



## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

**DATE:** Wednesday, 7 July 2021  
**TIME:** 7.30 pm  
**VENUE:** Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

**MEMBERSHIP:**

<b>Councillor Chapman (Chairman)</b>	<b>Councillor Chittock</b>
<b>Councillor Griffiths (Vice-Chairman)</b>	<b>Councillor S Honeywood</b>
<b>Councillor Amos</b>	<b>Councillor Morrison</b>
<b>Councillor Baker</b>	<b>Councillor M Stephenson</b>
<b>Councillor Calver</b>	

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**Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.**

**For further details and general enquiries about this meeting, contact Emma Haward Email: [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk) or Telephone on 01255686007.**

DATE OF PUBLICATION: Tuesday, 29 June 2021

## 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 - 6)**

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Thursday 25 February 2021.

### **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 Verbal Update - Transformation and Hybrid Working**

The Council will receive a verbal update from the Council's Organisational Development Manager (Carol Magnus) on the latest developments within the Authority in relation to transformation and hybrid working.

### **6 Report of Assistant Director (Partnerships) - A.1 - Social Media Policy (Pages 7 - 18)**

To provide the Human Resources & Council Tax Committee with an updated Social Media Policy.

### **7 Report of Assistant Director (Partnerships) - A.2 - Workforce Update Report (Pages 19 - 26)**

To provide Members of the Human Resources and Council Tax Committee with an update on current staffing statistics.

### **8 Report of Assistant Director (Building & Public Realm) - A.3 - Adoption of Fleet Management and Driving for Work Policy (Pages 27 - 52)**

To seek approval for the adoption of a Tendring District Council Fleet Management and Driving for Work Policy.

### **9 Report of Assistant Director (Partnerships) - A.4 - Renewal of the New Disability Confident Leader Status (Pages 53 - 58)**

To inform Members of the Human Resources and Council Tax Committee of the successful renewal of the Council's Disability Confident Leader Status for a further 3 years.

**10 Report of the Assistant Director (Partnerships) - A.5 - Discretionary Market Forces Policy Review (Pages 59 - 68)**

To present the revised Discretionary Market Forces Policy (which has been updated in line with best practice) to the Human Resources & Council Tax Committee.

**11 Exclusion of Press and Public**

The Committee is asked to consider passing 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 paragraph 4 of Part 1 of Schedule 12A, as amended, of the Act.”

**12 Report of Assistant Director (Partnerships) - B.1 - Market Forces Report (Planning Service) (Pages 69 - 72)**

To put forward proposals for the re-introduction of the Market Forces Supplement, previously agreed by Human Resources and Council Tax Committee, to support the recruitment and retention of qualified Planning staff.

### **Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Human Resources and Council Tax Committee is to be held in the Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 7.30 pm on Wednesday, 20 October 2021.*

## **Information for Visitors**

### **FIRE EVACUATION PROCEDURE**

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.



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**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX  
COMMITTEE,  
HELD ON THURSDAY, 25TH FEBRUARY, 2021 AT 7.30 PM  
THE MEETING WAS HELD PURSUANT TO STATUTORY INSTRUMENT 2020/392.**

<b>Present:</b>	Councillors Chapman (Chairman), Griffiths (Vice-Chairman), Amos, Calver, Chittock, King, Knowles, Morrison and M Stephenson
<b>In Attendance:</b>	Ian Davidson (Chief Executive) (except items 48-51), Damian Williams (Corporate Director (Operations and Delivery)), Anastasia Simpson (Assistant Director (Partnerships)), Richard Bull (Corporate Finance Manager & Deputy Section 151 Officer), Katie Wilkins (Human Resources and Business Manager), Russell Cole (Community Engagement Manager), Keith Durrant (Democratic Services Officer), Debbie Bunce (Legal and Governance Administration Officer), Emma Haward (Leadership Support Assistant) and Karen Hardes (IT Training Officer)

**42. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**43. MINUTES OF THE LAST MEETING**

It was moved by Councillor M Stephenson, seconded by Councillor Amos and:-

**RESOLVED** that the minutes of the meeting of the Human Resources & Council Tax Committee held on Thursday 26 November 2020 be approved as a correct record.

**44. DECLARATIONS OF INTEREST**

Councillor Griffiths declared for the public record that he was a member of the GMB Union but that he had no involvement with Tendring District Council in that capacity.

**45. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

No Questions on Notice had been submitted on this occasion.

**46. COVID-19 AND STAFFING MATTERS UPDATE**

The Committee received from the Assistant Director (Partnerships) an oral update on the Council's operational response to the Covid-19 pandemic and the related staffing matters.

Anastasia Simpson, the Assistant Director (Partnerships) and Russ Cole, the Temporary Community Engagement Manager informed the Committee of the current COVID-19 figures in relation to the following:

- Confirmed cases (3)
- Staff required to isolate (2)
- Clinically vulnerable (13)

- Extremely clinically vulnerable (4)
- Travel isolation (0)

Those figures also included the number of members of staff working from home.

The Assistant Director and the Temporary Community Engagement Manager also provided the Committee with an update regarding the following:

- Staff redeployment – overall, 236 members of staff had been redeployed.
- PCR testing – 7250 kits issued.
- Contact Centre – Additional members of staff recruited.
- Track and Trace – The number of calls had decreased significantly.
- COVID ambassadors – Two ambassadors redeployed, and a further four ambassadors had been appointed in January 2021.
- Vaccination hub – Clacton Hospital – HR would work with EPUT to explore plans for possible additional sites.

Members raised questions on the above which were responded to by Officers.

The Committee noted the foregoing.

**47. REPORT OF THE ASSISTANT DIRECTOR (FINANCE & IT) & SECTION 151 OFFICER - A.1 - FORMAL CONFIRMATION OF COUNCIL TAX AMOUNTS FOR 2021/22 FOLLOWING THE NOTIFICATION OF THE PRECEPTS FROM THE MAJOR PRECEPTING AUTHORITIES**

Members were reminded of Section 106 of the Local Government Finance Act 1992, which provided that any Member, who was in arrears by at least two months with their Council Tax payments, could not vote on matters concerning either the level of, or administration of, Council Tax. It was important to note that this also covered Council Tax liabilities outside of the District and property which may not be their main residence. If present at the meeting, a Member to whom this provision applied must disclose the fact and may speak on the item, but could not vote. Non-compliance with this section was 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 2021/22 including the precepts issued for 2021/22 by Essex County Council, Essex Police and Essex Fire & Rescue Services.

At its meeting on 16 February 2021, Council had considered the Executive's Budget and Council Tax proposals for 2021/22 and as part of this process the Council Tax for District and Parish / Town Council Services had been approved.

The Council's Corporate Finance Manager and Deputy Section 151 Officer (Richard Bull) was in attendance and informed Members 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 2021/22. The total Council Tax for the year was made up of the District and Parish / Town Council amounts approved by Council on 16 February 2021 and the corresponding amounts agreed by the major precepting authorities. Legislation required this formal confirmation

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even though the process was dictated by legislative formulae and there was no actual judgement or choice to be made.

The precepts from the major precepting authorities for 2021/22 resulting in the final Council Tax amounts, were set out in Appendix C, for formal confirmation by the Committee.

Following a discussion, it was moved by Councillor Griffiths, seconded by Councillor M Stephenson and **RESOLVED** that:-

(a) the precepts issued by Essex County Council, Essex Police and Essex Fire, as set out in Appendix A attached to the Report of the Assistant Director (Finance & IT), be noted.

(b) the amounts of Council Tax for 2021/22, as shown at Appendix C to the aforementioned report, for each of the categories of dwellings be confirmed.

48. **REPORT OF THE ASSISTANT DIRECTOR (PARTNERSHIPS) - A.2 - PAY POLICY STATEMENT 2021/22**

The Chief Executive (Ian Davidson) declared a prejudicial interest in the subject matter of this item and thereupon withdrew from the meeting.

Anastasia Simpson, Assistant Director (Partnerships) presented the Pay Policy Statement for 2021/22.

The Committee was reminded that Section 38 (1) of the Localism Act 2011 required the District Council to prepare a pay policy statement each year. The pay policy statement must articulate the Council's approach to a range of issues relating to the pay of its workforce, particularly its senior staff (or 'chief officers') and its lowest paid employees.

The matters that must 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;
- 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.

This statement was subsequently published on the Council's website following each review and approval by Full Council.

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It was reported that the Pay Policy Statement 2021/22 had been designed to give an overview of the Council's framework regarding pay and rewards for staff within the Council. This 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 ensuring value for money for the residents of Tendring.

Members raised questions on the above which were responded to by Officers.

Following a discussion, it was moved by Councillor Amos, seconded by Councillor Chittock and **RESOLVED** that the Committee recommends to Full Council:-

that the Pay Policy Statement 2021/22, as set out in the Appendix to item A.2 of the Report of the Assistant Director (Partnerships), be adopted.

**49. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.3 - WORKFORCE UPDATE REPORT**

Katie Wilkins, Human Resources & Business Manager provided the Committee with an update on the current staffing statistics including:

- Workforce Statistics
- Age Profile
- Disability Profile
- Ethnicity Profile
- Sickness Absence

The analysis of workforce data provided Members with statistics relating to the staff employed within the Council and how this compared to the Tendring District and national averages. This was a standard report that was provided to the Human Resources Committee as part of each meeting.

Tendring District Council currently had 493 full time equivalent (FTE) employees. The FTE figure equated to 779 employees in total (including casual workers and Career Track learners) this was made up of 372 full time, and 407 part time staff.

Members raised questions on the above which were responded to by Officers.

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

**50. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor M Stephenson, seconded by Councillor Griffiths and:-

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of Agenda Item 10 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.

**51. EXEMPT MINUTE OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX COMMITTEE HELD ON 26 NOVEMBER 2020**

It was moved by Councillor M Stephenson, seconded by Councillor Griffiths and:-

**RESOLVED** that the exempt minute of the meeting of the Human Resources & Council Tax Committee held on Thursday 26 November 2020 be approved as a correct record.

The meeting was declared closed at 8.25 pm

**Chairman**

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## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

7 JULY 2021

### REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

#### A.1 SOCIAL MEDIA POLICY

(Report prepared by Will Lodge)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To provide the Human Resources & Council Tax Committee with an updated Social Media Policy.

##### EXECUTIVE SUMMARY

Tendring District Council adopted a Social Media Policy in September 2018 with the aim of codifying best practice with regards to the Council's use of social media channels.

It covers broadly three areas: staff members' personal use of social media; use of corporate social media accounts; and processes associated with corporate social media accounts.

The Policy specifically sets out that inappropriate use of social media by staff may potentially result in disciplinary action, and what may constitute inappropriate use. It also builds in safeguards for the Council by enshrining best practice into policy.

Since its adoption, the Council's use of social media has continued to grow and so a review of the policy has been held to ensure it remains up-to-date and in line with best practice.

##### RECOMMENDATION(S)

- a) That the Human Resources and Council Tax Committee formally approves and adopts the revised Officers' Social Media Policy; and
- b) That the Assistant Director (Partnerships) be authorised to update the policy with any future legislative or best practice changes, in consultation with the Council's Communications Manager (and others as outlined within the policy).

#### PART 2 – IMPLICATIONS OF THE DECISION

##### DELIVERING PRIORITIES

The Social Media Policy supports the wider Communications Strategy of the Council. Under the Communications Strategy adopted in April 2021, a key area for growth is social media and increasing the amount of content produced and posted by frontline staff.

As such the Social Media Policy helps to deliver all of the Council's priorities by providing effective and timely communication of news, events and policies of the Council. By informing people of new ways of working and interacting with the Council it also helps to drive behaviour change, such as the channel shift agenda.

In addition, increased communication of things the Council is doing, and doing well, was a key theme arising from the Local Government Association's Peer Review conducted in February 2018.

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

##### **Finance and other resources**

There are no finance implications arising from this policy – training is delivered in-house for those who use social media. Social media channels are maintained and updated using existing resource.

