1.18 & 23.1.18	Managing Mental Health (AM)	18
23.1.18	Managing Mental Health (PM)	11
15.5.18 & 21.2.18	Mental Health First Aid 'Lite'	37
3.4.19	Professional Boundaries Training Day	13
22.11.18	Stress Management	11
8 <sup>th</sup> , 9 <sup>th</sup> and 13 <sup>th</sup> May 2019	Conflict Management	41
17 April 2019 am & pm	Customer Service	60
5,6,7,11 & 12 Feb, 30 April 2019	Leading Remote Teams	52
Throughout 2019	InDependence	273

The staff sponsorship programme continues to be well-used and the principle of 'grow our own' is well-established. Currently there are two staff studying a degree to become planners, one is undertaking a degree in IT. All staff in receipt of sponsorships are meeting or exceeding the minimum requirements of their course and a number are on target to achieve distinctions. Recently three staff completed degrees and all gained a First. The subjects were Environmental Health, Planning and Building Surveying.

In addition, via the new Apprenticeship route five staff are undertaking degrees. One in Management, two in Building Surveying and two in IT.

It should be noted that additional development of staff for their specific technical areas of expertise as part of ongoing continuous professional development (CPD) is identified and organised by their respective departmental managers.

In addition, the organisation's e-learning platform has been completely re-designed and updated. A soft roll out is currently underway.

## INVESTORS IN PEOPLE

## Background

In December 2015 the Council was assessed against the Investor in People Gold standard and achieved IIP Gold accreditation. This assessment process included assessors spending 5 days on site meeting staff in small groups interviewing them in a confidential setting. In total the Assessors met over 60 staff (over 10%) of the workforce. In summary at the end of the assessment process the Assessors recognised that like other Councils and the wider community Tendring District Council has been through a period of substantial change that has placed great demands upon staff. It was clear from the staff survey and the IIP assessment that the great majority of staff are capable, committed, engaged and doing great work. The Assessors stated that 'overall Tendring has done well in facing challenges that were beyond its control whilst at the same time making a step change in performance and the delivery of services'.

Following this assessment, the Council undertook an 18 month review of progress which identified that the Council is still making progress and has taken steps to progress the agreed action plan.

## IIP Gold – Re-Assessment Process

Over the past three years the Council has had to undertake a process of moving across from the Generation 5 to Generation 6 IIP standards. This process has included a review of the benchmarking evidence and the new standards and award process are substantially different.

In summary the new standard is as follows:



The Council needed to ensure that the majority of evidence presented as part of the Assessment process is in the Advanced category to maintain Gold Status.

In December 2018 the Council was formally assessed against the new Standards. This was a more exacting process than the previous system as it included not only interviews but also results from an all staff survey.

In Spring it was confirmed that the organisation had retained its Gold Status. This is an excellent achievement against a tough benchmark and is a demonstrable sign that the Council continues to develop and support its staff at all levels.

Throughout this process the Council's IIP Advocacy Group has continued to meet. This is a dedicated group of representatives from each department that have been collating evidence and reviewing how the IIP standards can enhance various pieces of work across the Council e.g. Transformation and Inclusion and Diversity.



Following the Assessment the organisation received a report on the findings. This was extremely positive overall. On 26<sup>th</sup> March 2019 the Leader announced at Cabinet that the organisation had been assessed and retained its Gold Award.

#### IIP Report extract summary

*The Council has had austerity, cuts and savings to manage but as a result have maintained training budgets, introduced different ways of working, transformation projects, community leadership, partnerships, multiagency working, shared services to support the community, living the council values, challenges and opportunities.*

*The assessment demonstrates a large number of strengths, supporting robust communications, collaboration and team working underpinned by a desire to provide excellent services to the community.*

*There is a significant and positive impact right across its District. The Leader, Deputy Leader and Chief Executive are passionate and well informed about the area, its local context and challenges. Managers and staff are also committed to TDC. They are well engaged and recognise that the Council has been on a cultural journey, which is now leading to real improvements.*

*It is very clear that the council is using its community leadership approach to tackle some of its key issues such as education, skills, public health and community safety with its partners.*

As with any good report it also provided recommendations for next steps, many of which are already in hand.

#### **Recommendations and Next Steps**

- *Further work to develop great leaders, e.g. aspiring leaders and 3<sup>rd</sup> /4<sup>th</sup> tier managers*
- *Address slippage in 1:1s and team meetings*
- *Staying ahead of the change curve having a clear vision for economic growth and prosperity*
- *Consider another IIP survey in December 2019 to confirm improvements and outcomes, following Transformation*
- *Embed succession planning at Tier 1 and 2 levels*
- *Develop communications plan for all Council activities*
- *Celebrating achievements and PR*
- *Make the most of every possible opportunity regarding the Transformation Programme work streams – people, channel shift, digitisation, accommodation*
- *Continually review how the organisation recognises and rewards people.*

#### **CONCLUSIONS**

The increased provision of focussed learning opportunities has been welcomed by Officers and uptake shows there is a thirst and genuine interest in learning within the organisation. The ongoing work will enable the organisation to better meet its

aims as stated within the Corporate Plan and will help to equip staff with the skills they need to also adapt to the changing work environment as part of the Transformation Programme.

The retention of IIP Gold during a period of change, against newer, more stretching standards evidences the steady progress that is being made throughout the organisation.

<b>APPENDICES</b>
None

## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

23 OCTOBER 2019

### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE SERVICES)

#### A.2 STAFF HANDBOOK UPDATE

(Prepared by Anastasia Simpson & Katie Wilkins)

#### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To make a number of minor amendments to the Staff Handbook, to reflect structural changes within the organisation and incorporate updates to other key corporate policies and legislation.
<b>EXECUTIVE SUMMARY</b>
<p>The purpose of the Staff Handbook is to provide an employee with a guide to both the Council and the terms and conditions affecting their contract of employment.</p> <p>It comprises five main parts:</p> <ul style="list-style-type: none"><li>• Terms and Conditions</li><li>• Remuneration and Benefits</li><li>• Core Policies and Procedures</li><li>• Policies and Guidelines</li><li>• Career Development</li></ul> <p>There are a number of full policy documents available that relate to the various summaries contained in the Handbook. This review incorporates any changes to these policies (<i>including legislative changes</i>) as well as any amendments to the Political and/or Management structure of the Council.</p> <p>Part 3 of the Constitution; Responsibility of Functions, delegates the authority to make minor amendments to Human Resources Policies and Procedures as necessary, as a result of legislation, national guidance or best practice, to the Head of People, Performance &amp; Projects in conjunction with the Deputy Chief Executive.</p> <p>However, Officers considered that the new Members of the HR &amp; Council Tax Committee may find the presentation of this document useful, in terms of their introduction to staffing matters.</p>
<b>RECOMMENDATION(S)</b>
It is recommended that the Committee considers the content of the Staff Handbook and notes the contents.

#### PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>
This updated Staff Handbook will ensure that the organisation continues to reflect best practice as a responsible employer and employer of choice, and also ensures

compliance with employment legislation.
<b>FINANCE, OTHER RESOURCES AND RISK</b>
No specific risks have been identified in the updating of this document. However, failure to ensure this key document is kept up to date could result in non-compliance with employment legislation.
<b>LEGAL</b>
The Council has a duty to ensure its employment practices are legal in accordance with both employment and case law.
<b>OTHER IMPLICATIONS</b>
<p><b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b></p> <p><b>Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.</b></p> <p>Tendring District Council is committed to a policy of equality of opportunity and to encourage inclusion and diversity among its workforce.</p> <p>The Council takes positive steps to ensure that all current and prospective employees are not discriminated against, either directly or indirectly, on the grounds of gender, age, disability, marital status, sexual orientation, creed/religion, ethnic or national origin.</p>

### **PART 3 – SUPPORTING INFORMATION**

<b>STAFF HANDBOOK</b>
<p>All changes throughout the document have been reflected in <i>italic font</i>, however a summary of key changes is noted below:-</p> <p>ADDITION 1: HOURS OF WORK: updated to reflect new Flexible Working Hours Scheme, Time Off In Lieu (TOIL) and Overtime arrangements.</p> <p>ADDITION 2: REMUNERATION AND BENEFITS: How is a pro rata salary calculated?</p> <p>ADDITION 3: REMUNERATION AND BENEFITS: How is my pay calculated if I start part way through a month?</p> <p>ADDITION 4: REMUNERATION AND BENEFITS: How is my pay calculated if I finish work part way through a month?</p> <p>ADDITION 5: SHARED PARENTAL LEAVE: Shared Parental Leave (SPL) is a legal entitlement for eligible parents.</p> <p>ADDITION 6: ILL HEALTH ALLOWANCES: Definition provided; Occupational Sick Pay.</p> <p>ADDITION 7: ELECTION DUTIES: Pay/Leave arrangements.</p> <p>LEAVE ENTITLEMENT, NOTICE PERIODS AND OVERTIME: updated to reflect adoption of new Pay Spine 2019/20.</p>

LOCAL GOVERNMENT PENSION SCHEME: updated eligibility criteria, and membership details for Essex Pension Fund.

BASE OF EMPLOYMENT: updated to reflect working arrangements both inside and outside of the District.

MANAGEMENT OF ILL HEALTH ABSENCE: updated to reference access to Employee Assistance Programme.

CHILDCARE VOUCHERS: wording updated, to reflect scheme closed to new entrants October 18.

LOYALTY AND LONG SERVICE AWARDS: updated to reflect revised arrangements for long service and retirement awards.

DISCIPLINARY PROCEDURES: updated to reflect changes to Disciplinary Policy, Rules & Procedures.

DRESS AT WORK: updated to reflect seasonal attire and Personal Protective Equipment (PPE) requirements.

CUSTOMER SERVICES STANDARDS; updated to reference Corporate Customer Standards and local service arrangements.

OTHER PAID EMPLOYMENT: updated to reflect Officer Code of Conduct wording.

### **CONCLUSIONS**

The updated Staff Handbook will ensure that the Council maintains its high standard of employment practices and remains an employer of choice.

### **APPENDICES**

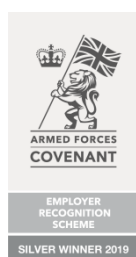
Staff Handbook, updated August 2019.

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# STAFF HANDBOOK

**Issued by – Human Resources**

**Updated – *August* 2019**



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## **INTRODUCTION**

The purpose of the Staff Handbook is to provide an employee with a guide to both the Council and the terms and conditions affecting their employment. This Handbook should be read in conjunction with your letter of appointment as they both form your terms and conditions of employment.

It is essential that all employees retain the Staff Handbook and letter of appointment for the duration of their employment. This Handbook may be updated in the future during your employment.

It comprises five main parts:

- Terms and Conditions
- Remuneration and Benefits
- Core Policies and Procedures
- Policies and Guidelines
- Career Development

There are a number of full policy documents available that relate to summaries contained in this Handbook. A list of dates in which policy documents were formally adopted is provided at the end of the Handbook. In addition, this Handbook supports the content of the Code of Conduct for Local Government Employees, a copy of which is available on request.

If you are just joining the Council, and are a permanent employee, you will have on your first day a brief induction with Human Resources in relation to your terms and conditions of employment.

Your own Department will also carry out a specific service induction for you. In the meantime, if you have any problems connected with your work or something you do not understand, please do not hesitate to raise the matter with your Manager.

## **ABOUT THE DISTRICT AND THE COUNCIL**

The Tendring District is in the north-eastern part of the County of Essex. The major part of the perimeter has a water frontage extending from just above Manningtree on the South bank of the River Stour to Wivenhoe on the East bank of the River Colne, a distance of some 38 miles.

The area has a mix of characteristics from rural districts in the North West to the holiday resorts of Clacton, Frinton and Walton and the port of Harwich, each with its own individual characteristics. The population of the area is over 140,000 with nearly 30% of pensionable age.

Tendring District Council was formed in 1974 when five former authorities were combined. The Council has 48 Councillors and employs over 550 staff.

## POLITICAL ARRANGEMENTS

### Structure of the Council

Within the Council, Councillors can hold a number of positions of responsibility. The key positions of responsibility are explained below.

**Leader of the Council** - The Leader of the Council is elected by the Full Council. His/her role is to provide political leadership for the Council and chair meetings of the Cabinet. He/she leads on policy and budget matters and is the principal 'public face' of the Council. The Leader of the Council has to ensure frequent and effective dialogue with the Executive and other Councillors and provide strong political and community leadership.

Each year the Leader addresses the Full Council in a formal 'State of Tendring' speech and he regularly makes statements and answers questions at each meeting of Full Council.

**Portfolio Holder** - At Tendring there are seven Portfolio Holders who, together with the Executive Leader (see below) make up the Cabinet. The principal role of the Cabinet as a whole and the individual Portfolio Holder is making executive decisions on behalf of the Council. The Full Council sets the portfolios and individual Portfolio Holders are appointed to their Portfolio by the Leader.

The seven portfolios are:-

***Corporate Finance and Governance***

***Environment and Public Space***

***Housing***

***Partnerships***

***Business & Economic Growth***

***Leisure and Tourism***

***Independent Living***

A Portfolio Holder works, under the political guidance of the Leader, to implement the policies of the Council and is specifically responsible for policy development for specific issues which fall within a portfolio. He/she will

- act as the public focus/spokesperson for issues within his/her portfolio
- oversee and monitor the delivery of his/her portfolio through appropriate officers
- answer for the performance of that portfolio to fellow members and the community.

Members of the Executive have to listen to the views of all Members and local people and be honest and realistic in making their decisions in the best interests of the Council and

Community. This includes recognising that it might be necessary to explain to people why a particular decision has been made.

**Overview and Scrutiny Committees:** Tendring has two Overview and Scrutiny Committees who are responsible for supporting the development of Council policies. Both portfolio holders and overview and scrutiny committees monitor the performance of policies and services as a means of testing their effectiveness and appropriateness. Tendring has organised its overview and scrutiny function into:

- **Community Leadership Overview and Scrutiny Committee** – *This Committee looks at Council's external-facing relationships;*
- **Resources and Services Overview and Scrutiny Committee** – *This Committee looks at the Council's internal-facing management functions.*

**Regulatory functions and ensuring probity** - Separate from the executive and overview and scrutiny roles are the roles undertaken by members of the other committees of the Council. These include:

**Audit Committee**, which provides independent scrutiny of the financial, performance, governance and Corporate Risk aspects of running the Council; including the annual Statement of Accounts;

**Planning Committee**, which makes decisions on planning applications and comments on drafts of Local Development Planning documents;

**Human Resources and Council Tax Committee**, which makes decisions on key workforce and staffing issues at the Council and sets the Council Tax;

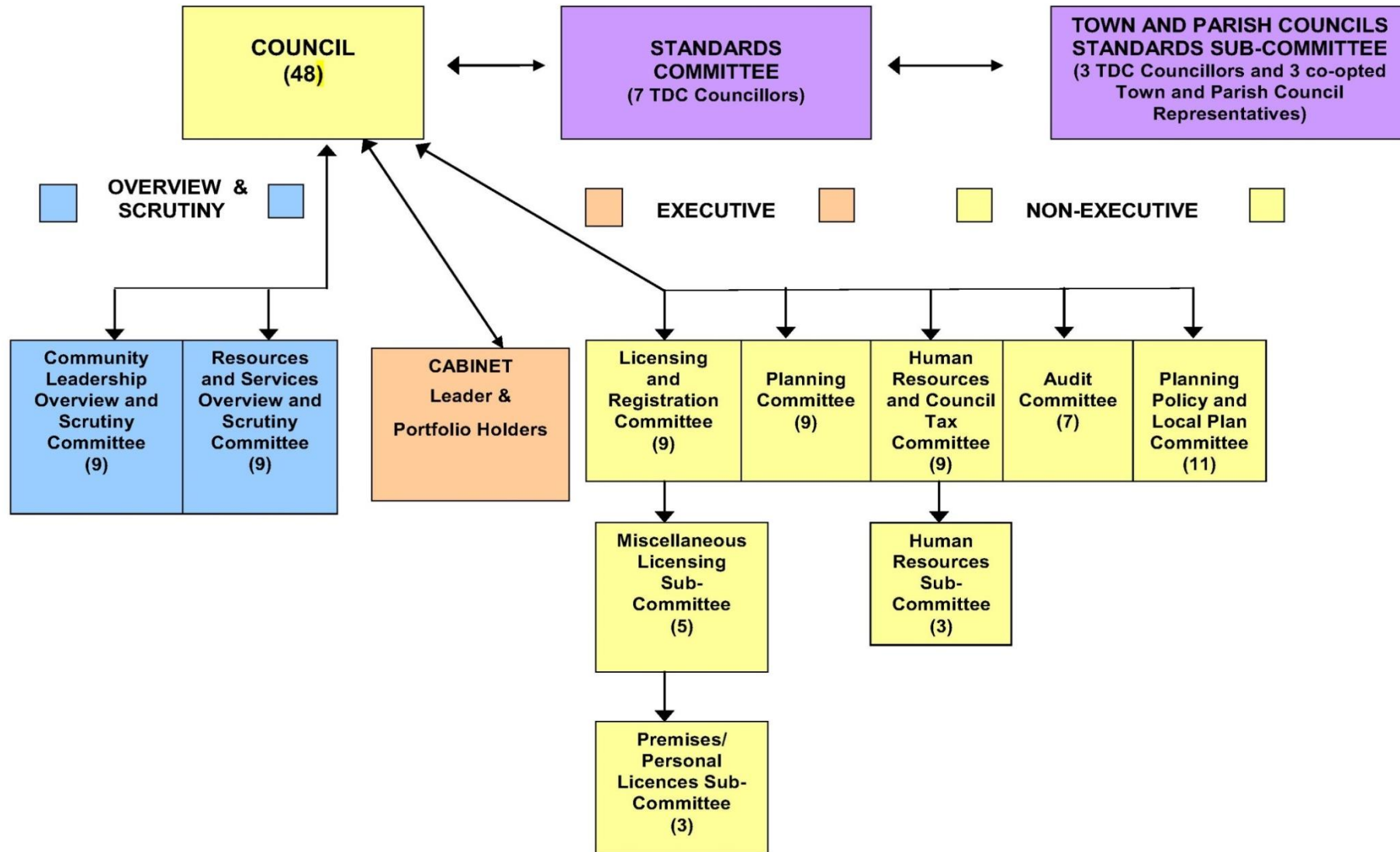
**Licensing and Registration Committee and its Sub-Committee**; which make decisions on licensing applications;

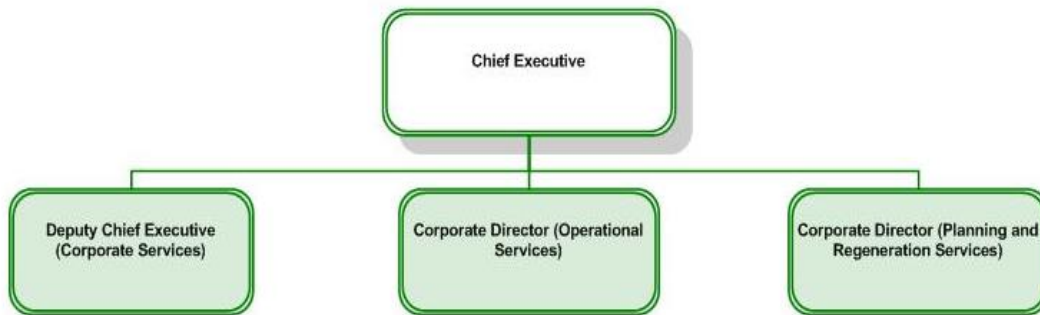
**Standards Committee**, which deals with the overall ethical framework for District and Parish Councillors and processes any alleged breaches by Members of the Code of Conduct.

**Local Plan Committee**, which exercises the Council's functions relating to overseeing the preparation of the Local Plan and ensures it, meets the National Planning Policy.

The political structure of the Council is set out diagrammatically below.

## CABINET AND COMMITTEE STRUCTURE





## MANAGEMENT STRUCTURE

### Chief Executive

- Statutory Head of the Paid Service
- Responsible for the Council's workforce.
- Management *Team* Chair
- Attends, together with the Executive Leader of the Council, meetings of the Tendring Local Strategic Partnership.
- Attends with the Executive Leader, meetings of the Essex Local Government Association.
- Works with the Chairman and Vice-Chairman of the Council on key civic events and often represents the Council at meetings and events organised by outside bodies.
- Attends meetings of the Essex Chief Executives' Association, representing Tendring.
- Council's Electoral Registration Officer and acts as Returning Officer at Local Government, County, European and Parliamentary Elections.

There are 3 Departments as follows:

- Corporate Services
- Operational Services
- Planning *and Regeneration Services*

## **TERMS AND CONDITIONS**

**The Terms and Conditions section of the Staff Handbook contains the contractual terms of employment for employees of the Council**

### **1. TERMS AND CONDITIONS OF EMPLOYMENT**

All employees will receive with their appointment letter a Statement of Written Particulars confirming start date, name of the post, grade, salary, hours and general terms and conditions of employment.

The Conditions of Employment with Tendring District Council in the main conform to those established for local government generally by the National Joint Council for Local Government Services (commonly known as the 'Green Book'). These may be supplemented by any Provincial or Local agreements reached with Trade Unions recognised by the Council and by the rules of the Council. If you require further information about the 'Green Book' local agreements or Human Resources Policies and Procedures please contact Human Resources, Town Hall, Clacton on Sea.

Specific details relevant to individual posts, or any other conditions of employment, will be set out in the Statement of Written Particulars.

### **2. PROBATIONARY PERIOD**

Your employment is subject to an initial probationary period of six months during which time your performance, attendance, behaviour and suitability for the post will be assessed. This applies to all employees joining Tendring District Council regardless of former Local Government continuous service. The Council reserves the right to extend the probationary period where there are doubts as to the employees suitability.

The provisions of this contract apply equally to the probationary period except that the Grievance and Disciplinary procedures do not apply to decisions taken to extend the period of probation or to terminate your service. Any termination of contract of employment during this period will follow the statutory dismissal procedures as defined in the *Employment Act 2008*.

At any time during the period of probation, the Council may give one week's notice to terminate your employment, if it is felt that you are unsuitable for the post. The Council will, however, advise you if you are considered to be unsuitable, and you will be given a period of at least one week, in order to achieve a satisfactory standard. If you choose to leave the Council within your probationary period, you are required to give us one month's notice.

If you successfully complete your probationary period, your employment status with the Council will be confirmed in writing. Officers gaining internal appointments and who maintain their continuous service with the Council, are not required to complete a further probationary period.

### 3. HOURS OF WORK

Your contractual hours and hours of work each week are shown in the statement of written particulars attached to your letter of appointment. The Council reserves the right to review your working week from time to time and, to meet operational requirements, amend your hours of work. Full consultation will take place when any amendment is necessary. Standard office hours are as follows:

Monday to Thursday	08.45 – 17.15
Friday	08.45 – 16.45

Part time staff will work the hours agreed with their Manager on appointment and may be required to work additional hours by agreement. These additional hours will be paid at flat rate until 37 hours have been worked in a week.

The lunchtime period is between 1200 - 1400 hours and our services must continue during this time, therefore you may be required to vary the time of your lunch break to fulfil this requirement. You are required to take a lunch break in accordance with the requirements of the Working Time Regulations, where a working day exceeds 6 hours.

A Flexible Working Hours Scheme has been introduced subject to the requirements of individual services. This allows variations to standard working hours as follows:

*Core Time is: 10.00 to 14.30*

*Flexible Time 07.30 to 10.00 and 14.30 to 18.30*

Some staff will be undertaking shift rota work or part time work and hours will therefore be in accordance with the rota. If rest breaks are allocated they must be taken during the shift, not at the beginning or end of the shift.

*Any flexi hours accrued must be taken before the end of employment with the authority. No payment for flexi time will be made.*

*A Copy of the Flexible Working Hours Scheme can be obtained from Human Resources or via the Council's Intranet.*

#### 3.1 Time Off In Lieu (TOIL)

*From time to time staff may work additional hours that are outside of the hours covered by the flexible working scheme, this might include occasional evening or weekend work for which a payment is not received or they may choose to work additional hours when working from home.*

*In these circumstances, officers with the agreement of their manager, can claim TOIL. Hours worked for TOIL should be appropriately recorded, for example, by using the self-service holiday and leave calendar.*



*TOIL should be taken within eight weeks and no more than 16 hours should be accrued at any one time.*

### **3.2 Overtime (Allowances)**

*For all details relating to overtime, standby and disturbance, including those covered by Emergency Planning, please see the Allowances Policy.*

## **4. BASE OF EMPLOYMENT**

On appointment, you will be allocated to a main base of employment. The Council, however, reserves the right to employ you in either a temporary or a permanent capacity *anywhere either inside or outside of the Tendring District in line with service demands.*

## **5. LEAVE ENTITLEMENT**

The annual leave year is from 1 April to 31 March of the following year. Employees who start part of the way through a year are entitled to holidays in proportion to completed calendar months of service. If employees commence employment from the 15<sup>th</sup> of a month their annual leave entitlement will be calculated with effect from the beginning of the following month. On termination of employment, if you leave after the 15<sup>th</sup> of a month their annual leave will be calculated to the end of the month in which an employee is leaving.

The above method of appointment applies equally to staff appointed externally, and from within the Local Government Service, unless alternative arrangements are agreed at the time of appointment. Employees who leave the Council's employment are required to take any outstanding leave during their period of notice.

All leave must be properly requested *either via Self Service, or on a leave card, however*, the Council reserves the right to refuse applications for leave if the requested leave is at an inappropriate time. You can carry up to 3 days annual leave forward into the next leave year subject to agreement from your Corporate Director/Head of Department, and 5 days in exceptional circumstances. In all cases, employees must take a minimum of 20 days annual leave per leave year of the statutory minimum annual leave entitlement of 28 days exclusive of Bank/Public Holidays), as outlined in the Working Time Regulations. There are usually 8 statutory Bank Holidays in total.

<b>Spinal Column Point</b>	<b>Holiday Entitlement</b>	<b>After 5 years Continuous Service as at 1 April</b>
1-22	21 days	26 days
23-34	25 days	27 days
35-43	28 days	30 days
SCP 44 & Above	30 days	32 days

The Council's offices are closed between the Christmas and New Year period. As a result 2 days annual leave have been removed from employees leave entitlement. Service's where you have to work over the Christmas period e.g. Careline, Theatre, Leisure Services, employees will gain Time Off In Lieu, which may be taken at a later date in agreement with their manager, and this will need to be taken before the end of the financial year. The Council reserves the right to review this practice from time to time and vary this arrangement after consultation.

## **5.1 Time off for Dependants**

This is a right allowing employees to take a reasonable amount of unpaid time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements.

The emergency must involve a dependant of the employee. This can include your husband, wife or partner, child or parent (or others who solely rely on you for help in an emergency may also qualify).

*To provide assistance when a dependant dies, falls ill, gives birth, is injured or assaulted or to attend to care of a dependant where no other care is immediately available and to make arrangements for alternative care.*

*Where arrangements for the care of a dependant have become unexpectedly disrupted or terminated or dealing with an incident which involves a child of the employee which occurs unexpectedly at a time when the child is in the care of an educational establishment which they attend.*

Employees are entitled to this right from day one of employment.

However, where exceptional circumstances apply, managers should use their discretion when considering granting further time off, which would normally include a mix of flexi time, annual leave or unpaid leave for the duration of the absence.

## **5.2 Parental Leave**

The right to parental leave entitles employees who have completed one year's continuous service to take a period of unpaid leave to care for each child born or adopted on or after the 15 December 1999 (on or after the 15 December 1981 in the case of a disabled child) up to the child's fifth birthday. The right applies to mothers and fathers and to a person who has obtained formal parental responsibility for a child under the Children Act or equivalent.

Further procedural guidance is available from Human Resources.

## **5.3 Compassionate/Special Leave**

From time to time, staff may require time off other than for the purpose of Annual Leave. This might be because of bereavement, illness and other domestic problems. If you have a problem of this nature, please talk to your

manager immediately and in certain circumstances compassionate leave may be granted at the discretion of your Corporate Director/Head of Department. See also Time Off for Dependents.

Further procedural guidance is available from Human Resources.

## **6. NOTICE PERIODS**

Staff who choose to end their employment with the Council must do so by putting this in writing to their Corporate Director/Head of Department and sending a copy to Human Resources. The letter should state the amount of notice given (which must not be less than the contractual notice required) and the date of their final working day. On leaving the Council's employment, staff are required to return their identification card, uniform and any other property belonging to the Council.

### **Minimum Notice Required From You**

The minimum notice periods required from employees of the Council are outlined below:

- |  |                         |
|--|-------------------------|
| • <i>Officers of Grade HOS1, SCP 56 and above</i>            | <i>12 weeks' notice</i> |
| • <i>Officers of Grade 6, SCP 23 up to Grade 14, SCP 55</i>  | <i>8 weeks' notice</i>  |
| • <i>Officers from Grade 1B, SCP 1 up to Grade 6, SCP 22</i> | <i>4 weeks' notice</i>  |

### **Minimum Notice to You:**

All staff are entitled to the statutory minimum notice required by the Council to terminate their contract of employment.

- After an employee has been continuously employed for 1 month, they are entitled to receive 1 weeks' notice.
- After an employee has been continuously employed for 2 years or more, they are entitled to 1 weeks' notice for each complete year of continuous employment, up to a maximum of 12 weeks.

The Council is entitled to dismiss an employee without notice (summary dismissal) if there is a fundamental breach of contract, e.g. gross misconduct. Further procedural guidance is available from Human Resources.

## **7. ILL HEALTH ABSENCE- RIGHTS AND RESPONSIBILITIES**

Your terms and conditions of service are as determined under the National Joint Council for Local Government Services. Under this scheme there is an entitlement to sick pay if you fulfil certain conditions of qualification and notification. In outline, the scheme is a supplement to the Statutory Sick Pay (SSP) Scheme and State National Health Insurance Benefit and is designed to ensure that in accordance with the allowances set out below you will receive no more than your normal weekly pay during periods of absence.

## 7.1 III Health Allowances (*Occupational Sick Pay\**)

In any twelve month period you will be entitled to receive sick pay depending on your length of service as follows: Length of Service	Full Pay	Half Pay
During the 1st year of service	1 month	2 months (after 4 months service)
During the 2nd year of service	2 months	2 months
During the 3rd year of service	4 months	4 months
During the 4th and 5th years of service	5 months	5 months
After 5 years of service	6 months	6 months

*\*For Occupational Sick Pay Entitlement "one month" shall be deemed to be equivalent to 26 workings, Saturday being reckoned in all cases as a working day.*

All employees are expected to attend the workplace unless they are unfit to do so. If you have to take time off due to sickness, you must follow the reporting procedure as outlined in the Council's Sickness Absence and Ill Health Policy and Procedures. Failure to follow this procedure may jeopardise your right to Occupational Sick Pay (OSP) or Statutory Sick Pay (SSP).

## 7.2. III Health Notification

The Council's Sickness Absence and Ill Health Policy and Procedures clearly outline what is expected from our employees if they are absent from the workplace due to ill health. It is essential that any absence is reported promptly to your Manager, and that communication is maintained during your absence from the work place. It is not acceptable to notify anyone other than your Manager, and emails, text messages and voicemails are not acceptable.

Employees are able to complete a Self-Certification form on their return to the workplace, if their sickness absence has been for 7 days or less, including weekends and Bank Holidays. Self-Certification forms are available on the Council's Intranet or from your Manager.

Should your period of sickness continue for more than seven days, you must visit your Doctor and submit Fit Notes to your Manager for the remainder of your absence. This is in addition to the requirement to complete a Self-Certification form upon your return.

Where an employee has been absent for three occasions in any three month period, has taken 10 or more days sickness absence in any 3 month period, or has a recurring absence pattern - you may be required to submit a Fit Note from the first day of any subsequent absence. The Council will pay for the certificate if a fee is charged.

### **7.3 Management of Ill Health Absence**

All ill health related absence from the workplace is recorded on the Council's Absence Database. This information is closely monitored by Human Resources. Where appropriate, employees may be requested to attend a meeting with an Occupational Health Specialist to guide the Council further on how best to manage the employee's ill health issues. These appointments will take place during an employee's usual working time, and employees are therefore expected to fully co-operate with such requests. In addition, an *Employee Assistance Programme*, which includes access to a private counsellor, is available to those staff who feel this may be of benefit.

Further procedural guidance is available from Human Resources.

## **8. CONTINUOUS SERVICE**

The date from which continuous service is calculated is shown on the Statement of Particulars of Employment which is provided to each member of staff when they begin their employment with the Council.