##### **Risk**

The adoption of a Social Media Policy reduces reputational risk to the Council by making staff better aware of their responsibilities when using social media, either professionally or personally.

In addition, by enshrining that the Communications Manager and Heads of Service/Assistant Directors have full admin rights to accounts, it strengthens the Council's resilience in the event of staff absence or departure.

#### **LEGAL**

There is no legal requirement to have a Social Media Policy. However, it is considered best practice. The Social Media Policy does uphold legal requirements in other areas, such as those involving Data Protection.

#### **OTHER IMPLICATIONS**

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

**Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.**

Although there are no direct equality or diversity issues, the Policy recognises social media is a good way of potentially getting the Council's message to harder-to-reach communities, thus improving consultation and public engagement.

There is no direct environmental impact, but social media can again be used as way to communicate messages in support of the Council's Climate Change Declaration.

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

#### **BACKGROUND**

The revised Social Media Policy aims to keep up-to-date best practice with regards to the Council's use of social media channels.

The Policy does not seek to control staff members' own personal social media accounts. However, it does remind staff to be careful about what information they share about themselves online, and the potential impact their profile and posts can have not only on themselves, but on the Council.

With regards to business use of social media, the Policy sets out the basic principles the Council – through its staff – should adhere to, and puts established safeguards into written policy. By establishing a clear process for establishing social media channels and running them – such as who is authorised to do so – it allows the Council to speak with a consistent message.



The Policy also places an emphasis on training of staff to use social media correctly and effectively, and on managers to identify training needs.

Aside from a number of minor changes to reflect changes to the Council's structure (e.g. the introduction of the Assistant Director role), there are three bigger changes within the revised draft policy:

1. At 5.12 softening of the language slightly with regard to adding of business contacts on personal social media accounts. This is to account for the fact that some social media channels (e.g. LinkedIn) are specifically geared towards a professional/work profile – use of which by employees can be beneficial to the Council.
2. Addition of 5.14 and 6.13 making it explicit that social media should not be used for investigatory work; this strengthens the existing 'catch-all' clause 4.7 (that social media should not be used in any way which breaches other policies).
3. Addition of 6.10 and 6.11 outlining our support for staff if they encounter abuse or other inappropriate behaviour while administering the Council's social media channels.

Fortunately cases of people behaving inappropriately towards Council staff who monitor and respond to social media enquiries is relatively low, and often a reminder to people of what is and is not acceptable behaviour is sufficient to maintain a positive relationship.

Sadly there have been a few isolated incidents where unacceptable behaviour has continued, and appropriate action therefore taken. Staff are offered support in handling such behaviour, and personal support if they become affected by it.

A piece of work is currently being carried out to create some 'house rules' for our social media channels which we ask those who engage with us, in line with best practice; this will be included within the wider review of our existing Social Media Strategy and Guidelines later in 2021.

In addition, another piece of work is underway to create a 'how-to guide' for staff on handling social media enquiries, which again can form part of the revised Guidelines.

Other changes to the revised Social Media Policy are:

- Removing a duplicate section on review of the policy
- Changing 'annual' review to 'every three years', in line with other policy reviews
- References to Assistant Directors to reflect structure changes
- Updating the title of this committee to reflect changes
- Revised reference to the Communications Strategy
- Making explicit the support of the Communications Team to nominated responsible persons.

Unison has been consulted on the proposals and is supportive of them.

## **CURRENT POSITION**

The Council currently has the existing Social Media Policy, along with a Social Media Strategy and Guidelines (both of which are due for review later in 2021 following the adoption of a new Communications Strategy).

Tendring District Council has corporate Facebook and Twitter accounts, while a number of services or projects also have their own accounts on Twitter, Facebook, Instagram and LinkedIn.

<b>BACKGROUND PAPERS FOR THE DECISION</b>
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None
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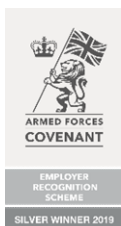
<b>APPENDICES</b>
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<b>Appendix 1 – Draft new Social Media Policy (Marked to show revisions)</b>
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# Social Media Policy

Issued by – Communications Manager

June ~~2018~~ 2021



## CONTENTS

<b>Reference</b>	<b>Section</b>	<b>Page</b>
1.0	Policy Statement	3
2.0	Scope of Policy	3
3.0	Roles and Responsibilities	3-4
4.0	Related Policies	4
5.0	Personal Use of Social Media	4-5
6.0	Business use of Social Media	5-6
7.0	Monitoring and Review	6

## 1.0 POLICY STATEMENT

- 1.1 Tendring District Council (TDC) recognises social media presents opportunities to directly promote its work, share information and engage with residents, visitors and businesses. However, use of social media can pose risks to our reputation as well as risks to confidential information and compliance with legal obligations.
- 1.2 To minimise these risks, maintain productivity of staff, ensure IT resources are used appropriately and to uphold communications standards, employees must adhere to this policy.
- 1.3 This policy should be read in conjunction with TDC's Social Media Guidelines and Social Media Strategy documents.
- 1.4 This policy and the guidelines aim to promote the appropriate use of social media to further the Council's **Communication Strategy and** Corporate Plan objectives, and use best practice in doing so.

## 2.0 SCOPE OF THE POLICY

- 2.1 This policy covers all individuals working at all levels and grades for Tendring District Council, **including contractors, sub-contractors and those otherwise working on behalf of the Council**, and volunteers.
- 2.2 Third parties who have access to our social media accounts are also required to comply with this policy.
- 2.3 This policy deals with all forms of social media, including Facebook, Twitter, YouTube and LinkedIn, as well as blogs and wikis.
- 2.4 It applies to both business and personal use of social media, whether or not within working hours and regardless of whether or not TDC IT equipment is used to access social media.
- 2.5 Breach of this policy may result in disciplinary action up to and including dismissal, **or in the case of contractors prompt a review of the contract.**
- 2.6 Staff may be required to remove posts deemed to constitute a breach of this policy. Failure to comply may in itself result in disciplinary action.

## 3.0 ROLES AND RESPONSIBILITIES

- 3.1 The Communications Manager is the lead officer for this policy, but will work in conjunction with the Head of IT and the Human Resources department.  
~~[delete previous 3.2: Regular reviews of this policy will be conducted by the Communications Manager, in conjunction with the TDC Communications Group.]~~
- 3.2 Corporate Directors, delegating on a day-to-day basis to **Assistant Directors or** Heads of Service, with a specific social media account within their area are responsible for ensuring all staff operate within the bounds of this policy, and that all staff understand the expected standards. They should also identify training needs where necessary.

- 3.3 All staff, including third party contractors, who use TDC social media accounts for their work are to be particularly aware of this policy.
- 3.4 All staff have a duty to comply with this policy with regard to personal use.

#### **4.0 RELATED POLICIES**

- 4.1 This policy should be read in conjunction with the IT Strategy, Communications Strategy, Social Media Guidelines and Branding Guidelines.
- 4.2 Consideration should also be given the Code of Recommended Practice on Local Authority Publicity and how it applies to social media – especially with reference to periods of heightened sensitivity  
[Below clauses re-numbered.]
- 4.3 At all times thought must also be given to the Council's policy on data protection and how this will apply.
- 4.4 The Council's standard policies on anti-bullying, discrimination, and ethical practices, confidentiality apply equally to social media as they do elsewhere.
- 4.5 Social media should not be used to research prospective employees of the Council, beyond the scope set out by Human Resources.
- 4.6 Staff should never provide references for other individuals on social media, as these can be attributed to the Council and create legal liability.
- 4.7 Social media should never be used in a way that breaches any of our other policies.

#### **5.0 PERSONAL USE OF SOCIAL MEDIA**

- 5.1 TDC recognises that employees' personal social media accounts can generate benefits to the Council, by using it to promote the Council's work, discovering content to improve how they deliver their role, and gain an understanding of community issues and opinion.
- 5.2 In accordance with the Council's IT policies, staff are able to use Council equipment to access the internet outside normal working hours. This policy also applies to the use of social media.
- 5.3 Employees should not engage in activities on the internet which may bring the Council into disrepute.
- 5.4 Staff should not allow online activities to interfere with your day job. Unless you are using social media to directly support you in your work, you should only access sites outside of your normal working hours.
- 5.5 The Council logo should not be used on personal accounts.
- 5.6 If staff identify themselves as a Council employee on social media, they must ensure their profile and related content is consistent with how they wish to present themselves to colleagues and customers – and is consistent with this policy.
- 5.7 Should staff identify themselves as a Council employee in their account information, they should consider including a disclaimer that views

expressed are their own; but should be aware this does not provide an exemption from compliance with this policy.

- 5.8 Employees must not reveal information confidential to the Council, or publish comments on your work or services offered by the Council.
- 5.9 Employees must not make any offensive or derogatory remarks about the Council, Councillors or other members of staff as this could amount to cyber-bullying or defamation and result in disciplinary action.
- 5.10 If staff use their personal account or apps to administer Council accounts, they must ensure at all times that content is posted from the correct account.
- 5.11 Should an employee see content on social media which disparages or reflects poorly on TDC, contact your manager, the relevant service area manager, and/or the Communications Manager. All staff are responsible for protecting the reputation of the Council. **However, this does not mean staff should attempt to tackle or challenge such comments.**
- 5.12 Employees are not permitted to **proactively** add business contacts made during the course of employment to personal social media accounts. It is at their personal discretion whether to accept invites made by business contacts to their personal accounts, but due consideration to this policy **and the nature of the social media account** is strongly advised in this event.
- 5.13 Employees are encouraged to share Council posts on their own social media accounts.
- 5.14 **Employees should not use their own social media accounts to conduct investigatory work for their employment; and at all times comply with the Monitoring Policy, Covert Surveillance Policy Procedure & Manual (RIPA Policy) and other related policies and practices.**

## **6.0 BUSINESS USE OF SOCIAL MEDIA**

- 6.1 New social media accounts should not be set up without approval from the Head of Service, **Assistant or** Corporate Director and the Communications Manager.
- 6.2 If your duties require you to speak on behalf of the organisation in a social media environment, you must seek approval for such communication from your manager OR the Communications Manager, who may require you to undergo training before you do so and impose certain requirements and restrictions.
- 6.3 Likewise, if you are contacted for comments about the organisation for publication anywhere, including in any social media outlet, direct the enquiry to the Communications Manager and do not respond without approval, unless specifically tasked with dealing with such enquiries.
- 6.4 Staff must not post anything which could be deemed defamatory, inappropriate, or which could incur liability. If in doubt advice must be sought from a senior manager or the Communications Manager.

- 6.5 Staff should not broadcast personal views using the Council's social media accounts.
- 6.6 Employees should not post any party political content from Council accounts. Content which may be deemed 'small p' political should not be posted without extremely careful consideration.
- 6.7 Careful consideration must be given to copyright issues. If staff are using material protected by copyright, written consent to use such material must be obtained and kept on file, before it is posted.
- 6.8 Employees are expected to uphold the Council's standards for timely responses to social media enquiries as they would with a contact made to TDC by phone, email or website.
- 6.9 Employees are not expected to monitor or respond to social media enquiries outside of working hours, and are advised against doing so except in exceptional circumstances.
- 6.10 The Council will not tolerate any harassment, bullying, violent or aggressive behaviour, or discriminatory/hate crime comments towards its staff or an elected Member. The expectations it holds and the process it will take to tackle such behaviour will be posted on each channel.
- 6.11 Employees are not expected to tolerate abusive, discriminatory or otherwise unacceptable behaviour from social media users. Any such messages should be reported to their line manager and the Communications Manager, for appropriate response in line with Council policies.
- 6.12 Employees who are subjected to inappropriate behaviour on social media will be supported by the Human Resources department and associated staff support programmes.
- 6.13 Corporate social media accounts will only be used to conduct investigatory work if such action complies with and is duly authorised under the Monitoring Policy, Covert Surveillance Policy Procedure & Manual (RIPA Policy) and other related policies and practices.  
[Below clauses re-numbered.]
- 6.14 Social media accounts should be protected by strong passwords, which are only shared with authorised users and changed when users change.
- 6.15 The responsible person for each account is responsible for ensuring the list of those with access is regularly reviewed and kept up-to-date; particular regard must be given to employees leaving the Council. They will be supported in this by the Communications Team.
- 6.16 The responsible person, a senior manager in the relevant department, and the Communications Manager, must always have full admin rights and/or passwords to accounts.

## 7.0 MONITORING AND REVIEW OF THIS POLICY



- 7.1 The Communications Manager, in conjunction with the TDC Communications Group, the Head of IT, Head of Commercial and Customer Services and Assistant Director (Partnerships) ~~and the HR Committee, is responsible for reviewing this policy – and, where appropriate, the Human Resources and Council Tax Committee annually – is responsible for reviewing this policy every three years.~~
- 7.2 The Communications Manager, in conjunction with the TDC Communications Group, the Head of IT, Head of Commercial and Customer Services and the Human Resources and Council Tax Committee, is responsible for monitoring compliance with this policy, and its effectiveness.
- 7.3 TDC IT and internet resources are provided for legitimate business use, and the Council therefore reserves the right to monitor how social networks are used and accessed through these resources. Any such monitoring will only be carried out by authorised staff.
- 7.4 Staff are invited to comment on this policy and suggest improvements by contacting the Communications Manager.

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## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

7 JULY 2021

### REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

#### A.2 WORKFORCE UPDATE REPORT

*(Report prepared by Katie Wilkins)*

#### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To provide Members of the Human Resources and Council Tax Committee with an update on current staffing statistics.
<b>EXECUTIVE SUMMARY</b>
<p><b>Staffing Statistics</b></p> <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 Human Resources and Council Tax Committee as part of each meeting.</p> <p>At the time of writing, Tendring District Council has 494 full time equivalent (FTE) employees. The FTE figure equates to 770 employees in total (including casual workers and Career Track learners) this is made up of 374 full time, and 396 part time staff.</p> <p>Amongst the fully contracted staff there are currently 20 employees who are undertaking external apprenticeships, seven of which are studying for a degree (Level 6) in a number of subjects, including but not limited to: Chartered Surveyor, Chartered Management, Chartered Legal Executive and Digital &amp; Technology Solutions, with one employee studying for a post graduate qualification (Level 7) in Accountancy. Other professional apprenticeships include Human Resources, Audit, Town Planning (<i>Technical Support</i>) and Operational Management.</p> <p>With a total number of 39 apprentices, the Career Track Team, also support a number of other organisations with their apprenticeships, including Pertemps Medical Professionals, Maldon District Council, Colchester Borough Council, The Letting Link, Kent County Council (<i>Virtual School Kent</i>), Harwich Town Council, UK Construction Parts Ltd, Epping Forest District Council, Silverton Aggregates Ltd (5 <i>branches</i>) and Braintree District Council.</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>
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.

## LEGAL

The Council must ensure compliance with Employment Legislation, the Equalities Act 2010, the newly introduced Coronavirus Act 2020 and Working Time (Coronavirus) (Amendment) Regulations 2020.

The Council has a legal duty of care to employees to ensure their 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

### BACKGROUND

Human Resources work with a software package called Teamspirit. This database allows us to capture 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 770 staff (*of which, 525 are fully contracted staff, 16 are Career Track Learners in full time employment, and 229 staff are employed on a casual basis*).

Of those employed, 426 are female (55%) and 344 male (45%), this indicates that the Council's employment practices are supportive of families and work life balance.

Of the total 770 staff Tendring currently employs, the gender balance of the 374 members of full time staff is; 184 males (49%) and 190 females (51%) and 160 males (40%) and 236 females (60%) for the remaining 396 part time staff.

Under 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 for 2020/21 have been calculated in line with the regulations set out in the gender pay gap reporting legislation using a snapshot date of 31 March 2020.

We are pleased to report that the figures demonstrate that our gender pay gap remains significantly lower than the most recently reported UK average in 2020 of 15.9%.

Tendring's figures for 2020/21 are as follows:-

The male mean\* hourly rate is 3% (£0.39) higher than the female mean hourly rate.

The male median\* hourly rate is 1.5% (£0.17) higher than the female 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 small difference in mean and median can be attributed to the overall gender balance within the organisation of 1.24 females for every male (*number of staff*).
- 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 16 to 82. 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.

A summary of the above age profiles, by department, can be found in Appendix C.

### **Disability Profile**

Of the 525 fully contracted staff (*excluding apprentices*), 24 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 and most recently in May 2021*). 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.*

We will retain our Leader Status until April 2024, at which point we will again be required to go through the re-accreditation process.

### **Ethnicity Profile**

Of those staff who have declared their ethnicity, 7 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.

*\*The Office of National Statistics have confirmed that following the recent 2021 Census, they aim to produce the first release within the first year after Census Day and all other data within two years of Census Day.*

### **Sickness Absence**

The reported absence figure for the Council in 2020/21 was 8.05 days absence per employee. Long term absence was reported at 6.77 days and short term absence 1.29 days, which shows the rate to be slightly above the reported national level in local government for the same period. The CIPD's Well-being at Work

Report 2020 reports a figure of 8 days per employee and Xpert HR's Sickness Absence Rates and Costs Survey 2020, details an average number of days' absence per employee, for local government of 7.4 days.

The Council's current absence figure of 8.89 days per employee demonstrates a slight upward trend in staff absence. This figure is broken down into 7.56 days long term and 1.33 days short term absence. This is not unexpected given the current Coronavirus pandemic.

Sickness absence continues to be actively managed; the majority of the Council's 3rd and 4th Tier Managers have now undertaken the training programme for the Council's new 'Absence Management Procedures' and a number have also attended 'Managing Mental Health' training (*educating our line managers to feel confident and competent to have conversations with staff and signpost to specialist sources of support*).

Employees' general health and well-being continues to be supported through, a fully funded Employee Assistance Programme (*which offers a holistic approach*), greater flexible working options, Corporate Gym Membership, flu vaccinations and access to an Occupational Health Specialist.

The authority is also committed to promoting the positive mental well-being of its employees. 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 and raising awareness amongst the general workforce.

- 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*);
- Regional Employers (*seeking best practice for managing absence*).

In light of the current Coronavirus pandemic, the authority has focussed its efforts on the delivery of an online suite of well-being initiatives for employees, including but not limited to;

- Together@Tendring Publication (*includes healthy eating recipes, articles and tips on moving and exercises at work*)
- Improving Access to Psychological Therapies (IAPT) Webinars (*How to Sleep Better, Relaxation Skills and How to Cope with Stress*)
- Recovery and Resilience E-Learning
- Staff Fitness Classes (yoga, pilates, aerobics, zumba, via Zoom)
- Vine HR - Mindfulness and Well-being Remote Workshop(s)
- Promotion of national initiatives (including free classes at leisure centres), Mental Health Awareness Week, World National Suicide Awareness day and Public Health England's 'Every Mind Matters' campaign
- Online health checks and positive lifestyle support (*e.g. smoking cessation, limiting your alcohol intake*) via Provide
- Family well-being initiatives (*various*).

## **BACKGROUND PAPERS FOR THE DECISION**

Profile of Tendring May 2020

Teamspirit report  
Nomis Official Labour Market Statistics Report 2020  
Xpert HR's sickness absence rates and costs survey 2020  
CIPD Well-being at Work Report 2020 (Public Sector Summary)

**APPENDICES**

**Appendix A – Staffing Data**

**Appendix B - A Summary of Highest Ratio Age Profiles by Department**

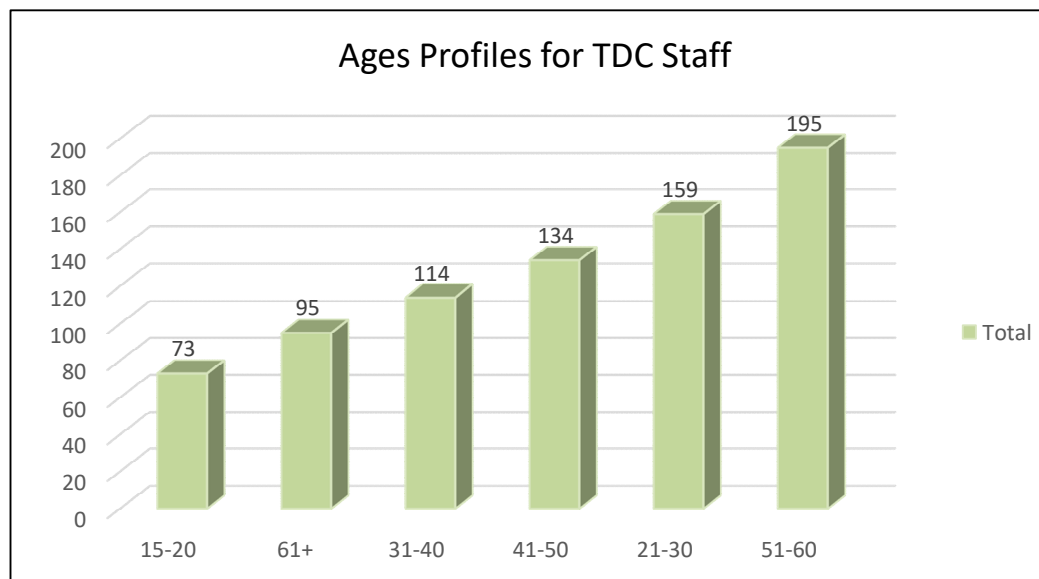
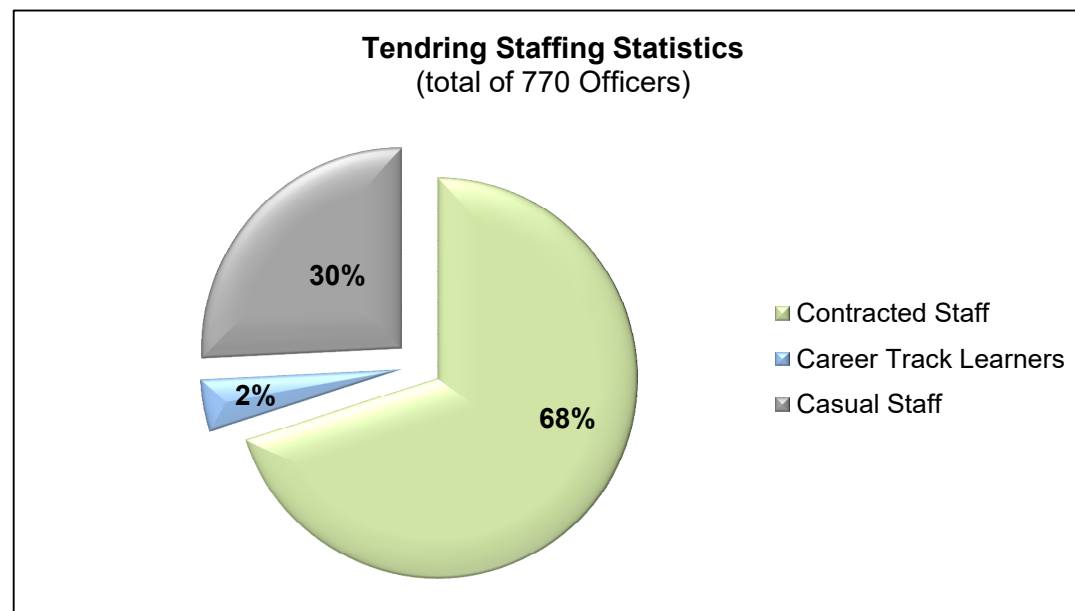
**Appendix C – Infogram**

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

<b>Total workforce</b>	770	
<b>Female</b>	426	<b>55%</b>
<b>Male</b>	344	<b>45%</b>