For the purposes of unfair dismissal, your continuous service commences from the date you joined Tendring District Council. If you have previous continuous service with an organisation covered by the Redundancy Payments (Local Government Modification Orders which covers local authorities and related bodies) this will be included in calculating your entitlement to:

- |   |   |                      |
|---|---|----------------------|
| A | - | A Redundancy Payment |
| B | - | Sickness Allowance   |
| C | - | Annual Leave         |
| D | - | Notice Period        |

B, C and D above will also apply if, prior to joining the Council you were made redundant from an organisation covered by the above orders within the last two years. B and D above will apply if you left such an organisation for Maternity reasons within the last eight years and have not been in permanent full time paid employment since.

## **REMUNERATION AND BENEFITS**

### **9. SALARY**

Employees are paid monthly by credit transfer, on the 20<sup>th</sup> day of each month (or nearest day available should this fall on a weekend), into a bank or building society account of their choice. The Council reserves the right to review the payment date from time to time and, if necessary, change the pay date.

***How is a pro rata salary calculated?***

*Your pay is calculated based on the number of hours your work per week or the number of weeks you work per year.*

*For example, if your annual salary is £12,000 then your full monthly salary before tax etc. would be £1,000. However, if you work 22.50 hours per week you would work out your annual salary the following way:*

*22.50/37(full time hours) x full time annual salary £12,000 = £7297.29 divide by the number of months in the year (12) = £608.10 gross monthly pay before any deductions i.e. tax*

***How is my pay calculated if I start part way through a month?***

*Your pay is calculated based on the date you started work and the number of days in the month.*

*For example, if your annual salary is £12,000 then your full monthly salary before tax etc. would be £1,000. However, if you started work on 15th of January then you would only be due seventeen days' pay for the period 15th - 31st January.*

*Your first month's pay in this example would be calculated as £1,000 divided by 31 days in January multiplied by 17 days in employment = £548.39.*

*(Please note that your salary is NOT calculated on the number of hours you work multiplied by your hourly rate.)*

There may be a requirement to work additional hours from time to time to cover holidays, sickness and other planned additional work. There is no entitlement to overtime payments for staff paid from spinal column point 44 upwards.

*For information on all working arrangements outside of standard working hours, including, On-Call and Standby arrangements, please see Allowances Policy.*

The Council reserves the right to review any allowances paid from time to time and make changes as appropriate. Full consultation will take place before any changes are made. Should there be any overpayment of salary; the Council also reserves the right to recoup the overpayment by reasonable deductions. Additionally, any monies owing to the Council at the time of termination may in the first instance be deducted from salary, provided notification takes place prior to any deduction being made. For example, annual leave taken in excess of entitlement, car lease or relocation expenses.

Your salary and any conditions attached to this are as detailed in your letter of appointment that accompanies this Handbook. A copy of the Council's current Salary Scales are available on the Council's Intranet or from Human Resources. In addition, each year Local Government Officers receive a National Pay Award which is effective from each April. This increase is paid to

staff when it is nationally agreed each year, and our Salary Scales are updated accordingly.

***How is my pay calculated if I finish work part way through a month?***

*Your pay is calculated based on the date you finished work and the number of days in the month.*

*For example, if your annual salary was £12,000 then your full monthly salary before tax etc. would be £1,000. However, if you finished work on 6th March then you would only be due six days pay for the period 1st - 6th March.*

*Your final month's pay in this example would be calculated as £1000 divided by 31 days in March multiplied by 6 days worked = £193.55.*

For any salary related queries, please contact Payroll and Payments.

## **10. LOCAL GOVERNMENT PENSION SCHEME**

*Subject to there being no declared medical disqualification, employees aged over 16, with contracted hours, will be automatically enrolled into the Local Government Pension Scheme (LGPS). Following the introduction of auto-enrolment, you may be qualify, to be auto-enrolled, in which case Payroll & Payments will write to you in this regard.*

*Your contribution rate depends on how much you are paid, but it will be between 5.5% and 12.5% of your pensionable pay. The rate you pay depends on which pay band you fall into.*

### **Membership and Contributions**

*If you work part-time or term time, your rate is based on the actual rate of pay for your job, so you only pay contributions on the pay you actually earn.*

*The band which you are in will be reviewed each year at 1<sup>st</sup> April to take account of changes such as pay awards, increments and the annual RPI changes.*

## **11. JOB EVALUATION**

The Council will ensure, that all appropriate posts within the Council have been evaluated in accordance with the National Single Status Job Evaluation Scheme. Each Job Evaluation Panel consists of an independent officer, Human Resources and a Unison Representative. Only officers who have undergone Job Evaluation Training are permitted to join a panel.

## **12. REDUNDANCY**

The Council endeavours to avoid redundancy situations, however, circumstances may arise where changes in the Council's scheme, technology or organisational requirements necessitate the need for a reduction in staff. The Council has in place a comprehensive Redundancy Policy and Procedure

which sets out how redundancies will be addressed. Further procedural guidance is available from Human Resources.

### **13. CAR ALLOWANCES**

The Council will reimburse employee for authorised mileage undertaken for work purposes at the Inland Revenue rate, which is currently 45p per mile.

Claims for mileage should be submitted to the Corporate Director/Head of Service for payment the following month in order to assist effective budgetary control and ensure proper treatment within the correct tax year (in compliance with HMRC requirements). Under normal circumstances, claims not submitted in accordance with the above, within three months of the period to which they relate will not be paid.

All employers have Health & Safety responsibilities in relation to staff that are paid mileage allowances for using their personal vehicles whilst undertaking their duties for that employer. Whilst mileage claims contain a certification by the claimant that a valid driving licence, 'current' insurance and MOT's are held by the employee, each department should have in place arrangements to ensure that random checks (to examine driving licences, and insurance and MOT certificates) are made during the course of each year and in this respect the Council reserves the right to ask staff to provide copies of their insurance and MOT certificates from time to time. An appropriate record of the checks undertaken by each department should be maintained.

### **14. CAR PARKING**

Car parking permits are issued to staff in accordance with their location, position and requirement to use a car for business. Permits can be obtained from Parking Services (Public Realm) in Operational Services. Your manager will advise you whether you may have a permit and of where you are eligible to park. The Council reserves the right to review, change and terminate parking arrangements from time to time.

### **15. UNIFORM**

Where uniform is provided it must be worn and bear a Tendring District Council logo. The Authority has a dispensation from the Tax Office stating that a tax liability will not arise on condition that all provided work-wear has a logo. If uniform is provided but does not have a logo then the Tax Office will deem that it is a taxable benefit and you will receive a tax bill. The logo must be sewn on to each item of uniform and be visible. It is not sufficient to wear a detachable badge.

### **16. CHILDCARE VOUCHERS**

The Council offers a salary sacrifice scheme for employees to access childcare vouchers from a chosen provider. This scheme entitles staff that are eligible to receive vouchers which can be redeemed for qualifying childcare providers, and for this amount of their salary to be tax exempt. For further information, please contact Exchequer Services or Human Resources, who will advise you regarding the current scheme available.



*NB: Childcare vouchers closed to new entrants on the 4<sup>th</sup> October 2018.*

**17. EYE EXAMINATIONS**

In line with the legal duty placed on all employers by the Health & Safety (Display Screen Equipment) Regulations 1992 and the Health & Safety (Miscellaneous Amendments) Regulations 2002, the Council offers free eyesight tests and glasses to employees. Only those staff defined as 'users' of display screen equipment, and who are required to wear glasses specifically for display screen use are eligible.

For further information please contact the Corporate Health and Safety Advisor, Corporate Services.

**18. SUBSISTENCE**

There is no general entitlement for staff to claim subsistence when travelling within the Tendring District. In exceptional circumstances and by agreement with the appropriate Corporate Director/Head of Department, staff may claim subsistence when travelling outside of the District for training or to undertake Council business.

Under normal circumstances, claims not submitted within three months of the period to which they relate will not be paid. Current rates for subsistence can be obtained from Human Resources or via the [Gov.uk website](https://www.gov.uk).

**19. LOYALTY AND LONG SERVICE AWARDS**

The Council recognises and rewards those staff who have demonstrated a long period of continuous service with the Council, and also when an employee retires from the organisation. Further procedural guidance is available from Human Resources.

**20. DISTURBANCE TRAVEL**

If the Council has compulsorily changed your main base of employment and as a result of this you incur additional mileage from home to work, protection arrangements are applicable for a three-year period. Further procedural guidance is available from Human Resources.

**CORE POLICIES AND PROCEDURES**

**21. DISCIPLINARY POLICY**

It is necessary to ensure that disciplinary matters are dealt with fairly and systematically in order to enforce the standards of conduct which are expected within the Council. Any breaches of these rules and standards of conduct may result in various forms of disciplinary action which can, in extreme cases, result in termination of employment.

All employees have access to a copy of these disciplinary rules and, therefore, will be aware of the circumstances in which disciplinary action can

be taken against them. In any disciplinary action not only will these disciplinary rules be considered, but also the reasonableness of the disciplinary action, taking all known circumstances into account following an investigation of the case. While it is recognised that incapability and discipline are normally two separate issues, when an employee's capability or performance fails to reach the expected standard it may be necessary to use the stages within the disciplinary procedure to deal with the matter.

The disciplinary action that may be taken by the Council is specified in the Council's "Disciplinary Policy, Rules and Procedures" and any action so taken will depend on the seriousness of the breach of Disciplinary Rules. Generally, such incidents can be classified as follows, but they are by no means exhaustive.

### **Minor Misconduct**

*Minor misconduct is conduct which is likely to justify a letter of expectation or written warning.* Acts of minor misconduct, which are persistent, will nevertheless lead to eventual dismissal. Such action will normally be taken where employees by their actions are negligent in performing the duties for which they are employed.

### **Serious Misconduct**

There may be acts of misconduct that, while more serious than minor misconduct, could not be defined as Gross Misconduct, and in such circumstances it would be appropriate to issue a final warning to an employee.

### **Gross Misconduct**

Gross Misconduct is conduct of such a kind that in the light of the employee's action, the Council is justified in no longer tolerating the continued presence at the place of work of the employee who commits the offence.

For offences of suspected or alleged Gross Misconduct, immediate suspension may apply, followed by dismissal without notice if the offence is established and there are no exceptional mitigating circumstances acceptable to the Council.

Such dismissals are usually by their very nature dismissals where no previous warning has been given, however they can also arise where warnings have already been issued and a further act of misconduct has taken place.

Employees have a right of appeal against any formal disciplinary decision. The appeals procedure is part of the Disciplinary Policy, Rules and Procedures.

The Disciplinary Policy, Rules and Procedures have been issued by the Council to all its employees, further copies are available from Human Resources.

## **22. GRIEVANCE PROCEDURE**

Where an employee is aggrieved on any matter, discussion with the immediate manager is expected in the first instance. A formal grievance should be submitted in writing and a response should be provided within 10 working days.

If the complainant is dissatisfied with the reply, or receives no reply within 10 days, he/she or his/her staff/trade union representative may then raise the matter with the appropriate Corporate Director/Head of Department who should reply in writing to the complaint as soon as possible and in any case within 10 working days. In the case of second tier managers lodging a complaint, this will be to the relevant Management Team member.

If the complainant is dissatisfied with the reply he/she or his/her staff/trade union representative may report the grievance to their Corporate Director/Head of Department in writing accompanied by any previous responses. The Corporate Director/Head of Department will invite the employee to attend a meeting to discuss the grievance. The Corporate Director/Head of Department should normally respond within 10 working days of hearing the case.

Where an employee remains aggrieved a further appeal may be submitted in writing within 28 days of formal notification of the previous appeal decision, to the Human Resources & Business Manager and copied to the employee's Corporate Director/Head of Department. A Grievance Appeal Hearing will be arranged to hear the grievance, in accordance with the Appeal Policy.

Further procedural guidance is available from Human Resources.

## **23. CAPABILITY POLICY**

Where an employee's work performance is considered unsatisfactory, it may be more appropriate for issues to be dealt with in accordance with the Council's Capability Policy rather than the disciplinary route.

The purpose of this procedure is to provide a fair method of addressing performance issues and to encourage the employee to improve his/her performance to an acceptable level.

Further procedural guidance is available from Human Resources.

## **24. HARASSMENT POLICY**

Harassment is unwelcome and unwanted behaviour that a person finds objectionable or offensive and which makes him/her feel threatened or uncomfortable leading to a loss of dignity and self-respect. The Council deplores all forms of harassment at work and welcomes the support of recognised Trade Unions in seeking to eradicate harassment from the workplace. Harassment is a specified offence under the Council's Disciplinary Policy, Rules and Procedure. It is also a disciplinary offence to victimise a person bringing a 'harassment at work' complaint or to make a malicious complaint of harassment.

Further procedural guidance is available from Human Resources.

## **25. EQUALITY AND DIVERSITY POLICY (Employment)**

Tendring District Council is committed to a policy of equality of opportunity and to encourage diversity among its workforce.

The Council takes positive steps to ensure that all current and prospective employees and service users are not discriminated against, either directly or indirectly, on the grounds of gender, age, disability, marital status, sexual orientation, religion, belief, ethnic or national origin. We value the differences, needs and contributions a diverse workforce represents.

The Council extends this positive attitude in respect of equality and diversity to our contractors, service users and the community. We are aware that in order to retain the confidence of the community it is important to reflect the make-up of our community within our workforce.

Further procedural guidance is available from Human Resources.

## **26. WHISTLEBLOWING POLICY**

The Council has set in place rules, regulations, quality standards and procedures to ensure that high standards of conduct and commitment to service are observed, but it recognises that malpractice can occur. Employees are often the first to realise that there may be something wrong. However, they may not wish to express their concerns because they feel that speaking up would be disloyal to their colleagues, the Council or for fear of recrimination.

The Whistle-blowing Policy makes it clear that employees can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable employees to raise serious concerns within the Council rather than overlooking the problem or “blowing the whistle” outside.

Further procedural guidance is available from Human Resources.

## **27. MATERNITY POLICY**

As a TDC employee you are entitled to the following:

- Maternity Leave
- Maternity Pay (depending on length of service and earnings)
- Adoption Leave
- Adoption Pay (depending on length of service and earnings)
- Time off for antenatal care/fertility treatment
- Protection against unfair dismissal on maternity related grounds
- The right to request to work flexible hours on your return to work

All employees, except casual workers, regardless of the number of hours worked per week or length of service are covered by this guidance.

Further procedural guidance is available from Human Resources.

### **SHARED PARENTAL LEAVE**

*The Shared Parental Leave regulations provide an opportunity for parents to take advantage of additional flexibility in the way they choose to care for a new arrival to the family. This policy is written to help eligible employees decide whether they will benefit from Shared Parental Leave and how it can be used alongside, or instead of, Maternity or Adoption leave.*

*Shared Parental Leave (SPL) is a legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5 April 2015. It provides flexibility when making arrangements to care for their child during the child's first year*

*Further procedural guidance is available from Human Resources.*

## **28. ADOPTION LEAVE AND PAY**

Adoption leave and pay is available to individuals who adopt, or to one member of a couple where a couple adopt jointly (the couple must decide which partner takes adoption leave).

To qualify for adoption leave, an employee must:

- be newly matched with a child for adoption by an adoption agency
- have worked continuously for 26 weeks ending with the week in which they were notified of being matched with a child for adoption.

Tendring District Council's arrangements for adoption leave and pay mirror the maternity and paternity provisions. There are no special provisions for leave or pay for those providing foster care.

Entitlement to adoption leave/pay is included in the Maternity Policy; further procedural guidance is available from Human Resources.

## **29. PATERNITY LEAVE AND PAY**

Paternity leave allows an employee to take paid leave to care for the child or support the mother. To qualify for paternity leave, employees will need to satisfy both of the following conditions:

- Have or expect to have responsibility for the child's upbringing
- Be the biological father of the child or the mother's husband or partner (male/female)

Employees who meet both of these criteria will be entitled to one week's paternity leave paid at full pay (offset by Statutory Paternity Pay).

In addition, employees who have 26 weeks continuous service with Tendring District at the beginning of the 15<sup>th</sup> week before the Expected Week of Confinement (EWC) will be entitled to a second week's paternity leave. This

will be paid at the current rate of Statutory Paternity Pay (SPP), or 90% of the employee's average weekly earnings, whichever is the lowest.