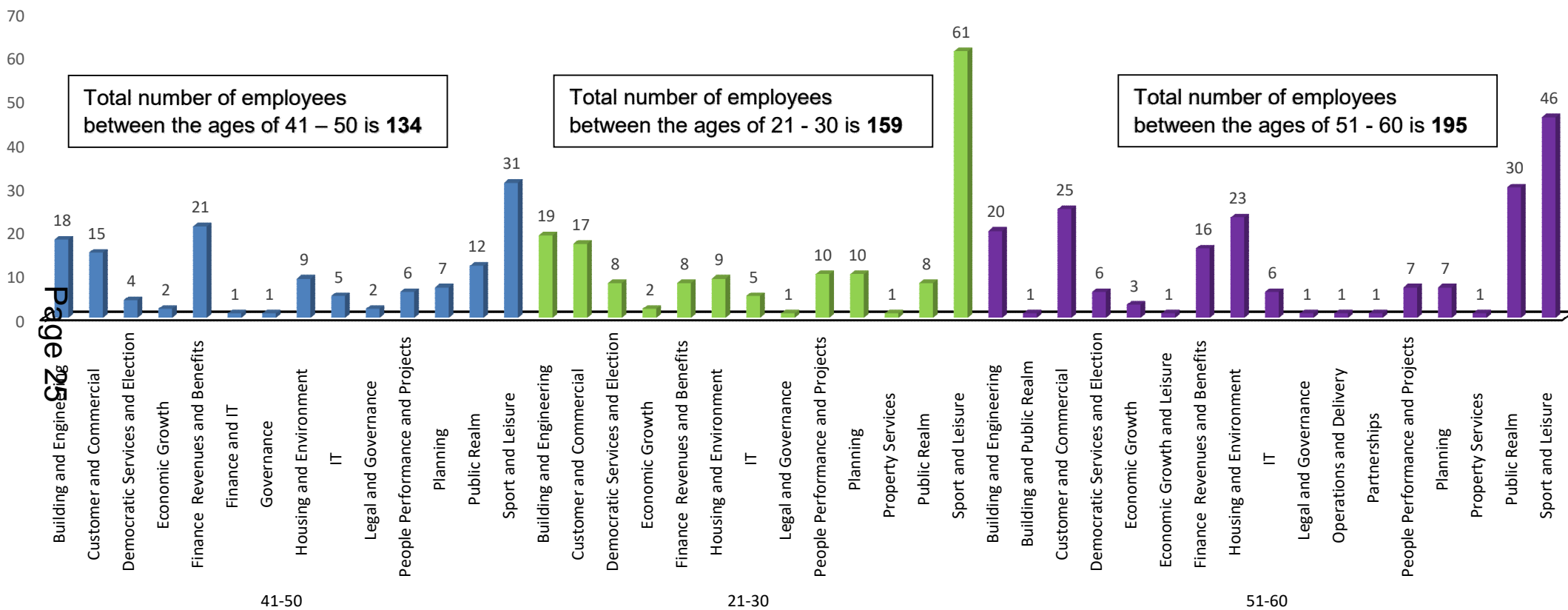
<b>Full Time</b>	374	
<b>Female</b>	184	<b>49%</b>
<b>Male</b>	190	<b>51%</b>

<b>Part Time</b>	396	
<b>Female</b>	236	<b>60%</b>
<b>Male</b>	160	<b>40%</b>





## Highest Ratio Age Profiles (41-50, 21-30, 51-60) for TDC Staff Broken Down by Department



# TENDRING DISTRICT COUNCIL STAFFING STATISTICS

TENDRING DISTRICT COUNCIL - 770 EMPLOYEES

CAREER TRACK APPRENTICES	FULLY CONTRACTED	CASUAL
16	525	229

## GENDER PAY GAP

Significantly lower than  
national average



## WORKFORCE



55% female



45% male

## TOP 3 - AGE PROFILES



51-60	—————	195
21-30	—————	159
41-50	—————	134

## DISABILITY

24 employees self-declared  
a disability



## ETHNICITY

7 employees of an ethnic  
group other than 'White  
British'



## SICKNESS ABSENCE

Absences figures

7.56 DAYS LONG TERM  
1.33 DAYS SHORT TERM



## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

7 JULY 2021

### REPORT OF ASSISTANT DIRECTOR (BUILDING AND PUBLIC REALM)

#### A.3 ADOPTION OF FLEET MANAGEMENT AND DRIVING FOR WORK POLICY

(Prepared by Ian Taylor and James Hill)

#### PART 1 – KEY INFORMATION

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

To seek approval for the adoption of a Tendring District Council Fleet Management and Driving for Work Policy.

##### **EXECUTIVE SUMMARY**

A draft Fleet Management and Driving for Work Policy is attached to this report as Appendix A.

The draft policy details how managers should manage occupational driving risks and sets out employee and others' responsibilities while driving for Tendring District Council.

The report also supports recommendations of the Council's Internal Audit report into fleet management. The key recommendations of which were:

- To ensure fleet operations and drivers are compliant with both legal and corporate requirements;
- To highlight areas of interest such as potential disciplinary action in certain circumstances;
- To coordinate vehicle roadworthiness by means of MOT checks, servicing and regular safety checks for vehicles and equipment;
- To provide information to all drivers on Council business of actions and responsibilities and risk management in relation to vehicles and equipment;
- To ensure the Council's Transport / Fleet Manager has responsibility for all the Council fleet;
- To introduce a central database for vehicle monitoring and documentation checks for drivers;
- To promote consistent use of tracking systems in all Council fleet vehicles;
- To review allocation of and use of fuel cards.

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

**It is recommended that:-**

- **The Human Resources and Council Tax Committee approves the adoption and implementation of the Fleet Management and Driving for Work Policy.**

## PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>
<p>This policy will contribute to the following Corporate Priorities: Delivering High Quality Services – effective regulation and enforcement.</p> <p>Strong Finance and Governance – effective and positive governance.</p>
<b>FINANCE, OTHER RESOURCES AND RISK</b>
<p>There are no direct costs associated with adoption of this policy. However, adopting the policy will address concerns over financial and risk management relating to the Council's fleet and driving while at work.</p> <p><b>RISK</b> A recent Internal Audit of fleet management identified the need for and benefits associated with the Council adopting a Fleet Management and Driving for Work Policy.</p>
<b>LEGAL</b>
<p>Within the scope of this report is all legislation in relation to driving for work and management of fleet, as encompassed within, but not limited to, Health and safety at Work Act 1974, The Management of Health and Safety at Work Regulations 1999, Road Traffic Act, 1988 and 1991, Road Safety Act 2006.</p>
<b>OTHER IMPLICATIONS</b>
<p>Consideration has been given to the implications of the recommendation proposed and any significant issues are set out below.</p> <p>The proposals, if agreed, will support the Council's priorities in respect of delivering high quality services by means of effective regulation and enforcement of fleet management and driving practices.</p> <p><b>Consultation/Public Engagement – N/A</b></p> <p><b>Crime and Disorder –</b> The policy if adopted will uphold statutory requirements in respect of driving at work and management of the Council's fleet and support measures to protect the Council's fleet from criminal activity or behaviour.</p> <p><b>Equality and Diversity / Health Inequalities – N/A</b></p> <p><b>Carbon Reduction -</b> The policy references behaviours and fleet management requirements.</p> <p>Issues relating to carbon reduction, electric vehicle use are addressed under other Council policies.</p> <p><b>Area or Ward affected – N/A</b></p>

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The Council has not previously adopted a fleet management or driving for work policy.

A recent internal audit report made recommendations for changes relating to risks associated with fleet management and driving while working for the Council.

### **CURRENT POSITION**

The Council's Open Space and Transport Manager retired at the end of March 2020.

The Council fleet has continued to be managed within the Public Realm service in Building and Public Realm.

Officers have attended relevant transport related courses and are currently in the process of obtaining qualifications to support fleet management requirements into the future.

### **THE PROPOSAL**

To adopt a Fleet Management and Driving for Work Policy.

### **CONCLUSION AND WAY AHEAD**

Adoption of the Fleet Management and Driving for Work Policy will highlight the Council's commitment to maintaining a safe and healthy working environment for employees, service users and members of the public.

The policy seeks to manage the use of vehicles and equipment and risks associated with them.

The Council will continue to provide training in conjunction with road safety specialists to support the aims and objectives of this policy.

### **APPENDICES**

Appendix A – Draft Fleet Management and Driving for Work Policy.

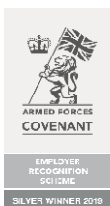
### **BACKGROUND PAPERS FOR THE DECISION**

None

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# FLEET MANAGEMENT & DRIVING FOR WORK POLICY

Issued by – Human Resources  
June 2021



# Contents

<b>1. SCOPE</b> .....	<b>3</b>
<b>2. AIM</b> .....	<b>3</b>
<b>3. GENERAL DUTIES</b> .....	<b>4</b>
<b>4. RESPONSIBILITIES</b> .....	<b>5</b>
4.1 TENDRING DISTRICT COUNCIL.....	5
4.2 CHIEF EXECUTIVE .....	5
4.4 SERVICE MANAGERS/SUPERVISORS.....	5
4.5 TRANSPORT SERVICES MANAGER .....	6
4.6 EMPLOYEES .....	7
<b>5. MANAGING RISK</b> .....	<b>9</b>
5.1 RISK ASSESSMENT.....	9
5.2 TRAINING .....	9
5.3 RECORD CHECKS FOR EMPLOYEES USING THEIR OWN VEHICLE FOR WORK.....	10
5.4 MEDICAL SUITABILITY AND FITNESS TO DRIVE.....	10
5.5 ALCOHOL AND DRUGS (INCLUDING PRESCRIBED MEDICATION).....	11
5.6 MOBILE PHONES AND HAND HELD DEVICES .....	11
5.7 SEAT BELTS .....	12
<b>6 FLEET AND FLEET DRIVER ISSUES</b> .....	<b>12</b>
6.1 ROAD WORTHINESS OF FLEET VEHICLES.....	12
6.2 VEHICLE SECURITY.....	12
6.3 SMOKING .....	13
6.4 FIRST AID.....	13
6.5 TDC VEHICLES FOR PERSONAL USE AND CARRYING PASSENGERS.....	13
6.6 HOLIDAYS, SICKNESS AND UNPLANNED LEAVE.....	14
6.7 USE OF VEHICLE TRACKING SYSTEMS.....	14
6.8 ROAD TRAFFIC ACCIDENT/INCIDENT PROCEDURE FOR FLEET .....	14
6.9 FLEET DRIVER ASSESSMENTS.....	15
<b>7. FUEL CARDS</b> .....	<b>16</b>
7.1 FUELING OF COUNCIL VEHICLES .....	16
<b>APPENDIX 1</b> .....	<b>17</b>
<b>APPENDIX 2</b> .....	<b>18</b>
<b>APPENDIX 3</b> .....	<b>19</b>
<b>APPENDIX 4</b> .....	<b>20</b>
<b>APPENDIX 5</b> .....	<b>21</b>



# DRIVING FOR WORK AND USE OF EQUIPMENT

## 1. SCOPE

This policy applies to all staff, casual workers and volunteers across all areas of service at Tendring District Council (TDC) and relates to any driving for business purposes whether in a TDC owned vehicle, leased vehicle, hired vehicle or approved user's own vehicle.

The policy details how managers should manage occupational driving risks and sets out employee driver responsibilities.

A vehicle is defined as a thing used for transporting people or goods, especially on land, such as car, lorry or cart.

Plant machinery and other equipment refers to handheld power tools, tractors, dumpers, bobcat, ride on mowers and utility vehicles/quad bikes

Driving for commuting purposes falls outside the scope of the policy, however driving of Council vehicles for travel to and from work is covered by this policy. Best practice principles of vehicle maintenance and driving within the law must always be applied and all staff should exercise due care and diligence for the safety of themselves and others.