Entitlement to paternity leave is included in the Maternity Policy; further procedural guidance is available from Human Resources.

### **30. CORPORATE DATA PROTECTION POLICY**

The *Data Protection Act 2018* and the Council's policy apply to all data relating to any identifiable living person, held by this Council, on computer or in manual filing systems.

The Council requires all of its Members and employees to comply with this policy, the Council's Computer Security Policy and the Data Protection Act and to co-operate with all measures to ensure compliance.

Human Resources may provide your manager with your contact details, if there is a need for them to speak to you *whilst you are away from the workplace. You will be notified beforehand if this is the case.*

### **31. HEALTH AND SAFETY AT WORK**

The Council regards the promotion of health, safety and hygiene within the organisation as being an essential part of its responsibilities. Furthermore, it regards the promotion of health and safety matters as a mutual objective of management and employees. It is the Council's policy to do all that is reasonably practical to prevent personal injury and damage to property and to protect everyone from foreseeable work hazards, including the public insofar as they come into contact with the Council.

For your own safety, you must follow any instruction in relation to health and safety and in particular, for any machinery you are required to use. Do not interfere with air conditioning, heating, electrical appliances, machinery, etc. unless you are specifically authorised and trained.

Qualified first aiders *and Mental Health First Aiders* are employed within each building. Posters should be displayed indicating where the first aid box is kept within each building and who the nominated first aiders are.

Full details of the Council's Safety Policies are available via the Council's Intranet and on request from Health and Safety.

#### **31.1 Risk Assessments**

TDC has a statutory requirement to ensure the safety of its employees by assessing the risk to Health and Safety of both employees and others not employed by the organisation.

This requirement is met by carrying out Risk Assessments. The risk assessment should identify potential causes of harm and assess the likelihood of harm occurring with the existing arrangements in place. The employer has to ensure that effective measures are in place to plan, control, monitor and review those measures put in place to control the risks identified.

The risk assessments for the workplace are available to all staff within that area of work. Staff should ensure that they are aware of any risks within the workplace and should any new risks arise they have a duty to inform their manager/supervisor as they become aware of the risk.

### **31.2 Fire Regulations**

Fire Regulations for all the Council's buildings must be strictly observed and failure to comply will result in disciplinary action. Fire Marshalls and Wardens are nominated and trained within each department to help in the emergency evacuation from Council premises. For your own safety, you must know the procedures for evacuating the building, be aware of the location of fire exits and fire alarm call points. Never block fire exits or the routes leading to them for any reason.

### **31.3 Accidents**

The Council has a duty to record and investigate all accidents, incidents and potential accidents/incidents, plus any injuries caused by acts of violence, either involving staff or members of the public. You must tell your manager straight away about accidents or injuries no matter how minor they are. Your first aider should also be of assistance. All incidents must be recorded on an Accident Report form held in your Department.

Human Resources can arrange counselling after a confrontation or violent incident. Always observe safety regulations and make sure that neither you, your colleagues, nor members of the public are in danger.

Serious injuries sustained at work will be investigated by Health and Safety who will be responsible for determining entitlement to extended sickness payments in the event of any absence from work, arising from injury. In all cases an accident form must be completed.

### **31.4 Personal Protective Equipment**

You must wear suitable clothing and footwear for the jobs you do. Any clothing or footwear that compromises the safety of an individual must not be worn. It is a requirement that employees wear any personal protective clothing provided at the appropriate times in accordance with the recommendations set out in your department risk assessments, e.g. protective footwear, safety/sun hats.

### **31.5 Working with Display Screen Equipment (VDU's)**

The Council wants to safeguard employees who spend a large amount of their normal work time using a computer. Risk assessments are carried out within each Department to ensure that the equipment used meets Health and Safety regulations. If you regularly use a computer, you may be entitled to financial assistance for an eye test and glasses.

A [guidance booklet](#) is available from Health and Safety – Corporate Services.

### **31.6 Lone Working Procedure**

A lone worker is someone who, during the course of their duties, may have to work by themselves, and/or without close supervision, immediate support and the normal accompanying facilities.

The Lone Working Policy outlines the Council's commitment to protect the safety of employees and is supported by guidance, documentation and other instructions and information.

Full details of the Council's Violence at Work Policy are available on the Council's intranet.

### **31.7 Mobile Phone Use Whilst Driving**

The amended Road Vehicle (Construction and Use) Regulations 1986, bans mobile phone use whilst driving. Employees must not use hand-held mobile phones whilst driving at work. All mobile phones must be switched off, with the message facility activated, whilst employees are driving to prevent distraction from in-coming calls/text messages. You must only use the mobile phone to check messages/make calls etc. when the vehicle is safely stopped and parked and the engine turned off.

### **31.8 Stress Management**

The Council has demonstrated its pro-active approach to stress management through the introduction of a Stress Management Policy and Guidance for Managers which is available via the intranet. This is one of a number of initiatives that have been introduced as part of the commitment to a stress management strategy.

### **31.9 Violence at Work**

The Council acknowledges the risk of violence or aggression towards employees in the course of employment and affirms that such violence and aggression or verbal abuse is totally unacceptable. The Council will ensure that employees are provided with full support and positive action where employees are subjected to violence and aggression or threats of such.

Further procedural guidance is available from Human Resources.

## **POLICIES AND GUIDELINES**

### **32. CHANGE OF PERSONAL DETAILS**

It is important that the Council knows where to contact you or your next of kin in case of an emergency. If changes occur to your address, telephone number, name, marital status or next of kin please *update Self Service as soon as possible; or notify Human Resources if you do not have access to Self Service*. Forms for this purpose are available on the Intranet or from Human Resources.



### **33. REFERENCES**

The Council does not produce employees' testimonials when employees leave however, if you give the Council's name as a referee a standard written reference will be provided to future employers on their request.

### **34. MEMBERSHIP OF A TRADE UNION**

The Council, as your employer, supports the system of collective bargaining and believes in the principle of solving industrial relations problems by discussion and agreement. For practical purposes this can only be conducted by representatives of the employers and the employees. If collective bargaining of this kind is to continue and improve for the benefit of both, employee organisations should be fully representative. The Council is associated with other Local Authorities represented on the National and Provincial Councils dealing with Local Authorities' services.

The Trade Union recognised by the Council for local collective bargaining is UNISON. You have the right to choose to join a Trade Union and take part in its activities. If you belong to a Trade Union and need to attend meetings during office hours, you must seek permission from your Manager. Trade Union representatives will be allowed reasonable time off from their normal duties to fulfil their trade union duties.

Details of the Trade Unions recognised locally for negotiating purposes are available from Human Resources and via the Council's Intranet.

### **35. PUBLIC DUTIES**

Staff who are involved with the local community will be provided with reasonable time off for public duties subject to prior written agreement of their Corporate Director/Head of Department e.g. Justice of the Peace, School Governor.

### **36. ELECTION DUTIES**

*The Council regard Election Duties as a Public Duty and as such allow employees the day off with full pay. Employees may also receive an allowance and expenses for carrying out these duties, which they are allowed to retain.*

*Employees who undertake an election count during a normal working day are also allowed that day as time off with full pay. If a count is undertaken at night there is no entitlement to have the day following as additional leave and employees should arrange to request this as annual leave.*

### **37. TIME OFF FOR COURT ATTENDANCE/JURY SERVICE**

In cases where an employee is requested to attend Court as a witness for either the prosecution or defence, employees are entitled to take time out of the workplace provided:-

- You submit your request to be absent from the workplace to your Corporate Director/Head of Department/manager as soon as you are advised that there is a requirement for you to attend Court. This request must be supported by evidence of your requirement to attend providing date, time, duration of absence, etc.
- The Court will provide you with a form to complete in order for you to claim back the loss of salary incurred during your attendance, you must submit this to Payroll and Payments for completion and take it to the Court with you.
- When your Court attendance is complete you must submit a claim to the Court for loss of earnings and they will provide you with a cheque/BACs payment. Please note there is a limit to the sum you can claim for re-imbursement set by the Courts.
- On your return to work you must send a copy of the remittance to Payroll and Payments and the amount that has been paid for loss of earnings will then be deducted from your salary at your next pay date.
- If you fail to claim re-imbursement for loss of earnings from the Court, you must take annual leave or flexi time (where applicable) for the time you are absent from the workplace.

The above applies to those employees who are requested to attend Court on jury service, as a witness or as a defendant (if proven not guilty). This also applies to witnesses attending Employment Tribunals.

### **38. USE OF TELEPHONES FOR PRIVATE PURPOSES**

All Tendring District Council telephone lines and mobile phones are provided for the purpose of making and receiving calls in respect of your work for the Council.

Private calls either on Council telephones/mobiles should not be made other than in exceptional circumstances and only with the permission of your manager. Where appropriate, such calls should be made during recognised breaks. The activity on Council telephones is monitored periodically.

*All private calls made on Council mobile phones must be paid for and this can be done by paying the exact amount for calls/texts from the quarterly statement to your designated administrator.*

Employees must not use picture mobile phones to take pictures of colleagues or customers, without their prior consent. This is an infringement of privacy under the Human Rights Act 1998 and will be treated seriously. Disciplinary action could be taken against any member of staff who makes an unacceptable level of unauthorised calls or takes pictures without permission. Permission to make private calls will not be unreasonably withheld.

### **39. TIMEKEEPING**

All employees will have a set working pattern. In most cases this will be the Council's Standard office hours of 8.45am start, and 5.15pm finish - 4.45pm on Fridays. At the discretion of the Corporate Director/Head of Department, and in line with the Council's Flexible Working Hours Scheme, these working times can be varied to meet the demands of the department.

However, whether varied or standard, employees must ensure they are punctual in arriving at the workplace and returning from their rest or lunch breaks. Where repeated failure to attend the workplace at their agreed working time occurs, the employee may find themselves subject to disciplinary action.

#### **40. DRESS AT WORK**

It is important that the Council conveys a professional image to the public and therefore whilst the Council does not wish to impose unreasonable obligations on employees, you must look smart at work. The Council also has a health and safety responsibility to ensure that employees dress does not put an individual or others at risk.

Where a uniform is provided e.g. Leisure Centres, Horticultural Services, it must be worn. Non-office based employees should seek guidance from Managers as to what is appropriate for their specific role. However, office based staff should be smart, ideally wearing a suit or jacket and trousers/skirt/dress. *In the summer months, tailored shorts only are acceptable (no sports shorts/jeans/non tailored chinos etc).* Unacceptable dress also includes vest tops, very short skirts, sports clothes, military/army dress (unless prior agreement is sought), denim, leggings.

Some employees may also be provided with Personal Protective Equipment, see requirements under Personal Protective Equipment

#### **41. NO SMOKING POLICY**

In accordance with the Health Act 2006, all enclosed and substantially enclosed public and work places must be smoke free. This also ensures the Council meets its duties under Section 2(2) of the Health and Safety at Work Act 1974, which places a duty on employers to provide and maintain a safe working environment without risks to health and adequate for their welfare.

Smoking is therefore not permitted in any part of the Councils work premises or grounds (curtilage), including offices, corridors, toilets, and car parks of any Council work site by any person regardless of their status or business with the Council.

A copy of the Council's No-Smoking Policy can be obtained from the Council's Intranet.

#### **42. ALCOHOL, DRUGS AND SUBSTANCE ABUSE POLICY**

The Council expects employees to promote a responsible attitude to alcohol and acceptable standards of conduct. The Council recognises alcohol and drug misuse or dependency as primarily a health and social problem that requires specialist counselling or treatment. The purpose of the policy is to safeguard and promote the physical and mental health, safety and welfare of the Councils employees in a constructive and sympathetic manner.

Further procedural guidance is available from Human Resources.

#### **43. CONFLICT OF PERSONAL INTEREST**

It is not always possible to ensure that staff are assigned work which does not in some way affect their own personal lives and dealings. Where there could be any embarrassment or a conflict of interest, you must report the situation to your manager immediately – this could include having to transact an issue or deal with a problem relating to a work colleague, friend, family member or neighbour.

**Each department is responsible for maintaining a register of declarations of interest.** All personal circumstances where a conflict of personal interest might apply should be recorded in this register (see Officer Code of Conduct). That register should record the name of the officer concerned, the circumstances that create the concern regarding a personal potential conflict and the relationship / reason why the officer has declared a potential conflict plus any other information the department in question considers necessary. This is for your own protection and to avoid any suspicion or compromise.

Any breaches to these guidelines will be treated very seriously and could result in dismissal.

#### **44. ACCEPTANCE OF GIFTS AND HOSPITALITY**

As a general rule staff should tactfully refuse the acceptance of any offer of hospitality or gifts from individuals or organisations that do, or might, provide work, goods or services to the Council or who are dependent upon or require some decision from the Council (e.g. a Planning Approval).

The only exception to this rule should be modest gifts, generally of a promotional nature, such as calendars, diaries, office items, small gifts offered. Such items should have a personal token value of less than £25.

**Each department is responsible for maintaining a register of hospitality and gifts.** Officers should record the receipt of all hospitality or gifts in this register (see Officer Code of Conduct). The register should show the individual or organisation supplying the hospitality or gift, the precise nature of the actual hospitality or gift and its estimated value and any other information the service in question considers necessary.

**On no account should any monetary gift be accepted and any such offers should be reported to your line manager immediately.**

#### **45. I.T. POLICIES**

E-mail, Intranet and Internet are available to all staff and Members who are registered as users of the computer network.

The Council is committed to monitoring the use of electronic communications, which includes e-mail, internet access, telephone and mobile phones to ensure that the Council meets its obligations for employees health and safety and to ensure that technology is used appropriately in the workplace.

Employees must not at any time bring the Council into disrepute by use of social internet sites, chat rooms or forums. Conduct of this nature may be subject to disciplinary action.

The IT suite of policies, which can be found on the Council's intranet, will guide you further.

#### **46. OFFICIAL CONDUCT**

The public is entitled to demand of a Local Government employee of any grade the highest standard of integrity, ability and commitment to the ethics of public service and the interest of all members of the community.

These standards must be upheld and be seen to be upheld. Public confidence would be shaken should the least suspicion, however ill founded, arise that the person could in any way be influenced by improper motives. An employee's off-duty hours are his/her personal concern, but he/she should not subordinate their duty to private interests, or put themselves in a position where their duty and the private interest conflict.

Employees will be expected, without fear of recrimination, to bring to the attention of the relevant level of management any deficiency in the provision of service. Employees should also report to the appropriate manager any impropriety or breach in procedures, which comes to their attention.

#### **47. CUSTOMER SERVICES STANDARDS**

All staff must comply with the Corporate Customer Services Standards and the guidance outlined within it. *The Corporate Standards set out that customers can expect a minimum standard of service from the Council and clear timeframes for responding to queries and staff must ensure these deadlines are met.*

Alongside the Corporate Standards and service improvement initiatives, some services have reviewed their commitments to the customer and developed individual service specific standards.

A copy of the Council's Customer Service Standards is available on the Intranet.

#### **48. LOCAL GOVERNMENT HOUSING ACT 1989 - POLITICAL RESTRICTIONS**

The Local Democracy, Economic Development and Construction Act 2009 made amendments to the Local Government and Housing Act 1989 in respect of identifying posts which are politically restricted by removing the duty to maintain a list of posts earning above a nominated salary. Instead a genuine political restriction is to be established by virtue of the duties that the post holder actually performs.

In summary, restricted political activity includes the following:

- Becoming a Councillor, an MP or a MEP
- Announcing candidature for election to a local authority, the House of Commons or the European Parliament
- Being an Officer of a political party
- Canvassing on behalf of a political party or on behalf of a person seeking election
- Acting as an election agent or sub-agent for an individual
- Speaking in public where there is an intention to affect public support for a political party
- To publish work which appears to be intended to affect public support for a political party

Specified posts which are restricted within Tendring District Council include the following:

- Chief Executive
- The Statutory Chief Officers (Section 151 LGA 1972)
- The Monitoring Officer
- Member Officers/Assistants
- Officers in 'sensitive' posts e.g. giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or speaking on behalf of the authority to journalists or broadcasters

#### **49. DISCLOSURE**

The Disclosure and Barring Service (DBS) was set up under the Police Act 1997 to administer Disclosure arrangements. These arrangements enable employers and other bodies to run criminal record checks on people seeking to work with children, vulnerable adults and certain other professional posts.

Tendring District Council is a registered user of the Disclosure and Barring Service. As part of our registration we have drawn up guidance on good practice in relation to the use of the Bureau and the recruitment and retention of staff with criminal records.

The Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, belief, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. We actively promote equality of opportunity for all and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, our recruitment information will

contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Further procedural guidance is available from Human Resources.

#### **50. PUBLIC STATEMENTS**

All officers employed by the Council are representatives of the authority to our customers and the community we serve. From time to time we may find ourselves being asked our opinion regarding a service, function or activity within the Council. Employees must not speak on behalf of the Council without first discussing the matter with the Communications Manager, based within Corporate Services.

This includes providing statements on behalf of the Council, and writing for the Media - including internet based social pages. At no time must an employee bring the Council's reputation into disrepute.

#### **51. MEDICAL AND DENTAL APPOINTMENTS**

The Council will view sympathetically time off for such appointments where it is not possible for them to be arranged outside working hours. You are asked to arrange appointments in such a way as to cause minimum disruption to normal working, e.g., at the beginning or end of a working day, lunchtime. The Council reserves the right to ask staff to make this time up. You should where possible, utilise the Flexible Working Hours Scheme for such appointments and arrange appointments outside of core time.

#### **52. OTHER PAID EMPLOYMENT**

*What you do during your off duty hours is your personal concern but you should not put yourself in a position where your duties and private interests conflict. You should not undertake outside work if your official duties overlap in a way which would cause a conflict of interest or if the outside work is likely to affect adversely the performance of your contract with the District Council. No outside work of any sort should be undertaken on District Council premises. Correspondence and incoming phone calls related to outside work are not permissible. You may not engage in any other business or take up any other additional employment without the express consent, in writing, of your Corporate Director or Head of Service or as specified in your letter of appointment.*

Any such employment must not, in the view of the Council, conflict with or react detrimentally to the Council's interests, or in any other way weaken public confidence or the performance of the Officer's duties. All employees of the Council are forbidden to submit tenders for Council work unless prior written approval has been sought and obtained.

#### **53. WORKING TIME REGULATIONS**

The Working Time Regulations limit the amount of working time and regulate the way working time is organised. Total hours of work should not exceed 48 hours a week over a 17 week period - this includes other paid employment

outside of the Council. In addition there are restrictions on the number of breaks that must be taken in any given time. Staff are expected to manage their working time responsibly, by not exceeding the 48 hour week and ensuring minimum rest breaks. The Council have fully entered into the spirit of this directive in all areas of its staffing.

Further procedural guidance is available from Human Resources.

**54. CHILD PROTECTION**

In your day to day duties, you may find that your role brings you into direct or indirect contact with children and young people. It is essential that children and young people have the right to access the Council's services safely. The Council will ensure its normal functions are discharged having regard to safeguarding and promoting the welfare of children and young people.

Further procedural guidance is available from Human Resources.

**55. VULNERABLE ADULTS**

In your day to day duties, you may find that your role brings you into direct or indirect contact with vulnerable adults. The Council has a responsibility to have guidance and procedures in place that will enable it to work effectively with other agencies in preventing the abuse of vulnerable adults or, where such abuse is suspected, for the effective reporting of incidents to the appropriate lead agency.

Further procedural guidance is available from Human Resources.

**56. FLEXIBLE WORKING**

In order to assist with the work life balance of our employees, all permanent employees have the right to request to work flexibly provided they meet certain criteria. An application can be made to an employee's Head of Department to undertake a flexible working arrangement, which will be considered properly and in accordance with the Council's set procedure.

Further procedural guidance is available from Human Resources.

**57. EMPLOYMENT EQUALITY (AGE)**

The Council is committed to equality of opportunity and ensuring that all employees, and potential employees, are given the right opportunities regardless of age. The Employment Equality (Age) regulations make it unlawful to discriminate against workers, employees, job seekers and trainees because of their age.

**58. IDENTITY CARDS/SWIPE CARDS**

All employees and Members will be issued with an identity card, which must be worn while on Council business unless your Corporate Director/Head of Department has agreed an exemption for reasons of safety. In some cases these cards will also act as swipe cards to enable you to gain access to Council offices (*in addition to access fob's*). These are available from Facilities Management, Operational Services. You must advise Facilities Management



immediately if your card is lost or stolen. If your card is lost out of working hours please contact Careline.

## **CAREER DEVELOPMENT**

### **59. PERFORMANCE MANAGEMENT**

Performance Management is a continuous personal performance and development system which:

- Ensures that members of staff have a clear understanding of their own goals and objectives and how these relate to team, department and corporate goals.
- Ensures agreement and updating of these personal objectives via written commitments in successive Personal Performance Plans.
- Provides the mechanism for assessing requirements for key personal skills, knowledge and abilities essential for achieving the objectives in the Personal Performance Plan and developing longer term potential.
- Ensures specific action to address gaps in key skills, knowledge and abilities via written commitments in successive Personal Development Plans.
- Ensuring continuous improvement and exploitation of new opportunities via regular, systematic joint review of these matters by respective managers/team leaders and staff on a one to one basis.

The fundamental aim is that everyone has a clear idea of what the Council is trying to achieve, the importance of the work of one's Service and team, where we each fit in, why our work is relevant and how we intend to achieve service excellence.

Further procedural guidance is available from Human Resources.

### **60. QUALIFICATION SPONSORSHIP**

Tendring District Council operates a training sponsorship scheme in order to support the development of employees to undertake their roles and provide the Council with increasing capability to achieve its objectives. The support available is generally limited to paid time off to attend classes and examinations and the payment of course fees. Books, printing, travel and subsistence along with hard work are the employee's contribution.

The scheme is discretionary in nature and any offer of support is conditional on the employee providing 2 years' service after successful completion or repayment of the Council's costs.

Further procedural guidance is available from Human Resources.

### **61. SECONDMENT POLICY**

In order to develop strong corporate teams as required, as well as responding independently to individual services circumstances a voluntary secondment arrangement is possible, subject to the agreement of all concerned. Secondments are normally for up to one year and the job evaluated grade of

the employee's current role and associated terms and conditions will remain unchanged.

Further procedural guidance is available from Human Resources.

**62. ACTING UP**

A policy is in place to offer, at Corporate Directors/Head of Department discretion, recompense to all officers undertaking additional duties above and beyond what is expected on an officers current grade.

Further procedural guidance is available from Human Resources.

23 OCTOBER 2019

### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE SERVICES)

#### A.3 **SAFEGUARDING POLICY AND PROCEDURES**

(Report prepared by Leanne Thornton & Anastasia Simpson)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To present the revised 'Safeguarding Policy and Procedures' to Members of the Human Resources Committee.

##### **EXECUTIVE SUMMARY**

There was a requirement to review and update the existing Safeguarding Policy, the policy was last reviewed November 2017. Since 2017 there have been significant changes across the Safeguarding agenda and the Safeguarding Policy and Procedures has been updated in line with the Southend, Essex & Thurrock (SET) Safeguarding Guidelines for both Children and Adults. Significant changes have been made to the Policy and the changes and additions to the Policy / Procedures are listed below:

In addition at the back of the policy there are procedures so staff know when there is an immediate Safeguarding risk and when the risk is not immediate and also a procedure for allegations against staff. Also included is a Safeguarding Reporting Form (New) so staff can download the form and send it through for triage if they have a concern but don't want to raise an incident to ECC direct without it being noted internally first.

Finally on the last page there is a flow chart for staff to understand how and who to report concerns to.

Section Updates:

1. Introduction
  - 1.1 Mission Statement
  - 1.2 Aims
2. Definitions
  - 2.1 Safeguarding
  - 2.2 Abuse (10 main types)
  - 2.4 Adult Safeguarding
  - 2.5 Significant Harm
3. Recognising Abuse
4. Other Related Areas
  - 4.1 Modern Slavery
  - 4.2 PREVENT
  - 4.3 Honour Based Abuse
  - 4.4 FGM
  - 4.5 Forced Marriage
  - 4.6 CSE
  - 4.7 Domestic Abuse
6. Service Roles

Updated generally to ensure all areas correct.

7. Designated roles

Updated generally to ensure all areas correct

8. Role of Staff and Members

Updated generally to ensure all areas correct

9. Contractors

13. Training

New section – Page 10 External documents – ensuring the new guidelines are listed there for reference purposes.

Page 14 – Making direct referrals – new SET SAF Form SET SAF1 and FORS Form - links to the forms.

Page 14 – New section other safeguarding procedures

Page 15 – Procedure A & B – Risk

Page 16 – Procedure C – Allegations

Page 17 – Safeguarding Reporting Form (New addition to the policy)

Page 18 – Quick Guide (New addition to the policy)

In reviewing and updating the Policy, the Council are able to demonstrate a commitment to how we think and act in relation to Safeguarding concerns and incidents in the workplace but also ensure that employees are supported when they raise a Safeguarding Concern. By adding in the new reporting form and quick guide all staff and Members should know how and when to raise a concern.

#### **RECOMMENDATION(S)**

It is recommended:

- (a) that the Human Resources and Council Tax Committee formally adopts the updated Safeguarding Policy and Procedures; and
- (b) that delegation is granted to the Head of People, Performance and Projects to amend the policy with any legislative or best practice updates.

## **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**

Safeguarding underpins the work of the whole Council as a statutory body.

#### **FINANCE, OTHER RESOURCES AND RISK**

There are no financial or other risks associated with the amended Safeguarding Policy and Procedures.

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Any costs associated with the ongoing training of staff will be met from existing budgets.

<b>LEGAL</b>
Equalities Act 2010
<b>OTHER IMPLICATIONS</b>
None.

## PART 3 – SUPPORTING INFORMATION

<b>BACKGROUND</b>
<p>The existing Policy was correct at the time, however there have been substantial changes across the Southend, Essex and Thurrock Safeguarding Children's and Adults Board - 2019.</p> <ul style="list-style-type: none"> <li>- New Multi Agency Safeguarding Arrangements 2019 – 2020 – Document October 2019</li> <li>- SOUTHEND, ESSEX &amp; THURROCK (SET) Safeguarding and Child Protection Procedures – Issued October 2019</li> <li>- Requirement to insert new sections into the existing policy ie:</li> </ul> <p>New section – Page 10 External documents – ensuring the new guidelines are listed there for reference purposes.</p> <p>Page 14 – Making direct referrals – new SET SAF Form SET SAF1 and FORS Form - links to the forms.</p> <p>Page 14 – New section other safeguarding procedures</p> <p>Page 15 – Procedure A &amp; B – Risk</p> <p>Page 16 – Procedure C – Allegations</p> <p>Page 17 – Safeguarding Reporting Form (New addition to the policy)</p> <p>Page 18 – Quick Guide (New addition to the policy)</p>
<b>BACKGROUND PAPERS FOR THE DECISION</b>
<ul style="list-style-type: none"> <li>▪ Multi Agency Safeguarding Arrangements 2019 – 2020 <a href="#">2019\essex-masa-plan-2019-20-updated-280619-v1b.pdf</a></li> <li>▪ SET Safeguarding Procedures <a href="#">2019\set-procedures-oct-2019.pdf</a></li> <li>▪ Summary of Changes – SET Guidelines <a href="#">2019\set-guidelines-summary-of-changes.pdf</a></li> </ul>
<b>APPENDICES</b>
<ul style="list-style-type: none"> <li>▪ Safeguarding Policy and Procedures – October 2019 <a href="#">Safeguarding Policy Final V1.docx</a></li> </ul>

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# Safeguarding Policy and Procedures

<b>Version</b>	2	<b>Status</b>	Draft
<b>Implementation Date</b>	October 2019	<b>Review Date</b>	1 <sup>st</sup> October 2020
<b>Author(s)</b>	Leanne Thornton	<b>Policy Lead Officer</b>	Paul Price



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## **1. Introduction**

*Everyone has the right to be safe when accessing services provided by Tendring District Council. The purpose of this policy is to help the Council meet its legal duties to safeguard and promote the welfare of children and to discharge its legal obligations towards adults with needs for care and support. It also sets out the roles and responsibilities of the Council in working together with other professionals and agencies to safeguard vulnerable groups from all forms of abuse and neglect.*

*As part of the Council's commitment to robust safeguarding, it has a Safeguarding Champions Group consisting of representatives from each Directorate. Each member of this group is responsible for ensuring that all colleagues across the Council are aware of the safeguarding policy and procedures.*

### **1.1 Mission Statement**

*"Tendring District Council is committed to safeguarding and promoting the welfare of all children, young people and adults with needs for care and support, as service users, residents and visitors to the area. The Council acknowledges the importance of working with partner agencies to ensure that children have safe, healthy and happy childhoods and that young people and adults with needs for care and support are given the support they need to enjoy good quality of life and well-being".*

*This Mission Statement is underpinned by the following:*

- valuing, listening to and respecting children, young people and adults with needs for care and support as well as promoting their welfare and protection;*
- provision of a current and comprehensive Safeguarding Policy and Procedures which are accessible and promoted to all staff;*
- strategic planning and decision-making which considers the impact on children, young people and adults with care and support needs.*

### **1.2 Aims**

*In order to meet its safeguarding duties and responsibilities, the Council will:*

- carry out checks via the Disclosure and Barring Service (DBS) and use its Recruitment and Induction Procedures to prevent unsuitable people from working with children, young people and vulnerable adults;*
- ensure all employees receive suitable training to understand the types of abuse and their roles and responsibilities with regard to the relevant Council policies and procedures;*
- conduct regular reviews of safeguarding practice throughout the organisation;*
- ensure that the welfare and needs of children and vulnerable groups are considered by all Members, employees, volunteers and contracted services when taking decisions in relation to service provision;*
- take seriously and respond appropriately and expediently to all concerns, incidents and allegations;*
- prevent abuse by promoting good practice amongst staff confidence in reporting any concerns;*
- work in partnership with other agencies in order to safeguard children, young people and adults with needs for care and support and share information where required and appropriate; and,*
- undertake a complete review of safeguarding policies and procedures annually and in line with any changes in legislation.*

### **1.3 Scope**

This Policy applies to all services within the remit of Tendring District Council. It covers all aspects of safeguarding for service users, their families, carers, supporters and local residents. It applies to all TDC employees, whether in a paid or unpaid capacity, permanent, seconded or temporary, casual workers, voluntary workers, work experience students, agency staff, consultants, outside hirers and other contracted persons whatever their position, role, or responsibilities. This also applies to work carried out in all settings (whether Council premises or at external, privately hired venues).

## **2. Definitions**

### **2.1 Safeguarding**

*This includes all forms of activity that aims to protect or promote the welfare of individuals and/or groups of people, which ensures prevention of harm, such as safe recruitment, staff training, awareness raising, provision of activities designed to promote inclusion, personalised risk management and risk assessments, confidential data storage, information sharing and referral.*

## 2.2 Abuse

The 10 main types of abuse are Physical; Domestic Abuse; Sexual; Psychological/Emotional; Financial or Material; Modern Slavery (including Human Trafficking and Child Sexual Exploitation); Discriminatory; Organisational/Institutional; Neglect or acts of omission; and Self-neglect (which includes Hoarding).

For more information on how to spot the signs and symptoms, see the Safeguarding page on Ping.

## 2.3 Children and Young People

The legal definition of a child according to the Children Act 1989 is 'a person under the age of 18', including pre-birth.

## 2.4 Adult Safeguarding

The Care Act 2014 has established a new statutory framework for care and support including adult safeguarding, which is designed to prevent harm and reduce the risk of abuse or neglect to adults with care and support needs.

The statutory framework introduced under the Care Act applies to any person aged 18 or above who:

- has needs for care and support (regardless of the level of need and whether or not the local authority is meeting any of those needs)
- is experiencing, or is at risk of abuse or neglect, **and**
- as a result of those needs, is unable to protect themselves against the abuse or neglect or the risk of it.

The government has established six guiding principles that should underpin all adult safeguarding work:

**Empowerment:** People being supported and encouraged to make their own decisions and informed consent.  
**Prevention:** It is better to take action before harm occurs.  
**Proportionality:** The least intrusive response appropriate to the risk presented.  
**Protection:** Support and representation to those in greatest need.  
**Partnership:** Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.  
**Accountability:** Accountability and transparency in delivering safeguarding.

The Care Act definition largely replaces the term 'Vulnerable Adults', but it is still used within this document.

## 2.5 Significant Harm

This is any physical, sexual or emotional abuse, neglect, accident or injury that is sufficiently serious to adversely affect health, development or quality of life. This includes any impairment suffered from seeing or hearing the ill treatment of another person.