Driving for work can be defined as any activity undertaken during the course of work, **whether in your own vehicle or another**. In addition to operational duties it will include driving to training courses, meetings and any professional visits including community working, enforcement and inspections.

Employees involved in driving of vehicles on work duties or operating equipment, must fully familiarise themselves with the relevant sections of this document.

This list isn't comprehensive, please contact your line manager if you require further information.

## 2. AIM

The aim of this policy is to ensure that, as far as is reasonably practicable and within its control, TDC is able to manage the use of vehicles and equipment and risks associated with them in compliance with statutory requirements and best practice.

The Council will take all reasonable and appropriate action in order to safeguard any person who may be at risk as a result of any TDC transport activities.

### 3. GENERAL DUTIES

Health and Safety law applies to on-the-road work activities just as it does to all work activities. The risks should be effectively managed within the health and safety system, [HSE Guidelines Driving At Work provide further information.](#)

TDC recognises the need to protect its employees and others from the dangers of work related driving. The Council is committed to the principle that vehicle and equipment accidents, including road traffic accidents, are often avoidable events. In practice, risk assessment and risk management needs to take place not only at an organisational level (by service area or line managers), but also at a personal level by the individual driver.

There is a legal duty under the Health and Safety at Work Act 1974 to ensure, as far as reasonably practicable, the health and safety of all employees while at work. Employers and employees also have a duty to ensure that others are not put at risk by work related driving activities.

The Management of Health and Safety at Work Regulations 1999 also apply. There is a requirement that risk assessments are undertaken for activities with significant risks, and that effective management controls are put in place and implemented. Driving for work at TDC is an activity with higher risks and therefore must be included.

Driving for work examples will include:

- Driving TDC provided vehicles, whether owned, leased, borrowed or hired, for any reason, at any time as part of employee duties, including agency, casual and consultancy staff;
- Driving own vehicle, or a vehicle which an employee has available to drive, **whether or not** the employee receives or claims any allowance for driving expenses, in connection with employment duties;
- Driving to training courses, meetings and other visits to fulfil the obligations of employment;
- Travelling to locations which are not an employee's usual place of work, but excluding travelling to or from an employee's usual place(s) of work at the start and finish of the working day and during breaks from the normal place of work.

Driving for work excludes commuting to and from an employee's normal place of work but can include travelling to a location that is not the usual place of work.

Commuting to and from work in a Council owned vehicle counts as driving for work. Driver and managerial responsibilities are the same as for driving during duty working hours.

Managing the risks to employees who drive at work requires more than just compliance with road traffic legislation. TDC as the employer has a duty to:

- Ensure as far as is reasonably practicable driver and equipment competencies;
- Inform on hazards, risks and safety requirements;
- Train on new or unfamiliar council provided vehicles and mobile equipment;

- Supervise employees who drive vehicles as part of their work just as they do for employees who use any other form of work equipment.

Control measures will include authorised driver permissions, minimum training standards, documentation, essential records of licence details, checks and monitoring.

## **4. RESPONSIBILITIES**

### **4.1 Tendring District Council**

The Council will comply with regulatory requirements and provide standards not less than those set out in any relevant approved codes of practice.

The council will also take all reasonable steps to ensure as far as reasonably practicable that employees driving at work do so in a manner that reduces the risk to themselves, other employees or any other persons who could be affected. This will include the application of disciplinary sanctions for staff who, whilst responsible for a vehicle owned, hired or leased by Tendring District Council, act in such a way as to present a risk to the health and/or safety of themselves, work colleagues or members of the public.

### **4.2 Chief Executive**

The Chief Executive has overall accountability for ensuring that road and transport risks in connection with the activities of the Council are minimised to the lowest reasonably practicable level. The Chief Executive may delegate responsibilities to Corporate Directors, Assistant Directors, Heads of Service and other appropriate managers.**4.3 Corporate Directors, Assistant Directors & Heads of Service**

It is the duty of senior managers to ensure that no person in their area of service is required or permitted to use their own vehicle for business purposes without authorisation.

### **4.4 Service Managers/Supervisors**

Managers and supervisors of services and functions must ensure that the risks of driving for work purposes have been assessed and recorded.

Service managers and supervisors must ensure that staff for whom they have line management responsibility and who drive in the course of their work duties are authorised to drive on Council business.

No manager shall authorise or permit any employee to drive on Council business, whether in a Council vehicle or any employee's own vehicle, if it is known that:

- The person is not appropriately qualified to drive the vehicle, including for business purposes;
- The vehicle is not road legal either by way of the existence of a fault or because of absence of appropriate documentation;

- This application applies to relevant equipment including plant machinery.

Managers must promptly refer any employee who drives as part of their duties to Human Resources for an occupational health assessment if it is suspected, or they become aware, that the employee has a health problem which could affect capabilities and the ability to drive safely. Where necessary, the manager should suspend the member of staff from driving until medical advice has been obtained.

Managers should ensure that drivers are reminded that if they need glasses for driving that they wear them. If a manager is unsure about a driver's vision they should contact the Transport Services Manager for advice in the first instance.

Managers should ensure that they do not impose unrealistic demands or timescales on staff driving and ensure that time demands are accurately considered.

Service managers are responsible for supporting the investigation of vehicle accidents involving their staff and producing reports where necessary.

Managers are responsible for the allocation of Fuel cards and that the daily checks are carried out by drivers in their service area and that they ensure vehicles are available for inspection as directed by the Transport Services Manager.

All road traffic collisions, other accidents and near misses must be recorded on the TDC Health and Safety incident form (*See Appendix 1*). Where there is personal injury there are further requirements to report accidents via RIDDOR regulations in the event of a member of staff taking time off as a result of an accident.

#### **4.5 Transport Services Manager**

The Transport Services Manager has overall responsibility for the transport fleet and all matters relating to vehicles and plant machinery across the council.

The Transport Services Manager is responsible for investigating all vehicle accidents involving TDC fleet vehicles. The level of investigation will be relative to the accident and will follow the process set out in the Vehicle Accident Investigation Procedure. The Transport Services Manager will notify the Health and Safety team.

Following all investigations the Transport Services Manager will inform the driver's line manager of their conclusions and make recommendations in line with the Council's procedures. The Transport Services Manager will also notify the authority's Payroll and Payments team of the outcomes of each fault accident, for insurance purposes.

In instances where the Transport Services Manager has evidence to show that the driver has acted in such a way as to present a risk to the health and/or safety of themselves, work colleagues or members of the public, or has concerns about the welfare of the member of staff the Transport Services Manager will seek guidance from HR.

Repeat incidents that are considered to be serious or grave incidents or repeated incidents that represent a pattern of behaviour will be reported to HR and a decision will be made regarding the implementation of a disciplinary investigation which could

result in sanctions of Written Warning, Final Written Warning or even dismissal in accordance with the Council's Disciplinary Policy.

The Transport Services Manager is responsible for the provision of repair and maintenance of the council's fleet vehicles. They also lead on the procurement of new and replacement vehicles and their disposal.

The Transport Services Manager will arrange and co-ordinate all statutory training requirements and monitor the database of required fleet driver competencies i.e. licence categories & assessments.

The Transport Services Manager will also have the overall responsibility for arranging vehicle safety checks, servicing and that employees and managers are complying with the vehicle check requirements. All servicing will need to be carried out and recorded as part of PUWER regulations and stored for 3 years.

The Transport Services Manager and their team will require vehicles for periodic inspection and sometimes at short notice.

#### **4.6 Employees**

All employees authorised, or likely to be authorised, to drive Council vehicles in the course of Council employment shall be given instructions and training appropriate to their responsibilities for driving while at work. Where appropriate this shall be reinforced with instruction by the line manager or other person appointed to fulfil that role to ensure the employee understands the requirement for safe and legal driving on behalf of TDC.

The Transport Services Manager will manage the general requirement for driving on Council business. The Transport Services Manager will appoint a responsible person with responsibility for vehicle licence checks and record them onto a database.

A record shall be kept by service managers and shared with the Transport Services Manager of any instruction, information or training provided for fleet vehicles. Training is a requirement in any of the following cases:

- When a new member of staff joins a department. This includes inter departmental transfers;
- When a member of staff changes to a significantly different type of vehicle;
- Refresher training at a period to be determined as result of statutory duty or risk assessments and the type and complexity of vehicle(s).

Employees are responsible for risk assessing their own personal journeys. The assessments need not be written down or recorded but employees should be aware of the guidelines when planning journeys.

When driving on Council business all employees:

- Must at all times comply with the Highway Code, following road traffic instructions and adhere to relevant speed limits and the wearing of seat belts where fitted;
- Must make allowance for prevailing road and weather conditions;
- Must drive safely and allow sufficient time to carry out their duties without endangering themselves or others;

- Must promptly report all work-related transport and road traffic incidents;
- Ensure that they have vehicle insurance which includes cover for business use;
- Ensure that any vehicle used for business purposes is maintained in a roadworthy condition in accordance with the manufacturer's recommendations;
- Where applicable, have a current MOT certificate for the vehicle;
- Regularly carry out basic checks to own vehicles used for Council business purposes;
- Report to their line manager immediately any accident involving their own vehicle when driving during working hours;
- Report to their line manager immediately any motoring related prosecution or fine attracting 6 or more penalty points, whether driving on Council related business or not;
- Report any health problems, which might affect their ability to drive, if driving is a requirement of the post. Failure to do so could lead to disciplinary action;
- Comply with any reasonable request to carry out driving duties where it is a requirement of their employment and to do so in a safe and responsible manner. Failure to do so could lead to disciplinary action.

When driving on Council business using fleet vehicles all employees:

- Must conduct routine daily vehicle checks (Appendix 3), if driving a TDC fleet vehicle mileage must be recorded at the beginning and end of each day (Appendix 4);
- Must ensure that they will not drive when unfit to drive safely i.e. Medication, Alcohol, and Tiredness;
- Must report any defects or damage to TDC owned, hired or leased vehicles to the Transport Services Manager as soon as practicable by completing the relevant documents.

When driving on Council business using private vehicles all employees must:

- Allow the TDC appointed person to carry out licence checks with the DVLA with them present;
- Have a valid driving licence;
- Report any endorsement or disqualification from driving to their manager;
- Additionally, for employees using their own vehicle, complete a declaration supplying insurance and MOT details to the Council;
- Be made aware that the Council will not reimburse fuel expenses for travel for any employee who has not undergone the appropriate licence, insurance and MOT checks.

Employees are responsible for any infringement of the law whilst driving and are also responsible for fines (including those for parking violations) relating to any road traffic offence they commit and will include any administration charges incurred by TDC.

Please note that preparation and making time for journeys will enable employees to comply with the above and improve road safety.

### **Unacceptable Behaviours whilst driving**

At all times, staff, including passengers are expected to behave with courtesy to others and in a manner that does not bring the reputation of the Council into disrepute.

Behaviours such as:

- Throwing litter from a vehicle;
- Tailgating;
- Gesticulating and shouting abusive phrases;
- Aggressive driving including improper use of the horn and flashing of headlights;
- Unsafe overtaking or any reckless maneuver;
- Not wearing a seatbelt;
- Using a mobile phone whilst driving.

Are expressly forbidden and will be subject to disciplinary investigation.

## **5. MANAGING RISK**

### **5.1 Risk Assessment**

Managers are responsible for ensuring that suitable and sufficient risk assessments are in place for driving activities in their area of responsibility and that these are properly communicated to employees.

For general guidance when considering risk assessments for driving purposes managers should consider the following:

- Legality of driver;
- Health of drivers;
- Defective vehicles;
- Personal safety/security;
- Hazards when carrying out pre-use checks;
- Use of in-vehicle equipment while driving, e.g. mobile phones, satellite navigation systems, radios, in car entertainment;
- Distraction such as eating, drinking and smoking.

All drivers must be satisfied that the vehicle is in a safe and roadworthy condition. This applies equally to TDC, lease, hire or own vehicles. Employees must carry out a basic visual vehicle safety check before using a vehicle on Council business (Appendix 3) and for private vehicles checks (Appendix 5). Checks in council owned vehicles should be confirmed using the Vehicle Inspection Sheet (Appendix 4) which are stored in each vehicle.

### **5.2 Training**

As with other work equipment TDC has a duty to assess, inform, train and supervise workers who drive vehicles as part of their work.

Even though employees who have passed a driving test and hold an appropriate valid licence. Managers should still ensure that the employee has the competence to safely undertake the type of driving the job requires.

No officer of TDC shall allow an employee, agency worker or volunteer to drive a Council vehicle, hired vehicle or an own vehicle without first ensuring:

- The suitability of the individual to drive the vehicle;

- That the vehicle user has the appropriate full and current licence to drive the vehicle(s) proposed;
- That the vehicle driver has the necessary experience, or is assessed for competency before commencing duties.

### **5.3 Record Checks for employees using their own vehicle for work**

A recorded check of drivers' licences, insurance cover and MOT's shall be carried out at least every 12 months. It is the responsibility of the service area manager to ensure checks are carried out and up to date. This shall include employees who use vehicles for work purposes but do not claim fuel allowance.

Licence checks, MOT and insurance cover where appropriate, for employees and non-employees must be carried out in advance of the start of first driving duty, before permitting the driver to drive on behalf of the Council.

Any endorsements for serious offences i.e. those attracting 6 or more penalty points, such as drink driving and reckless/dangerous driving, should be notified to the employee's manager, Assistant Director/Head of service and HR

Any employee found to be driving on Council business with a non-valid licence shall be immediately suspended from driving duties and may be subject to disciplinary procedures.

When recruiting, managers must ensure that if a role requires the person to drive on TDC business, the candidate holds a full and valid driving licence for the role and vehicles to be driven. It is also a condition of recruitment that the recruiting manager makes enquiries regarding driving endorsements, including full details and expiry dates. Information given, may affect recruitment decisions.

### **5.4 Medical Suitability and Fitness to Drive**

New employees whose duties include driving a TDC owned, leased, hired or their own vehicles on Council business are required to complete a medical declaration form (*as part of their pre-employment checks*) to affirm that they are medically fit to drive.

Employees are required to notify their line manager as soon as they become aware of any medical condition which may affect their ability to drive a vehicle.

There is a legal requirement to report to the DVLA any medical condition requiring notification. Drivers must inform their manager and HR if they have ever had, or currently have, any of the following:

- Diabetes controlled by insulin;
- Epilepsy;
- Any condition affecting both eyes, or the remaining eye if you only have one eye (not including colour blindness, short or long sight);
- Stroke, with any symptoms lasting longer than one month or TIAs (Transient Ischaemic Attacks);
- Fits or blackouts;
- Any type of brain surgery, severe head injury involving in-patient treatment, or brain tumour;
- An implanted cardiac pacemaker;



- An implanted cardiac defibrillator (ICD);
- Repeated attacks of sudden disabling giddiness;
- Any other chronic neurological condition including Multiple Sclerosis, Motor Neurone and Huntington's disease;
- A serious problem with memory or periods of confusion;
- Persistent alcohol misuse or dependency;
- Persistent drug misuse or dependency;
- Serious psychiatric illness or mental ill-health;
- Parkinson's disease;
- Sleep apnoea syndrome;
- Narcolepsy;
- Any condition affecting your visual field (the surrounding area you can see when looking directly ahead);
- Total loss of sight in one eye;
- Any persistent problem which needs driving to be restricted to certain types of vehicle or those with adapted controls;

And for LGV and PCV drivers, the following additional conditions also require notification:

- Any heart condition or heart operation;
- Sight in only one eye;
- Any visual problems affecting either eye.

If there is any doubt as to the medical suitability of an employee to carry out driving duties then that employee shall be referred to the Occupational Health provider or any suitable alternative for expert medical opinion and advice.

### **5.5 Alcohol and Drugs (Including prescribed medication)**

It is an offence to drive, attempt to drive or be in charge of any motor vehicle on the public highway when unfit through drinking alcohol or consumption of drugs.

Employees who are prescribed drugs for any medical condition must make it clear to any medical professional prescribing treatment that driving a vehicle for work is included in the employee's duties. The line manager must be informed of any medical condition which could affect the ability of the employee to drive safely.

All drivers and managers of drivers should refer to the Tendring District Council Alcohol and Substance Misuse policy for more detail and the options for alcohol testing.

### **5.6 Mobile Phones and hand held devices**

All staff are reminded that it is an offence to use a mobile phone, other than a legally compliant 'hands free' in a vehicle on the public highway at any time when the engine is running. This includes when stationary at traffic lights or when parked on roads when the engine is running.

No employee should use a mobile phone or other hand held devices on the public highway whilst in the driving seat of a vehicle and the engine is running.

Whilst the use of hands free systems is legal, the Council strongly advises all drivers to refrain from the use where possible such systems unless it is an emergency. The evidence that the risk of accident increases with their use is considerable.

## **5.7 Seat Belts**

All drivers & Passengers must ensure that seat belts are worn if fitted at all times while driving.

## **5.8 Eye Tests**

Tendring District Council will, upon request from an employee who is a Driver, provide a voucher for the cost of an eyesight test, which must be carried out by our nominated opticians at a time convenient to the employee but arranged to minimise disruption to the working day.

If you need to arrange for an eye test please contact [healthandsafety@tendringdc.gov.uk](mailto:healthandsafety@tendringdc.gov.uk) who will send you a voucher. Upon receipt of the voucher you can then arrange your eye test with the nominated optician. Once the test has been carried out the optician will complete their section of the form which must then be returned to [healthandsafety@tendringdc.gov.uk](mailto:healthandsafety@tendringdc.gov.uk).

# **6 FLEET AND FLEET DRIVER ISSUES**

## **6.1 Road worthiness of fleet vehicles**

All leased, hired or TDC owned vehicles are to be inspected for road-worthiness by the user on a daily basis. As a minimum:

- Drivers must complete the vehicle daily check and defects report. Any defect must be brought to the attention of a responsible manager as soon as possible;
- All completed vehicle check and defects report forms must be handed into the transport office at the end of every week;
- All forms must be completed legibly and in full;
- Monthly checks will be carried out by Team Leaders/Supervisors who will keep a record of their findings;
- Any concerns with the mechanical condition of a leased, hired or other company vehicle must be reported immediately to the Transport Services Manager and a defect sheet completed;
- Drivers must maintain any leased, hired or company vehicle in a clean and tidy condition, with particular attention to the external vehicle cleanliness;
- Drivers are not permitted to remove, make any additions or alterations to the standard livery of a leased or company vehicle or tamper with or fit additional equipment/accessories;
- Drivers must ensure that the vehicle's load is safe and maximum gross weights and axle weights are not exceeded.

## **6.2 Vehicle security**

Drivers are responsible for ensuring that at all times:

- Any vehicle is securely locked when the driver and staff members are away from vehicle;

- Ignition keys are not left in any vehicle or any door lock when left unattended and that the engine is not left idling when away from the vehicle;
- Loads including equipment are secure from theft at all times;
- Fuel cards or tracker fobs are kept securely. Driver fobs are personal and should not be left in vehicles or loaned to other staff members or any other persons known to the employee;
- Loads on or in the rear of the vehicle must be securely fastened whilst the vehicle is in transit.

Note: A vehicle is not considered to be unattended when the driver and /or other staff members are out of the cab and operating ancillary equipment associated with the vehicle operation.

Should a vehicle be broken into or stolen the Police and Transport services Manager must be notified immediately.

### **6.3 Smoking**

The Smoke-free (Premises and Enforcement) Regulations 2006, prohibits smoking in the work place, e.g. if that work place is an enclosed space or substantially enclosed and is used by more than one person; this has been clarified as including the cab area of company vehicles.

Smoking is prohibited within all vehicles as per the councils No Smoking Policy, this includes the use of e-cigarettes. Drivers using their own vehicles to carry passengers on Council business must not smoke within the vehicle while carrying out that business.

Any member of staff refusing to observe the policy will be liable to Disciplinary Action in accordance with the Council's Disciplinary Procedure.

### **6.4 First aid**

A first aid kit is available in all TDC fleet vehicles.

It is the responsibility of the driver to ensure that vehicle first aid kits are up to date and sufficiently stocked. Checks should be carried out and recorded in accordance with service needs and use but shall be inspected and recorded at a period no longer than 13 weeks.

TDC staff who are using their own vehicles for work purposes should also ensure that they have an appropriate basic first aid kit.

### **6.5 TDC vehicles for personal use and carrying passengers**

TDC owned, leased or hired vehicles are solely for use on authorised business and must not be used by any person except on Council business. Any approved use of vehicles for travel from home to work and work to home will be in accordance with Inland Revenue guidance. 'To and from work' can be interpreted as travelling to an individual job or any Tendring District Council office, depot or premises. Drivers of TDC owned, hired or leased vehicles who take vehicles home at the end of the working day in order to commute to work and/or are on emergency call out are not considered by the Inland Revenue to be receiving a taxable benefit.

Only individuals working for or on behalf of Tendring District Council (this includes contractors, employees, Members and agency staff) at the time of the journey are authorised to drive or be a passenger in a Council, owned leased or hired vehicles.

## **6.6 Holidays, sickness and unplanned leave**

Individual services may have specific arrangements for employees permitted to take Council vehicles home. However it is the responsibility of the employee to make the vehicle available for use by their service in the event of absences and leave.

## **6.7 Use of Vehicle Tracking Systems**

All Council vehicles are tracked for operational fleet management monitoring, security, employee safety reasons and is a requirement of the council's fleet insurance.

If vehicle tracking systems are installed drivers need to be aware that, while tracking is a safety benefit for lone drivers, the primary reason for installation is to provide operational fleet management and efficiencies.

Tracking system reports could highlight unsafe driver behaviour, such as speeding, and inappropriate use of vehicles. Outcomes could include disciplinary actions.

Drivers must be made aware that authorised Council officers may use the information recorded by tracking systems in order to:

- Support any areas requiring investigation;
- To settle disputes or provide additional information to resolve accidents / incidents and issues of complaint;
- Use this information in order to take appropriate action where concerns exist.

Authorised users of the tracking system and data need to be aware that the information recorded is confidential. Persons inappropriately disclosing information gathered from the tracking system may be subject to disciplinary action.

It should also be noted that although the GPS tracking system is covered by the GDPR and Data Protection Act provisions this does not apply to information required by the police in respect of the prevention or detection of crime or by HM revenue and customs in support of the collection of taxation or duty.

**Managers must bring to the attention of the Transport Services Manager any vehicle not fitted with a tracking system or where it has become defective.**

Regular monitoring will be conducted to ensure compliance.

## **6.8 Road traffic accident/incident procedure for Fleet**

In the event of an accident the driver should follow the guidance provided in the vehicle on the Insurance Accident Assistance Card (Appendix 2).

Employees must not admit liability for any accident or road traffic incident, authorise any repairs to a third party vehicle or property or make any offer of payment when driving a Council vehicle.

Incidents that require the driver to stop:

- Injury to any person, property or to the following animals: cattle, horses, pigs, goats or dogs;
- Damage to another vehicle or trailer drawn by the vehicle, property on or adjacent to the road e.g. lamp posts, traffic lights, trees or gates;
- Damage to the vehicle (in order to assess roadworthiness to continue the journey.)

Requirements in the event of an accident

- The driver must give vehicle registration number and insurance particulars to any person having reasonable grounds for requiring them;
- Drivers should note that an accident involving injury to people or the animals listed above must be reported to the police as soon as possible and in any case within 24-hours;
- Any delay in reporting (within 24 hours) may still be classed as an offence if it is considered that the accident could have been reported sooner.