## 3. Recognising Abuse

Everyone should be aware of the potential indicators of abuse and know what to do if they have concerns. It is however not the responsibility of the Council to investigate or determine whether abuse is taking place. **The Council's responsibility is to identify and report abuse.**

The Council therefore aims to ensure that every member of staff is equipped with the knowledge and confidence to identify and deal effectively with any safeguarding situation or concern that arises.

## 4. Other related areas

**4.1 Modern Slavery (including Human Trafficking):** This involves the recruitment, transportation, transfer, harbouring or receipt of people, who with the threat or use of force, coercion, abduction, abuse of power or deception, are exploited for the purposes of prostitution, forced labour, slavery or other similar practices. This can occur either from one country to another or even within the same country, county or town.

Some victims are forced to work in places like cannabis factories, nail bars, brothels and car washes. There is no typical victim and some victims don't understand that they have been exploited and are entitled to help and support.

**4.2 Prevent:** The government's national counter-terrorism strategy called CONTEST, aims to reduce the risk to the UK and overseas interests from international terrorism. Prevent is a key part of the CONTEST strategy, led by the Home Office and its aim is to stop people becoming terrorists or supporting terrorism by working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism.

Prevent happens before any criminal activity takes place. It is about recognising, supporting and protecting people who might be susceptible to radicalisation.

**4.3 Honour Based Abuse (HBA):** HBA refers to crimes committed against a person as punishment for breaking an 'honour code'. It is usually imposed by a family or community.

**4.4 Female Genital Mutilation (FGM):** This is a term used to describe procedures that include the partial or total removal of the external female genital organs, such as female circumcision, excision or infibulation. This collective term also covers injury to the female genitalia for a cultural or non-medical reason.

**4.5 Forced Marriage:** the act of physically, emotionally, psychologically or financially pressurising someone to marry against their will. Forced marriages can occur in this country or abroad and differ from an arranged marriage, which is entered into freely by both people, despite their families taking a leading role in the choice of partner.

**4.6 Child Sexual Exploitation:** CSE involves children and young people receiving something, for example this can include accommodation, drugs and affection, which are given to them as a result of them performing sexual activities, or having others perform sexual activities on them. It can also occur without physical contact when children are groomed to post sexual images of themselves on the Internet. Vulnerable groups are particularly at risk such as looked after children, children leaving care, children missing from school, home or care, and children with learning difficulties.

**4.7 Domestic Abuse:** The Government's definition of domestic abuse is 'Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over, who are, or have been, intimate partners or family members regardless of gender or sexuality.' Domestic abuse has a devastating effect on victims, their families and the wider community and cuts across all boundaries of social group, class, age, religion, sexuality, gender and lifestyle. Everyone has the right to be safe from abuse and fear.

## **5. Responsibilities of TDC**

The Council's Management Team recognise the important role they play in ensuring the safeguarding agenda is driven across the whole organisation. They understand the Council's responsibility to work in partnership and share information with other agencies. The Council's Director of Operational Services is the Lead Professional for Safeguarding and Safer Communities Manager is the Lead Officer for the Council and is responsible for the direction and management of safeguarding within the organisation. The Council's Portfolio Holder for Partnerships attends the Safeguarding Champions Group and is the Members Safeguarding Champion.

Safeguarding is referred to in senior management meetings and information is disseminated through service teams and included within service strategies and business plans.

## **6. Service Roles**

There are a range of functions carried out by TDC, which have a positive outcome on the wellbeing of children, young people and adults with needs for care and support, and staff in these service areas are in a position to identify safeguarding issues, which have a direct impact on vulnerable people. For example:

**6.1 Housing Services –** The Council directly supports the health and life chances of children, young people and adults by improving standards of housing; preventing and responding to homelessness and by working closely with other local services and agencies. Other work includes allocation of housing to those in most need and proactive support to people with disabilities to enable them to get the necessary adaptations to help them participate fully in everyday life. Housing staff also work with MAPPA (Multi-Agency Protection Panel Arrangements) and MARAC (Multi-Agency Risk Assessment Case Conference) to ensure vulnerable people are safeguarded within the district.

**6.2 Community Safety –** As well as undertaking core work to reduce crime and fear of crime, the Safer Communities Team plays a key role in ensuring the safety of local children, young people and adults. The Safer Communities Manager / Local Authority Designated Officer (LADO) manages the Safer Communities Team and is responsible for receiving all safeguarding concerns from across the authority, triaging them and taking appropriate action. The team also provides a signposting service to vulnerable people to enable them to access local support.

**6.3 Planning Services** – This service can impact upon the wellbeing of children, young people and adults with care and support needs, through the design of new housing developments. The provision of play facilities and 'green space' ensures that families have facilities to enhance wellbeing and good design helps to ensure that people are safer in their communities.

**6.4 Environmental Services** – Services provided by the Council's Environmental Team include the monitoring of noise complaints, food hygiene and nutrition, but officers also inspect conditions in Council-owned, private rented accommodation and local businesses.

**6.5 Licensing** - The team plays a key role as a licensing authority, as one of the four of the Licensing Act objectives in 'protection of children from harm' and CSE

**6.6 Financial Services / Benefits and Revenues** – With responsibility for administration of Benefit payments and Council Tax, the Council's Financial Team helps to ensure that children, young people and adults with needs for care and support are protected from the effects of poverty and that family income is maximised.

**6.7 People, Performance and Projects** – This department implements the Council's Recruitment Policy and Induction Procedures, so that all relevant employees are subject to the appropriate checks prior to appointment. The Learning and Development Manager and the Safer Communities Manager will monitor the level and type of safeguarding training required by staff and maintains records of training received and timeframes for refresher training.

## **7. Designated Roles in Tendring District Council**

**7.1 Elected Member Champion** - The Portfolio Holder for Partnerships holds the position of Member Champion for Safeguarding and is responsible for attending the Safeguarding Champions Group and promoting the importance of safeguarding amongst all Members.

**7.2 Safeguarding Lead Professional** – This position is held by the Director of Operational Services and has overall accountability for safeguarding children, young people and adults with support needs.

**7.3 Safeguarding Lead Officer** – The Safeguarding Lead Officer is the Safer Communities Manager, who is responsible for advising the Lead Professional in regard to concerns, referrals and safeguarding allegations against staff. They also have overall responsibility for ensuring that staff are aware of the Council's commitment to safeguarding, are appropriately trained, understand their responsibilities and have a range of safeguarding experience.

**7.4 Head of People, Performance and Projects** – This postholder is responsible for ensuring that the Council has up to date Safeguarding policies, procedures, training and that any allegations regarding professionals in the workplace are investigated appropriately.

### **7.4 Safeguarding Champions –**

**7.5 Designated Safeguarding Reporting Officers** – Those staff members attending the Safeguarding Champions Group are known as the Designated Reporting Officers. They are responsible for disseminating safeguarding information, identifying training requirements of staff and providing best practice examples within their service areas.

### **7.6 Named Senior Officer (whistleblowing – allegations against staff)**

The Head of People, Performance and Projects, is the first point of call for staff reporting safeguarding allegations against employees and refers to the Lead Professional and Lead Officer on this.

### **7.7 Safeguarding Officers**

The LADO is responsible for the operational management and implementation of the Council's Safeguarding Strategy, Policy and Procedures. They co-ordinate, promote and deliver safeguarding training. They ensure concerns are referred to the appropriate agencies and that they are recorded, monitored and reviewed.

## **8. The role of Council Staff and Members**

### **8.1 Service Directors**

*Service Directors are responsible for ensuring that, Managers, Supervisors, Team Leaders and staff within their Directorate are aware of the contents of this Policy and the accompanying Procedures, and that the Council's duties to safeguard and promote the welfare of children, young people and adults with needs for care and support are met and effectively discharged.*

### **8.2 Managers and Supervisors / Team Leaders**

*Managers and Supervisors / Team Leaders are responsible for complying with the requirements of this Policy and accompanying Procedures and for the promotion of a staff culture which recognises the rights of children, young people and adults with needs for care and support and the Council's responsibility for their safety when receiving its services.*

### **8.3 The People, Performance and Projects Team**

*The People, Performance and Projects Team is responsible for ensuring that safe recruitment procedures are followed and that appropriate checks are made. This includes Disclosure and Barring Service Checks prior to any employee that will have unsupervised/substantial contact with children and young people, or who will undertake certain prescribed activities with adults with care and support needs, before starting work with the Council. The Head of People Performance and Projects has lead responsibility for dealing with allegations against members of staff.*

### **8.4 Employees**

All employees, volunteers and agency staff are responsible for complying with the requirements of this Policy and Procedures. Staff should take all reasonable steps to ensure (within the context of their duties) that risks are minimised and that children, young and vulnerable people are protected and their welfare promoted when using Council services.

To effectively implement this policy, **all** employees have a responsibility to:

- be aware of, and abide by this Policy and accompanying Procedures
- undertake safeguarding training at the level identified in respect of their work
- ensure that they work in such a way that they do not place vulnerable people in a position of risk
- report any incidents of safeguarding concern to their line manager immediately
- co-operate with any risk assessment process undertaken by their manager or designated person
- ensure that they behave appropriately towards any children, young person or adult with needs for care and support who they come into contact with whilst carrying out their duties
- seek advice (as per the procedures) in respect of any safeguarding concerns or the welfare of children, young people and adults with care and support needs.

Employees who come into contact with children, young people or adults with needs for care and support, whilst working away from their office base, or whilst lone working, must act in an appropriate manner and not put themselves at risk from allegations of inappropriate behaviour.

### **8.5 Elected Members**

*The Council is committed to ensuring that its Elected Members are appropriately trained and aware of their safeguarding responsibilities and those of the authority. This includes awareness of the Council's safeguarding duties under Section 11 of the Children Act 2004 and The Care Act 2014.*

## **9. Contractors**

*All reasonable steps are taken to ensure that contractors working for the Council are monitored appropriately. All contractors and sub-contractors working with, or providing services for the Council are required to demonstrate they have their own Safeguarding Policy and Procedures or agree to sign up to the TDC Safeguarding Policy and Procedures, to ensure they meet the Council's safeguarding requirements. Where contact with children and adults with needs for care and support is a necessary part of the contracted service, it is the responsibility of the manager who is using the services of the contractor, to ensure that satisfactory DBS checks have been completed where appropriate and that contracted staff are vigilant in respect of safeguarding issues.*

## 10. Grant Applicants

As a minimum, all organisations receiving funding from the Council will be expected to have a safeguarding policy and procedure in place, which is understood by employees and volunteers and available to service users, irrespective of how the grant has been awarded.

## 11. Safe Recruitment

It is a criminal offence for an employer not to undertake the appropriate checks on an employee working with children, young people and adults with care and support needs, or to knowingly give a job to someone who is inappropriate to work with these groups. The Council takes all reasonable steps to ensure that unsuitable people are prevented from working with vulnerable groups, regardless of their position.

All job descriptions are assessed to identify which roles are likely to involve regular/substantial unsupervised contact with children and adults with care and support needs. For all new employees, confirmation of employment will be dependent on satisfactory checks where appropriate.

Disclosure and Barring Service (DBS) Enhanced Plus checks are sought where staff will have unsupervised and substantial contact with children and young people or who will undertake certain prescribed activities with adults with needs for care and support as part of their duties or responsibilities.

## 12. Supervision

*The Council is responsible for ensuring that its staff are competent to carry out their responsibilities for safeguarding and for creating an environment where they feel able to raise concerns and feel supported in their safeguarding role. This is reinforced through 'supervision', which can be part of staff 1:1 meetings or as a group and all staff are entitled to access this support.*

*These meetings might be planned or ad hoc and could involve monitoring work in hand, reviewing progress against work plans, developing solutions or simply discussing problems and concerns.*

## 13. Training

*The level to which individual employees should be trained in safeguarding is determined in accordance with Essex Safeguarding Children and Adults Boards guidelines. All staff will undertake the Council's basic e-learning training and staff who work directly with children or vulnerable groups will undertake bespoke Level 2 Safeguarding Training, which reinforces the basic learning and will enable them to be equipped with the knowledge and confidence to identify and report any incidents of abuse to the Safeguarding Team.*

*All Managers also need to undertake training, to ensure that they have a sound working knowledge of relevant legislation, fully understand their duty of care and responsibilities and can be advocates of best practice in safeguarding.*

## Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns about behaviour of others in the work place made in good faith without fear of repercussion.

The Council's Whistleblowing Policy covers any staff concerns about colleagues in regard to safeguarding children, young people and adults with care and support needs and staff need to feel confident in reporting these. The Policy provides guidance and assurance regarding the process to be followed in respect of raising concerns. It also provides details of alternative ways to report concerns confidentially outside of the Council.

## Safeguarding Reporting Procedures

The SET (Southend, Essex and Thurrock) Safeguarding Guidelines outline the basic safeguarding procedures, which should be followed by all local authorities in Essex. The Council has however developed its own simplified safeguarding procedures and requires all staff and Members to follow these.

There may also be occasions when agencies in another county have to be contacted to report a safeguarding concern, for example, if an incident occurs at an TDC activity but the child or adult lives in a neighbouring district or county. Emergency contact information for these teams is given at the end of the Procedures.

## **External Agencies**

**Essex County Council:** Essex County Council is the Children's Services Authority and provider of Adult Social Care for Essex. It has a duty to conduct enquiries where it's suspected that a child who lives in, or is found in a local authority area, is suffering from, or likely to suffer significant harm in the form of physical, sexual, emotional abuse or neglect.

Under the Care Act, there is now a duty to conduct enquiries regarding adults. TDC has a duty to assist and provide information in support of these enquiries.

### **The role of the Essex Safeguarding Boards**

**Essex Safeguarding Children's Board (ESCB)** is a statutory multi-agency organisation, which brings together agencies who work to safeguard and promote the welfare of children and young people. The objective of this Board is to coordinate and oversee the work of local partners and agencies in regard to safeguarding and to advise and direct improved safeguarding practice.

**Essex Safeguarding Adults Board (ESAB).** The Care Act 2014 placed the Adult's Board on a statutory footing. The Board oversees and leads adult safeguarding across the locality and is interested in a range of matters that contribute to the prevention of abuse and neglect. The Board must publish a strategic plan and annual report, setting out how it will meet its main objective and what the members will do to achieve these objectives. It must also conduct any Safeguarding Adult Reviews in accordance with the Care Act.

### **North Essex Stay Safe Group**

North Essex Stay Safe Group consists of representatives including NHS, Essex Social Care, Police, Probation, Education, Voluntary Sector and District Councils. This group is responsible for delivering an action plan to improve safeguarding practice in North Essex and for considering actions to address emerging issues.

## Monitoring and Review

This Policy and Procedure will be reviewed annually unless legislation or processes change in the interim.

Monitoring mechanisms include:

- Audits and engagement with Essex Safeguarding Boards and sub groups.
- Recording of staff training at different levels.
- Reporting to the Council's Senior Management Team.
- Participation in Serious Case Reviews/Domestic Homicide Reviews and safeguarding reviews.

## Other relevant TDC documents

Other TDC policies and procedures that may be read in conjunction with, or be linked to this policy are:

- Honour Based Abuse Policy and Procedures
- Whistleblowing Policy (Confidential Reporting)
- Recruitment Policy and Procedures
- *Domestic Violence in the Workplace – Policy and Manager's Toolkit*
- *Prevent Policy*

Staff should monitor internal Council bulletins and intranet pages for new and updated versions of relevant safeguarding policies.

## External documents

*This policy is intended to support staff working within TDC and is supplementary to the:*

- *Southend, Essex & Thurrock (SET) - Child Protection Procedures.*
- *Southend, Essex & Thurrock (SET) - Safeguarding Adult Guidelines.*
- *ECSB – Multi-Agency Safeguarding Arrangements 2019 - 20*

*Staff should also see the Council's intranet in the 'Safeguarding' section for more in-depth information on various aspects of safeguarding.*



## Safeguarding Reporting Procedures

### Who is responsible for making a referral?

Safeguarding is everyone's responsibility and anyone can raise a safeguarding concern. If a member of staff sees something that worries them, they have a responsibility to report it. Staff are not however, responsible for deciding whether or not someone is being abused, or for carrying out investigations.

All safeguarding concerns should be sent to the LADO in the first instance, although, out of hours, staff will need to make their own referrals as directed in the procedures.