Failure to stop and report an accident is an offence and the driver could incur a fine and/or imprisonment plus penalty points on the individual's driving license and possible disqualification.

At the scene of an incident/accident the employee should obtain full details of the third party as follows:

- Full name and address including postcode;
- Telephone number;
- Make and model of vehicle and registration number;
- Insurance company details including policy number;
- Details of damage to third party vehicle or property;
- Details of any injured party and nature of injury;
- Did Emergency services attend the incident?

Where possible the driver must obtain full details of any witnesses and take photographic records of the damage to vehicles, the location and any other relevant information.

## **6.9 Fleet driver assessments**

An initial assessment will be carried out before the person is allowed to drive a vehicle or operate equipment owned or operated by TDC. Further mandatory assessments will be carried out if the level of driving falls below the standards required by TDC.

Driver assessments will be carried out by either the Transport Services Manager or their nominated person to assess driver suitability.

Driver assessments for vehicles above 3.5 tonnes require additional scrutiny to ensure legally qualified.

Any manager concerned about the competence of an employee to drive safely without risk to self and others, whether a contracted driver, essential user or casual user, shall consider whether it is appropriate to request formal capability assessment of the driver.

Refusal by the employee to undergo such an assessment when reasonably requested could result in removal of authorisation to drive on Council business and suspension of any payments related to driving duties. The employee may also be subject to disciplinary procedures.

## **7. FUEL CARDS**

### **7.1 Fueling of Council Vehicles**

All Council owned/hired/leased vehicles are fueled using a fuel card.

Fuel can be obtained from nominated petrol stations only.

Fuel Cards are registered in the name of the employee who will be accountable for all purchases made.

Service managers and supervisors can request new cards by contacting the Transport Services Manager.

Any lost/stolen fuel cards must be reported to the Transport Services Manager immediately.

Any obsolete/unwanted cards should be returned to the Transport Services Manager immediately for cancellation.


Managers are responsible for returning fuel cards to the Transport Services Manager when an employee from their service area leaves the council.

Fuel receipts must be obtained from the petrol station and placed into the receipt box located in the Transport office at Northbourne Dept

Use of fuel will be monitored against mileage and vehicle use. Managers and supervisors are to support regular monitoring.



# Appendix 1

<b>TENDRING DISTRICT COUNCIL- INCIDENT REPORT FORM</b> <b>Record of injury or non-injury accident or incident involving violence, fire, near-miss or hazard</b> <b>Return to: <a href="mailto:healthandsafety@tendringdc.gov.uk">healthandsafety@tendringdc.gov.uk</a></b> Health and Safety at Work Act 1974 and Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) If this incident relates to a member of TDC or a contractor this could be RIDDOR reportable, Please see RIDDOR examples inside cover of book.		 FOR THE GOOD OF ALL
<b>Part 1</b>	<b>Information required about Person injured in the Incident.</b> a) Name of injured person/s b) Address of the person c) State Job Title if an employee or state Member of Public (MOP) d) Date & time of incident e) Person's age f) Reference No. of report	a) Name: _____ Sex M <input type="checkbox"/> F <input type="checkbox"/> b) Address: _____ _____ Post Code _____ d) Date of Incident: ___/___/___ e) Time: ___:___ AM <input type="checkbox"/> PM <input type="checkbox"/> f) Age of person: _____ years old g) Location of incident _____
<b>Part 2</b>	<b>Information About the incident.</b> a) State exactly where it happen b) Describe what happened, and explain the factors involved. If a fall is involved, from what height did it occur. If reporting a violent incident give the names of those involved c) Give brief details of any action taken or recommendations to prevent re-occurrence	a) Place incident occurred: _____ _____ <b>b) What happened (be clear as possible in your description of the event):</b> _____ _____ _____ <b>c) Action taken if required:</b> _____ _____
<b>Part 3</b>	<b>Details of any Injury.</b> a) Type of injury (State LH or RH where necessary) b) Was the person off work for more than 3 days c) Details of any First Aid given d) Who gave First-Aid e) Who was the incident reported to	<b>a) Injury details (be clear as possible in your description i.e where on the body the injury occurred):</b> _____ _____ _____ _____ _____ <b>b) Over 3 day Absence</b> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>c) First-Aid given:</b> _____ <b>d) Emergency services incident number:</b> _____ <b>e) By:</b> _____ <b>f) Reported to:</b> _____
<b>Part 4</b>	<b>Incidents.</b> Give the names and addresses of any witness/s	Name and Address: _____ _____
<b>Part 5</b>	<b>Details of the Fire Or Hazard.</b> <b>If reporting a fire.</b> a) Date and time it occurred b) Briefly describe the damage caused <b>If reporting a hazard give details</b>	a) Date of fire or hazard: ___/___/___ Time: ___:___ AM <input type="checkbox"/> PM <input type="checkbox"/> b) Details: _____ _____ _____
<b>Part 6</b>	<b>Person involved to sign confirming above details correct</b>	Name: _____ Signature: _____ Date: / /
<b>Part 7</b>	<b>Member of staff filling in form</b>	Name: _____ Signature: _____ Date: / /
<b>Part 8</b>	<b>Name of Supervisor / Manager</b>	Name: _____ Signature: _____ Date: / /
<b>NOTES</b>	i ii iii	<b>For an Injury, Accident or Incident involving Violence Start at part 1 and also fill in parts 2, 3, 4, 6, 7 and 8</b> <b>For a Fire or Hazard Report start at Part 5 and also fill in Parts 6, 7 and 8</b> <b>For a non-injury accident or near miss incident start at part 2 and also fill in parts 4,7,7 and 8.</b>

Update March 2019- Corporate Health & Safety

**Appendix 2**

<p><b>PROTECTOR</b> insurance</p> <p><b>Tendring District Council</b></p> <p>You have been involved in an accident with our policy holder. Please call our insurers Protector Insurance on:</p> <p><b>0161 274 9077</b></p> <p><b>Policy Number: 458918</b></p>	<p><b>RECORD WITNESS OR PASSENGER DETAILS HERE</b></p> <p>Witness Name _____ Address _____ Postcode _____</p> <p>Phone Number _____ Witness location to the Accident _____</p> <p>Number of occupants in other vehicle including driver _____ Their Gender and approximate age _____</p> <p>Did the emergency services attend Y/N _____ Reference number if YES _____</p>	<p><b>PROTECTOR</b> insurance</p> <p><b>MOTOR INCIDENT ACCIDENT ASSISTANCE</b></p> <p><b>Tendring District Council</b></p> <p>Please report immediately to <b>0161 274 9077</b></p>
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<p><b>IN THE EVENT OF AN ACCIDENT</b></p> <ul style="list-style-type: none"> <li>✔ Number 1 priority after a road traffic collision, check and see if there are any casualties, if there are, always summon assistance immediately. Do not move any of the vehicles unless they pose a direct threat of further injury or damage at the scene.</li> <li>✔ Do not admit liability</li> <li>✔ Record the details of the vehicles involved including registration, make, model, drivers name, address and contact telephone number</li> <li>✔ Exchange details of insurers with other parties</li> <li>✔ Take note of the number of occupants in each vehicle</li> <li>✔ Take witness details where applicable</li> <li>✔ Note the time, date and location of the accident</li> <li>✔ Where possible, take photographs of the location and any damage sustained</li> <li>✔ Report the accident to your insurers on <b>0161 274 9077</b></li> </ul>	<p><b>RECORD THIRD PARTY DETAILS HERE</b></p> <p>Name _____ Address _____ Postcode _____</p> <p>Phone Number _____ Vehicle Make/Model _____ Is this a company vehicle Y/N _____ Number of occupants in other vehicle including driver _____ Registration Number _____ Insurance Company _____ Policy Number _____ Date / Time / Location _____ Signature of third party _____</p>	<p><b>FILL IN YOUR DETAILS, TEAR OFF AND GIVE TO THE THIRD PARTY:</b></p> <p>Name _____ Company Name _____ Registration Number _____</p> <p><b>PROTECTOR</b> insurance</p> <p>Telephone: <b>0161 274 9077</b> Email: <b>claims@protectorinsurance.co.uk</b> Policy Number: <b>458918</b></p>
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### Appendix 3

#### Vehicle Daily Check Items to be Signed For

Check Level of:	Oil
Check Level of:	Coolant
Check Level of:	Screen Wash
Check Level of:	Brake/Clutch Fluid
Security/Visibility of:	Number Plates
Security of:	Mirrors
Function of:	Lights
Function of:	Indicators
Condition/Inflation of	Tyres
Condition of:	Bodywork
Display of:	O Licence Disc if Appropriate

DRAFT

**Appendix 4**

VEHICLE LOG SHEET		Fleet No.		Reg'n No.		WK. No.		
		Fuel Drawn Gall/Lts	Oil Drawn Lts.	Mileo- Meter Start	Mileo- Meter Finish	Total Miles	Man No.	Drivers Signature
SAT.	Daily Check Completed							
	Defect Note No. if Any							
SUN.	Daily Check Completed							
	Defect Note No. if Any							
MON.	Daily Check Completed							
	Defect Note No. if Any							
TUES.	Daily Check Completed							
	Defect Note No. if Any							
WED.	Daily Check Completed							
	Defect Note No. if Any							
THUR.	Daily Check Completed							
	Defect Note No. if Any							
FRI.	Daily Check Completed							
	Defect Note No. if Any							
(VS4)	TOTALS							WEEK ENDING

DRAFT

**Appendix 5 - Suggested private vehicle checks for essential and casual car users.**

Employees are not required to record vehicle checks for service areas but carrying out checks will help to ensure the safety of casual/essential user vehicles.

Basic vehicle checklist non-fleet drivers				
Vehicle Reg No.		Date		
		Yes	No	Action
Tyres	Tyres inflated			
	Tyres no visual damage			
	Tyres no bald patches			
Lights	Brake			
	Headlights			
	Rear lights			
	Indicators			
	Hazard			
Screen wipers	Front			
	Rear			
Screen Wash	Front			
	Rear			
Wing Mirrors	Nearside			
	Offside			
Seatbelts	Driver			
	Passenger(s)			
Brakes	Hand			
	Foot			
Oil	Above minimum			

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## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

7 JULY 2021

### REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

#### **A.4 RENEWAL OF THE NEW DISABILITY CONFIDENT LEADER STATUS**

*(Report prepared by Pauline Lifton)*

#### **PART 1 – KEY INFORMATION**

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

To inform Members of the Human Resources and Council Tax Committee of the successful renewal of the Council's Disability Confident Leader Status for a further 3 years.

##### **EXECUTIVE SUMMARY**

In 2016, the Government made a commitment to halve the employment gap for disabled people and to achieve this ambition; the Department for Work and Pensions (DWP) worked closely with disabled people, disability organisations and other key stakeholders. From this evolved the Disability Confident Scheme which replaced the previous "Two Ticks" DWP model. At the time of introduction, based on the Council's excellent work under the previous scheme, the authority were awarded the Disability Confident Employer Status, Level 2.

In 2017, the Council was one of the first local authorities in Essex to achieve Disability Confident Leader Status, Level 3, which acknowledged the continued progressive work that had been undertaken by the Council in the positive recruitment, retention and promotion of supporting people with disabilities in the workplace and to all stakeholders and suppliers.

Three years on, the Council were required to submit a renewal application to retain its Disability Confident Leader Status.

The Council and the Human Resources Team have continued to build on the good practice throughout the organisation, working within the requirements of the recruitment, retention and support of disabled employees, as well as the support from the Economic Growth Team in their positive promotion of Disability Confident at all of their events and e-bulletin's to local businesses, taking an active leadership role in encouraging and helping other employers on their journey to becoming Disability Confident.

In addition, the Human Resources Team in partnership with the Career Track Team, worked with Jobcentre Plus in late 2020, to deliver three virtual 'Mentoring Circles' to job seekers in the local district and wider Essex. These sessions had a very good participation uptake rate and Jobcentre Plus reported that they "*were one of the most successful in the District and the feedback indicates that they were well received*", and they are keen for us to hold more in the future.