### Confidentiality and Consent

Employees must not discuss any allegations of abuse, substantiated or not, with:

- anyone from TDC other than their line manager and other designated members of staff as outlined in the relevant safeguarding procedure;
- any member of an external agency (excluding Essex Social Care and Essex Police), other than as part of a formal investigation; or with,
- any other interested party, including parents, carers and relatives of the child, young person or adult without the express permission of the person with overall responsibility for the investigation.

Staff must consider whether seeking **consent** from a victim might increase the risk to them, cause an unjustified delay or if it could prejudice the prevention, detection or prosecution of a serious crime.

Consent is not required where:

- other people or children could be at risk from the person causing harm
- it is necessary to prevent crime, or if a serious crime may have been committed
- there is a high risk to the health and safety of the adult at risk
- the person lacks capacity to consent\*
- where the alleged perpetrator may go on to abuse others
- there is a statutory requirement
- the public interest overrides the interest of the individual
- when a staff member is the person accused of abuse, malpractice or poor professional standards.

### \*Mental capacity

The Mental Capacity Act (MCA) 2005 requires an assumption that an adult has full capacity to make decisions unless it can be shown that they lack capacity to make a decision for themselves, at the time the decision needs to be made. Any decision made, or action taken, on behalf of someone who lacks the capacity to make the decision or act for themselves, must be made in their best interests.

Issues of mental capacity and the ability to give informed consent are central to decisions and actions surrounding safeguarding adults. All interventions need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes their ability:

- to understand the implications of their situation.
- to take action themselves to prevent abuse.
- to participate to the fullest extent possible in decision-making about interventions.

### Data Protection

All copies of the Safeguarding Report Form are retained on the Council's secure database, in accordance with data protection and as per the Retention of Records Policy. All copies of Referral Forms sent to Essex Social Care are retained by the Safeguarding Team, in a secure location to ensure confidentiality.

## **Information Sharing**

Information sharing is a vital part of early intervention and preventative work, to promote welfare, for wider public protection and in improving outcomes for all. However, people want to be confident that their personal information is kept safe and secure, and that staff maintain their privacy.

Decisions about what information is shared and with whom will therefore be taken on a case-by-case basis. Information should be:

- necessary for the purpose for which it is being shared.
- shared only with those who have a need for it.
- be up to date and shared in a timely fashion.
- be shared accurately and securely.

In all cases where information is shared, the following information should be recorded:

- date and time.
- an accurate summary of information shared.
- who the information was shared with.
- whether it was shared with or without consent (if without consent, whether the child or family or employee were informed).
- how the information was shared and any receipt of it having been received.

## **Evidence-gathering and preserving**

The Police are always responsible for the gathering and preservation of evidence to pursue criminal allegations against people causing harm. Staff should contact them immediately if they feel a crime has taken place. However, the first concern must be to ensure the safety and wellbeing of the alleged victim.

Staff can play an important part in ensuring that evidence is not contaminated or lost.

Staff should:

- try not to disturb the scene, clothing or victim if at all possible.
- try to discourage the vulnerable person from washing, showering or bathing, or from washing their clothes if the allegation or disclosure concerns a possible rape or sexual assault.
- secure the scene (e.g. lock the door if possible).
- ensure nothing is removed from the scene and it is left exactly as it was found.
- contact the Police and ask for advice if in doubt.

General email to send safeguarding concerns or enquiries [safeguarding@tendringdc.gov.uk](mailto:safeguarding@tendringdc.gov.uk)

## **Allegations against Staff or Members**

The Council takes seriously any complaints made about the conduct of staff and volunteers in respect of their contact with children, young people, families and adults with care and support needs. This includes any person who works with children or adults in a voluntary activity or in a personal capacity:

All allegations received by the Council will be investigated fully, and, where applicable, action will be taken against the member of staff via the disciplinary procedure. If deemed necessary, the member of staff will be re-deployed or suspended whilst the investigation takes place. The decision to suspend lies with the appropriate Director in consultation with the Head of People, Performance and Projects, or in their absence, the Chief Executive or another member of the Management Board.

In the event of a serious allegation against a member of staff regarding children, the Council will follow the procedures set out in the Southend, Essex and Thurrock (SET) Procedures and may involve the Local Authority Designated Officer (LADO) employed by Essex County Council.

Safeguarding allegations against Elected Members will however be treated the same way as an allegation against a member of public. This will involve a referral to Essex Police, who will conduct a full investigation into any allegation made.

## **Completing Safeguarding Report Forms**

The TDC Safeguarding Report Form is to be used for **all** concerns regarding children, young people and adults with needs for care and support. As a result, not all fields will be relevant, **but all relevant fields must be completed**. The officer completing the form is responsible for its content and for its delivery to the Safeguarding Team within the timescales given.

The TDC Form is available on the intranet under the 'Safeguarding' section and should be downloaded **each time** it is needed. Forms must be completed electronically and emailed to the address given. Any employee not having access to the intranet must contact their line manager to complete the form on their behalf. On receipt of the form a member of the Safeguarding Team will start the assessment process.

As the Safeguarding Team may need to cut and paste information from the Safeguarding Report Form onto external forms, it should be completed as accurately and carefully as possible. Staff should also reduce the amount of additional documents that are attached e.g. amalgamate and/or edit information rather than sending lots of emails to provide background information.

The Safeguarding Report Form will also act as an accurate record for staff to keep in their own confidential and 'locked down' files. Staff must remember that their reports may be used as evidence in a court of law or at a case review or inspection.

## **Making direct referrals**

If staff have to make their own external referral (if it is out of office hours); they must send copies of this and any other accompanying material to the Safeguarding Team the next working day.

External safeguarding forms for Essex Social Care can be found on the relevant Essex Safeguarding Board Website: complete a SET SAF 1 for adults which can be found at **[www.essexsab.org.uk](http://www.essexsab.org.uk)** or a FORS Form for children, found at **[www.esccb.co.uk](http://www.esccb.co.uk)**.

## **Housing Services safeguarding procedures**

In addition to the safeguarding procedures, the Council's Housing Service may need to make a referral to Essex Social Care in relation to homeless 16-17 year olds and intentionally homeless households with children. This contact is made for an assessment of whether they are a child in need to whom a duty is owed by Essex Social Care under terms of the Children Act 1989.

## **Other safeguarding procedures**

It may be necessary to contact specialist agencies regarding some forms of abuse. There may also be extra forms to complete. Staff should always refer concerns to the Safeguarding Team, but if this is not possible, staff should follow the following procedures (sending information to the Safeguarding Team as soon as possible).

**If you believe someone is in immediate danger or risk, call Essex Police on**

**999.**

If it's not an emergency, call the Police on 101.

**Modern Slavery** (including Human Trafficking)

For advice staff should ring the **Modern Day Slavery Helpline** on **0800 0121 700**; or the **Salvation Army Helpline** on **0300 3038 151** (24 hours a day, seven days a week).

**PREVENT** (radicalisation)

The Safeguarding Team follow the usual SET Procedures *and* send a copy of the relevant form(s) to the specialist Police team via their email address: **Prevent@essex.pnn.police.uk**

**Domestic Abuse**

Staff can report domestic abuse directly to Essex Police via their Domestic Abuse Central Referral Unit (CRU) by calling 101 extension 180340; or by calling the dedicated abuse non-emergency number 0800 358 0351.

For up-to-date information, staff should look at the Essex Police Website at **[www.essex.police.uk](http://www.essex.police.uk)**

If children or adults with needs for care and support are involved, staff should also contact Essex Social Care - see the 'Making direct referrals' section above.

## Procedure A: Immediate Risk

For incidents where staff believe that a child, young person or adult with care or support needs is in **immediate danger of physical or psychological harm** and that the situation calls for **immediate action or intervention**. (Staff may have witnessed the incident themselves, had a vulnerable person disclosure directly to them or they are given information from a third party).

In these situations, staff should:

1. **CALL 999** and report what they've seen or heard to the relevant emergency service.

If staff are able, they should ensure that they have all relevant details to hand before contacting the emergency services e.g. any relevant addresses, telephone numbers etc.

Record all details immediately in order to give as much information as possible to the emergency services and/or investigating agency. (These details will also form the basis of the Safeguarding Report Form which will have to be completed after the incident).

2. Stay until the Police and/or the ambulance crew arrive if they've witnessed an incident themselves.
3. Ask any other witnesses if they can stay and provide support to the victim if possible, but only if it's safe to do so without compromising the situation.
4. Talk to the victim and record whatever is said in writing as soon as possible, but only if the perpetrator is not at the scene.
5. Inform their Line Manager as soon as possible after the situation has been resolved and submit the Safeguarding Report Form to the Safeguarding Team **within one working day** of the incident occurring.

**Staff should be as accurate as possible when recording information as it could be used in court.**

## Procedure B: No Immediate Risk

Where staff have their own concerns about a vulnerable person or if a third party has told a member of staff about their concerns. Also if a child, young person or adult with needs for care and support has disclosed something directly to the member of staff, which may be considered a safeguarding concern, or may involve a crime.

These concerns are of a **serious nature**, which staff believe **could lead to harm**, but where the victim is **not in any immediate danger** of harm and **immediate action is not required**.

Staff should:

1. Record what is said as accurately as possible.
2. Reassure the vulnerable person and explain that information will be passed on – that staff are unable to keep the information a secret and that they will be seeking help for them.
3. Report it to the Safeguarding Team via the Safeguarding Report Form within **one working day** of the concern being raised/established.

If staff are unsure whether their concern is a safeguarding issue, they should ring the LADO to discuss.

## **Procedure C: Allegations against staff**

This procedure also covers allegations made against anyone acting on behalf of TDC including volunteers or Elected Members.

Staff should:

1. Try to get a witness to their conversation with the person reporting the allegation if it is made in person.
2. Take accurate notes of the allegation and not ask leading questions. Staff should transfer this information in as much detail as possible to a Safeguarding Report Form as soon as they can. **DO NOT SEND THIS FORM TO THE SAFEGUARDING TEAM.**
3. Immediately contact
  - **People Team: Anastasia Simpson; or Carol Magnus in her absence**
  - **Safeguarding Lead Officer, Paul Price on ext. 6430;**
4. If the allegation is made in writing, follow the above procedure from no. 3.

It will be up to the Named Senior Officer (or the Deputy/Safeguarding Lead in her absence) to determine whether the Safeguarding Report Form is forwarded to the Safeguarding Team.

Suspension of the staff member is not automatic and is considered a neutral act. Where suspension is not appropriate, consideration will be given to putting safeguards in place to protect the vulnerable person.

# Safeguarding Report Form – Confidential



Please **TYPE** all information on this form. **DO NOT SCAN**

Referrer's Details	
Your Name:	Job Title:
Your Department:	Your phone number(s):
Your Line Manager's Name and Job Title:	
Date form completed:	

Who are you concerned about? (add boxes if needed)					
First Name	Surname	Date of Birth/Age/ Estimated Due Date	Gender	Ethnicity	Adult or child?

Address:	Post Code:
Contact Tel. Nos(s):	Tenancy type: (eg. Council; owner; private rent; housing association):
Email address (if available):	

Others to be included eg. Perpetrator / Parents / Carers / other relevant household members (add boxes if needed)						
Name	Date of Birth/Age	Relationship to person(s) at risk	Gender	Ethnicity	Address	Contact Tel. No(s)/email:

Any medical conditions, disabilities, mental health concerns or substance misuse issues?:	Other information e.g. need interpreter?;
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Consent	
Does the adult at risk or parent/guardian know you're raising a concern?	Do they consent to a referral being made?

What is the Safeguarding Concern?	
Date/time of incident/concern:	Any other agencies involved? eg. Police / RSL ?:
Describe your concern here:	
Have you taken any action?:	

Please send this form to: **safeguarding@tendringdc.gov.uk** (NOT to individuals)



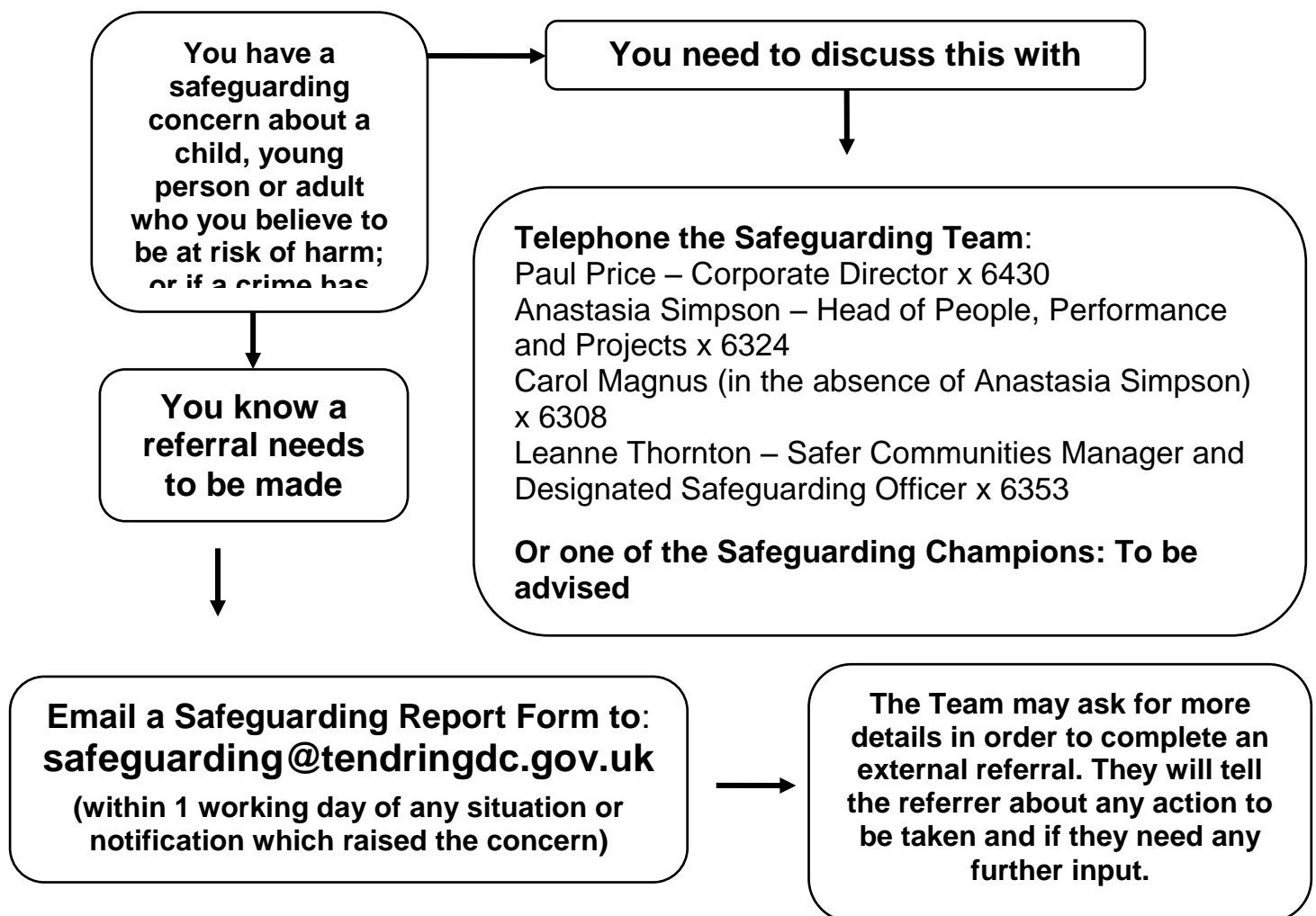


# TDC Staff Guide to Reporting Safeguarding Concerns

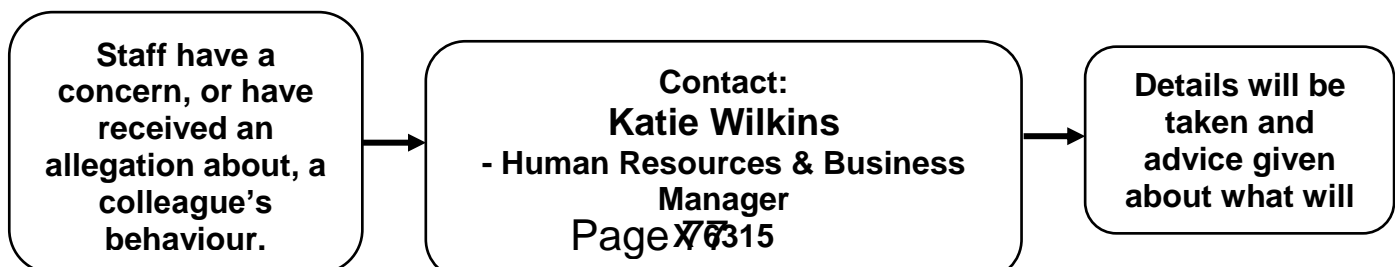
## Procedure A: Immediate Risk



## Procedure B: No Immediate Risk



## Procedure C: Allegations against Staff



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## HUMAN RESOURCES COMMITTEE

23 OCTOBER 2019

### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE SERVICES)

#### A.4 STAFF STATISTICS REPORT

(Report prepared by Katie Wilkins)

#### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To provide Members of the Human Resources Committee with an update on current staffing statistics.
<b>EXECUTIVE SUMMARY</b>
<p>The analysis of workforce data provides Members with statistics relating to the staff employed within the Council, and how this compares to the Tendring district and national averages. This is a standard report that is provided to the HR Committee as part of each meeting.</p> <p>Tendring District Council currently has 479 FTE (full time equivalent) employees. The FTE figure equates to 762 employees in total (including Casual Staff and Career Track Learners) this is made up of 363 full time and 399 part time staff.</p>
<b>RECOMMENDATION(S)</b>
It is recommended that the content of this report be noted.

#### PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>
Current staffing statistics demonstrate that Tendring employs above the local average for both disability and ethnicity. Flexible working opportunities have also ensured that the gender balance of the workforce is in line with the district trend. Such positive profiles demonstrate our intention to ' <i>recognise the diversity and equality of individuals</i> ' as detailed in our ' <i>Values</i> ' within the Corporate Plan.
<b>FINANCE, OTHER RESOURCES AND RISK</b>
There are no direct financial implications.
<b>LEGAL</b>
It is good practice for the Council to regularly monitor its workforce, and ensure compliance with the Equalities Act 2010.
<b>OTHER IMPLICATIONS</b>
None.

#### PART 3 – SUPPORTING INFORMATION

<b>BACKGROUND</b>
Human Resources works with a software package called Teamspirit. This database allows us to capture the Council's employee's personal data, to enable regular monitoring of the workforce profile. As

Teamspirit is also used by the Council's Payroll Services, the information is integrated between both employment and payroll functions. The database monitors the workforce as a whole, capturing data on all 'employees' which includes Career Track Learners and those staff on Casual employment contracts.

### **Workforce Statistics**

The Council's workforce of 762 staff (*of which, 505 are fully contracted staff, 19 are Career Track Learners in full time employment, and 238 staff are employed on a casual basis*), has a high number of Tendring residents, with 93% of staff living in the District. This demonstrates that the Council is seen as a positive employer among local residents. Staff, who work within the community that they live, will also have a personal interest in the services provided by the Council.

Of those employed, 418 are female (55%) and 344 are male (45%), this indicates that the Council's employment practices are supportive of families and work life balance. The latest data published in the Nomis Official Labour Market Statistics 2018/19 report states that 82% of the male population and 71.1 % of the female population in Tendring are 'in employment'. Of the total 762 staff Tendring currently employs, the gender balance of the 363 members of full time staff is; 177 males (49%) and 186 females (51%) and 167 males (42%) and 232 females (58%) for the remaining 399 part time staff.

Under new legislation that came into effect in April 2017, UK employers with over 250 employees are required to publish their gender pay gap. The gender pay gap is a mathematical indicator of the gender balance within an organisation. It measures the difference between the average earnings of all male and female employees, irrespective of their role or seniority.

The Council's gender pay gap figures have been calculated in line with the regulations set out in the gender pay gap reporting legislation. We are pleased to report that our gender pay gap remains significantly lower than the reported UK average of 17.9%. The 2018/19 figures demonstrate that the male mean\* hourly rate is 2.45% higher than the female mean hourly rate (£0.30) and the female median\* hourly rate is 8.9% (£0.87) higher than the male median hourly rate.

*\*The mean or average is determined by adding all the data points in a population and then dividing the total by the number of points.*

*\*The median is determined by arranging all of the observations in order, from smallest to largest value, and the median is the middle value.*

The analysis of our gender pay gap figures tells us the following:-

- The ratio of male to female employees within each reporting quartile (of which there are four) is representative of the overall male to female ratio for the organisation.
- There is no material disparity at each pay level within the organisation.

### **Age Profile**

As we are measuring a complete workforce, we are able to see a wider spectrum of ages across the organisation, with the employee age range being from 18 to 81. The highest ratio of staff is falling within the 51 to 60 age bracket and the next highest age range being 21 to 30 years. However, this is closely followed by the age range 41 to 50 years. This indicates that the Council is retaining staff at all ages.

### **Disability Profile**

Of the 505 fully contracted staff (*excluding apprentices*), 21 have self-declared that they have a disability.

The Council is one of the only organisations in the Tendring district to be awarded \*Disability Confident Leader Status, (*awarded to the authority in 2017*). This requires an employer to be Disability Confident as

recognised by their peers, local community and disabled people. As a 'Disability Confident Leader' Tendring has made a commitment to support other employers in the district to become 'Disability Confident'.

*\*Disability Confident encompasses a number of voluntary commitments to encourage employers to recruit, retain and develop disabled staff, such as offering work experience opportunities and implementing a flexible recruitment process. This replaced the Two Ticks Disability accreditation, which the Council was awarded since 1998.*

### **Ethnicity Profile**

Of those staff who have declared their ethnicity, 6 declared they were of an ethnic origin other than 'White British'. The 2011 Census statistics show that in Tendring 2.4% of residents declared themselves as being from a minority ethnic group. Therefore, the Council fairly represents the community with the diversity within its workforce.

### **Sickness Absence**

The reported absence figure for the Council in 2018/19 was 10.55 days. long term absence was reported at 8.42 days and short term absence 2.13 days, which shows the rate to be just above the reported national level in local government (*Xpert HR's sickness absence rates and costs survey 2018, details an average number of days' absence per employee, per annum, for local government of 9.7 days*).

The reported quarter 1 absence figure of 10.06 demonstrates a downward trend in staff absence. This figure is broken down into 7.86 days long term and 2.20 days short term absence.

The Chartered Institute of Personnel and Development (CIPD) recommend that organisations adopt the following approach when effectively managing absence:-

- Identify and tackle the root causes of ill health;
- Build a more robust framework to promote good mental health;
- Strengthen the capability of line managers;
- Ensure a holistic approach; physical, mental, emotional, lifestyle and financial.

Sickness absence continues to be actively managed; the majority of the Council's 4th Tier Managers have undertaken both 'Absence Management' and 'Managing Mental Health' training. The Council also supports its employees' general health and well-being, including: offering a fully funded Employee Assistance Programme (*which offers a holistic approach as identified above*) greater flexible working options, corporate gym membership and access to an Occupational Health Specialist.

The authority is also committed to promoting the positive mental well-being of its employees and to supporting any employees who may experience mental ill-health. The organisation has worked hard to create a framework to achieve this, including working in partnership with a number of 3<sup>rd</sup> parties (*bulleted below*) to provide staff with a range of resources, training a number of Mental Health First Aider's and Livewell Champions amongst the workforce, educating our line managers to feel confident and competent to have conversations with staff and signpost to specialist sources of support (if necessary), and raising awareness amongst the general workforce. This work has been underpinned by the recent signing of the Time to Change Pledge, the scheme recognises those employers who are committed to changing the way we think and act about mental health in the workplace.

- Provide (*a 'Community Interest Company' with a focus on health*);
- Health in Mind (*provides access to a wide range of talking therapy treatments for adults with*

*common mental health problems in and around Colchester and Tendring);*

- Anglia Community Enterprise (ACE) (*NHS Community Health Services, such as health checks, My Weight Matters*);
- Remploy (*funded by the Department for Work and Pensions, available to any employee with a mental health issue which may be affecting their work*);
- Lloyds Pharmacy (Flu Vaccination Clinic)
- Regional Employers (*seeking best practice for managing absence*).

## **BACKGROUND PAPERS FOR THE DECISION**

Profile of Tendring May 2016

Teamspirit report

Nomis Official Labour Market Statistics Report 2018/19

Xpert HR's sickness absence rates and costs survey 2018

CIPD Well-being at Work Report 2018

## **APPENDICES**

### **Appendix A – Staffing Data**

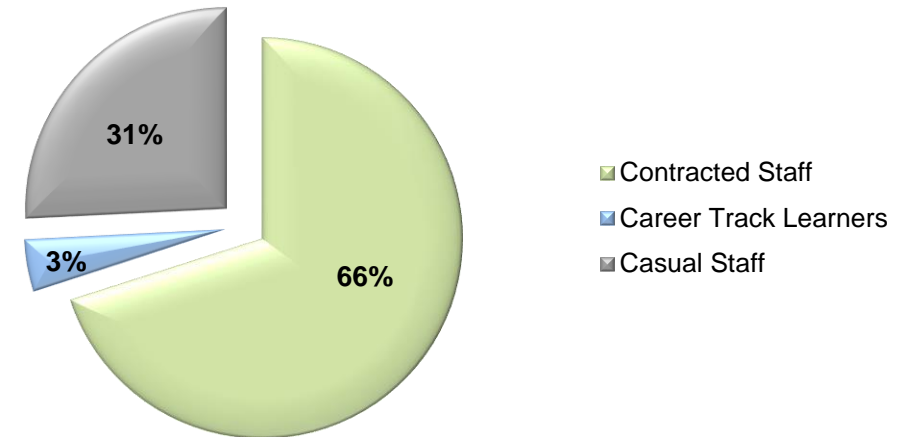
### Number of Employees (including Career Track Learners)

<b>Total workforce</b>	762	
<b>Female</b>	418	<b>55%</b>
<b>Male</b>	344	<b>45%</b>

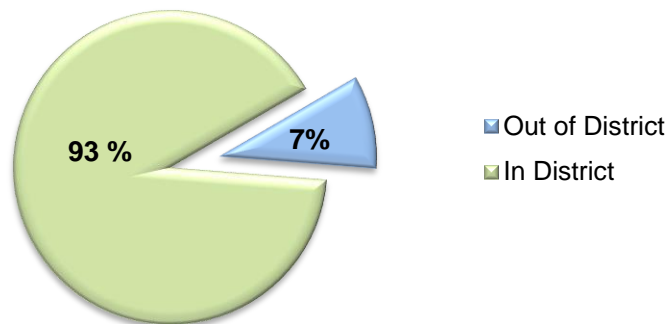
<b>Full Time</b>	363	
<b>Female</b>	186	<b>51%</b>
<b>Male</b>	177	<b>49%</b>

<b>Part Time</b>	399	
<b>Female</b>	232	<b>58%</b>
<b>Male</b>	167	<b>42%</b>

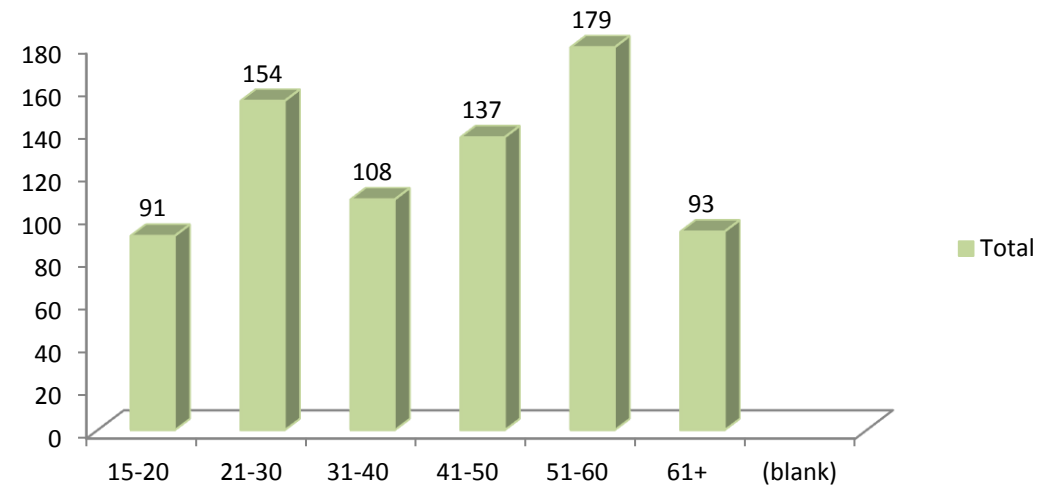
**Tending Staffing Statistics**  
(total of 762 Officers)



**Those working and residing in our District**  
(total of 762 Officers)



**Age Profiles for TDC Staff**



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## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

23 OCTOBER 2019

### REPORT OF DEPUTY CHIEF EXECUTIVE (CORPORATE SERVICES)

#### A.5 HUMAN RESOURCES SUB-COMMITTEE PANEL – APPOINTMENT OF THE NAMED SUB-COMMITTEE MEMBER AND NAMED SUBSTITUTE SUB-COMMITTEE MEMBER FROM AN OPPOSITION GROUP

(Report prepared by Ian Ford)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To enable the Committee to appoint a named member and a named substitute member from an opposition group to serve on the Human Resources Sub-Committee Panel.

##### BACKGROUND

The former Human Resources Committee, at its meeting held on 15 November 2016 (Minute 14 refers) considered a joint report by the Chief Executive and the Monitoring Officer, which provided that Committee with details of changes to the Officer Employment Procedure Rules.

The Officers' report had recommended that a Sub-Committee Panel of the Human Resources Committee be constituted to form part of the recruitment, dismissal and disciplinary process for the appointment of Senior Officers. This included the Chief Executive and other Statutory Chief Officers (Section 151 and Monitoring Officer posts), Chief Officer posts (Corporate Directors) and all Deputy Chief Officers (Heads of Service).

That report had also recommended that the Panel would undertake the final interview of those applicants for Senior Officer posts who had successfully been shortlisted and had undertaken the necessary technical interviews and assessments. The Panel would be a formally constituted sub-committee of the Human Resources Committee, established by the Council. It was proposed that the Panel should comprise of three members. At least one was required by legislation to be a member of the Cabinet, (to be appointed by the Leader at the appropriate time) however, it was suggested that this could be the relevant Portfolio Holder for the service concerned. The Panel should also include the Chairman (or failing him/her the Vice-Chairman) of the Human Resources Committee and a named Committee member from an opposition group (full Council would appoint the named individual).

After due consideration of the whole report the Committee had:-

***“RECOMMENDED TO COUNCIL that:***

- (a) a sub-committee of Human Resources Committee be formed to act as a Panel and to discharge the functions as set out in the report;*

- (b) the terms of reference of the Human Resources Committee be amended to include the function of the sub-committee Panel;*
- (c) the requirements of political balance be dispensed with for the sub-committee Panel;*
- (d) a named committee member (and a named substitute committee member) from an opposition group be appointed;*
- (e) authority be delegated to the Monitoring Officer to amend the Council's Constitution in accordance with the formation of the Human Resources sub-committee and any necessary consequential changes applying to the Articles, Terms of Reference and Officer Employment Procedure Rules relating to the appointment and dismissal of relevant Officers; and*
- (f) the Human Resources Policies and Procedures be amended, as necessary, to reflect any changes required based on the principles in the report."*

Full Council had considered the above recommendations at its meeting held on 29 November 2016 (Minute 101 refers) and had, inter alia, **RESOLVED:-**

*"(b) that the recommendations to Council, as contained in Minute 14 of the Human Resources Committee of 15 November 2016, be approved, subject to Councillor Calver and Councillor Bray being appointed as the named committee member and the named substitute committee member from an opposition group respectively."*

Following the District Council Elections held in May this year the Committee is now required to re-appoint the named committee member and the named substitute committee member from an opposition group.

In making these appointments the Committee is permitted to choose from the following four opposition group members of the Committee:-

Councillor Garry Calver  
Councillor Paul Clifton  
Councillor Pam Morrison  
Councillor Mark Stephenson

#### **RECOMMENDATION(S)**

**It is recommended that the Committee -**

- (a) appoints one of Councillor Calver or Councillor Clifton or Councillor Morrison or Councillor Stephenson to be the named committee member from an opposition group on the Human Resources Sub-Committee Panel; and**
- (b) subject to (a) above, appoints one of Councillor Calver or Councillor Clifton or Councillor Morrison or Councillor Stephenson to be the named substitute committee member from an opposition group on the Human Resources Sub-Committee Panel.**

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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