Therefore, the Council were able to evidence continued commitment, in all required areas. In line with the requirement to be validated by an independent organisation, who also held Disability Leader Status, the authority engaged the charity Shawtrust to undertake the validation exercise for the re-accreditation process.

The authority was pleased to receive extremely positive feedback from Shawtrust on our submission, with them stating that "*It is clear that Tendring DC are committed in continuing providing exceptional inclusive support for both their staff and disabled community*". Following

Shawtrust's positive validation of our renewal submission, our Disability Confident Leader Status was renewed until April 2024.

Moving forward, the Council is committed to continue to build on the good work already undertaken by running further 'Mentoring Circle' groups through Jobcentre Plus, to engage and promote to local young people and those with disabilities the positive working environment and opportunities the Council and Career Track can offer.

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

It is recommended that the contents of this report be **NOTED**.

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

### **DELIVERING PRIORITIES**

The Council's values as outlined in the Corporate Plan 2020/24 include "*recognising the diversity and equality of individuals*". The authority's '*Disability Confident Leader Status*' contributes towards this ambition.

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

There are no financial or other risks associated with the '*Disability Confident*' accreditation. This accreditation recognises that the Council promotes the positive recruitment, retention and support of people with disabilities in the workplace.

### **LEGAL**

The Council must ensure compliance with Employment Legislation, including the Equalities Act 2010.

The Council also has a legal duty of care to employees to ensure their 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**

### **BACKGROUND**

The Disability Confident Scheme, which replaced the "Two Ticks" accreditation has three levels:-

- Level 1: Disability Confident Committed
- Level 2: Disability Confident Employer
- Level 3: Disability Confident Leader

The Equality Act 2010 makes it unlawful to discriminate against employees/potential employees because of a mental or physical disability.

All employers should ensure they have the necessary procedures in place to prevent disability discrimination in the following:-

- Recruitment and selection;

- Determining pay, terms and conditions;
- Sickness absence;
- Training and development;
- Promotion;
- Dismissal;
- Redundancy.

To gain the accreditation, the Council was required to demonstrate evidence of the following:-

- Inclusive and accessible recruitment;
- Interviewing all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities;
- Confirm we are employing disabled people within our organisation;
- Ensuring there is a mechanism in place to discuss at any time, but at least once a year, with disabled employees, what can be done to make sure they can develop and use their abilities;
- Making every effort when employees become disabled to make sure they stay in employment;
- Taking action to ensure that all employees develop the appropriate level of disability awareness needed to make the commitments work;
- Act as a champion within our local and business communities.

In 2019, a further mandatory criteria was added to the requirement to maintain Leader Status. This was for the Council to commit to reporting on disability, mental health and wellbeing within the workplace, through the Voluntary Reporting Framework.

The framework has been developed by the Government in partnership with large employers and expert partners (*including leading charities*) to support organisations to record and voluntarily report information.

The Government advise the benefits of voluntarily reporting information on disability, mental health and wellbeing in the workplace may support an employer to:

- Improve employee engagement and retention, with consequent gains for performance and productivity; engaged employees are less likely to report workplace stress and take fewer days sickness absence;
- Better understand the experiences of disabled people and people with mental health conditions in their workforce;
- Better monitor internal progress in building a more inclusive environment for employees;
- Access a wider pool of talent and skills through promoting inclusive and disability-friendly recruitment, retention and progression policies;
- Set an industry example in driving a cultural shift towards increased transparency;
- Better serve and connect with disabled customers and communities, capitalising on spending power; and
- Engage in open and supportive conversations about disabilities and health conditions to help enable employees to remain in work and achieve their potential.

This further commitment was agreed by Management Team and the reporting arrangements will be developed within the next 12 months.

#### **BACKGROUND PAPERS FOR THE DECISION**

None.

**APPENDICES**

Appendix A – Disability Confident Leader Certificate





**This is to certify that**

**Tendring District Council  
DCS002280  
is a Disability Confident Leader**

**Period of award: 12/04/2021 to 08/04/2024**

**Issue date: 12/04/2021**

**As a Disability Confident Leader we:**

- have subjected our Disability Confident self-assessment to an external challenge and validation
- are taking an active leadership role in encouraging and helping other employers on their journey to becoming Disability Confident.

Find out more about Disability Confident at:

**[www.gov.uk/disability-confident](http://www.gov.uk/disability-confident)**

 **#DisabilityConfident**

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## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

7 JULY 2021

### REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

#### A.5 DISCRETIONARY MARKET FORCES POLICY REVIEW (Prepared by Katie Wilkins)

#### PART 1 – KEY INFORMATION

<b>PURPOSE OF THE REPORT</b>
To present the revised Discretionary Market Forces Policy ( <i>which has been updated in line with best practice</i> ) to the Human Resources & Council Tax Committee.
<b>EXECUTIVE SUMMARY</b>
<p>The purpose of the review is to ensure the Council has a clearly defined approach to applying Market Forces Supplements where a genuine business need arises. It also complies with the legal requirement that employers have objective justification if they offer different rates of pay to staff whose work is of equal value.</p> <p>The Council is committed to the principles of equal pay for work of equal value. The National Job Evaluation and Grading Scheme provides an analytical and non-discriminatory method of evaluating jobs. However, there may be exceptional circumstances, explicitly due to labour market conditions, where the evaluated grade results in an inability to successfully recruit or retain suitable staff for specific jobs. In these exceptional circumstances, it may be appropriate for consideration to be given to the payment of a Market Forces Supplement to overcome this problem.</p> <p>A Market Forces Supplement is an additional temporary payment to the basic salary of an individual job or specific group of jobs where market pressures would otherwise prevent the Council from being able to recruit or retain staff with a particular skill or group of skills. It is an exceptional measure and will be taken only when other measures have been exhausted.</p> <p>The timescales for review of the payment of any supplement by Human Resources &amp; Council Tax Committee have been updated within the Discretionary Market Forces Policy to reflect best practice and to afford an additional element of flexibility.</p>
<b>RECOMMENDATION(S)</b>
<b>It is recommended that the Committee approves the content of the revised Discretionary Market Forces Policy.</b>

#### PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>
To have a clear policy on the application of Market Forces Supplements supports the aspiration in the Council's Corporate Plan 2020/24 of " <i>Innovative, flexible, professional staff committed to delivering excellence</i> ".

<b>FINANCE, OTHER RESOURCES AND RISK</b>
The risk of not recruiting or retaining the sufficient level of skilled staff will have a detrimental effect on the delivery of the various statutory and non-statutory functions of the Council. It will also result in the failure to deliver on a number of the key strategic objectives outlined in both the Corporate Plan and the associated Projects.
<b>LEGAL</b>
The Council must comply with good practice in applying Market Forces Supplements and ensure that these are used only when there is clear evidence of the need. Failure to do so may result in equal pay challenges under the Equal Pay Act 1970.
<b>OTHER IMPLICATIONS</b>
None.

### PART 3 – SUPPORTING INFORMATION

<b>BACKGROUND</b>
<p>The amended Discretionary Market Forces Policy offers a fair and consistent approach on the application of Market Forces Supplements.</p> <p>It is essential that Market Forces Supplements are applied with absolute integrity and transparency. Employee confidence in the authority’s pay structure would be weakened if decisions were made without sound evidence of a Market Forces issue which could not be resolved in any other way.</p> <p>The majority of the changes apply to the terminology/language used within the Policy making the content easier to interpret.</p> <p><b><u>New Requests</u></b></p> <p><i>“The Corporate Director/Assistant Director is responsible for compiling evidence in a set format (as outlined under the ‘Criteria for Market Forces’ heading above) in consultation with Human Resources colleagues.</i></p> <p><i>The Corporate Director/Assistant Director should then take forward proposals, including recommendations on the actual value of the supplement to be applied etc. (and the associated costs) to Management Team for approval in line with the requirements outlined within this Policy.</i></p> <p><i>If the Management Team support the payment of a Market Forces Supplement, the report will become a joint report from the Corporate Director/Assistant Director and the Assistant Director Partnerships, for submission to the Human Resources &amp; Council Tax Committee for consideration.”</i></p> <p><b><u>Review Periods</u></b></p> <p>One fundamental change is the proposed change to the review timescales under section 5 ‘Review of Market Forces Supplements’ (previously 2 years).</p>

*“Evidence from the review process will be submitted to Management Team for discussion, prior to the Head of Paid Service, in consultation with the Chairman of Human Resources & Council Tax Committee determining whether the supplement should be applied for an additional 12 months (taking to the maximum three year period).*

*At the end of the additional 12 month period, the Corporate Director/Assistant Director must undertake a further review exercise, the results of which should be submitted to Management Team. If the Management Team support the continuation of the payment of a Market Forces Supplement, a joint report from the Corporate Director/Assistant Director and Assistant Director Partnerships, will again be submitted to the Human Resources & Council Tax Committee for consideration as a new request.*

*If following any review, the supplement is no longer merited, it should be withdrawn, with no right of appeal.”*

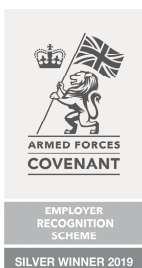
## **APPENDICES**

Discretionary Market Forces Policy – Updated June 2021

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# DISCRETIONARY MARKET FORCES POLICY

Issued by - Human Resources  
Updated – June 2021



## Contents

POLICY STATEMENT.....	3
1. INTRODUCTION.....	3
2. DEFINITION OF MARKET SUPPLEMENTS.....	3
3. CRITERIA FOR MARKET FORCES.....	3
4. HOW THE SCHEME WILL OPERATE.....	4
5. REVIEW OF MARKET FORCES SUPPLEMENTS.....	5
6. APPLICATION OF THE SCHEME.....	5
7. CONCLUSIONS.....	5



## TENDRING DISTRICT COUNCIL

### DISCRETIONARY MARKET FORCES POLICY

#### **POLICY STATEMENT**

The Council is committed to the principles of equal pay for work of equal value. The National Job Evaluation and Grading Scheme provides an analytical and non-discriminatory method of evaluating jobs. However, there may be exceptional circumstances, explicitly due to labour market conditions, where the evaluated grade results in an inability to successfully recruit or retain suitable staff for specific jobs. In these exceptional circumstances, it may be appropriate for consideration to be given to the payment of a Market Forces Supplement to overcome this problem.

#### **1. INTRODUCTION**

This policy has been developed to ensure the Council has a clearly defined approach to applying Market Forces Supplements where a genuine business need arises. It also complies with the legal requirement that employers have objective justification if they offer different rates of pay to staff whose work is of equal value.

#### **2. DEFINITION OF MARKET SUPPLEMENTS**

A Market Forces Supplement is an additional temporary payment to the basic salary of an individual job or specific group of jobs where market pressures would otherwise prevent the Council from being able to recruit or retain staff with a particular skill or group of skills.

#### **3. CRITERIA FOR MARKET FORCES**

A Market Forces Supplement can therefore only be considered when a sound business case is put forward by a Corporate Director/Assistant Director (*employee submissions are specifically excluded*) and there has been a rigorous challenge of the evidence put forward. Examples of the type of evidence required are as follows:-

- Pay data comparison for similar posts with other Local Authorities using Regional Employers Pay Profiles wherever possible or local survey of at least 5 authorities in the area with a similar post.
- Confirmation that at the top of the job evaluated grade for an identical or similar post, our salary is at least three standard increments lower based on the maximum salary.

- Any evidence that there is a Market Forces issue e.g. national skills shortage data and higher than normal turnover etc.
- Confirmation that the requirements (*qualifications and experience*) set out in the advert and person specification are necessary to undertake the specified duties.
- Evidence of any unsuccessful recruitment campaigns, including details of number of applications received and brief explanation as to why each candidate was not called for interview or was not appointed.
- That in the case of a career graded post, the salary being paid matches the level of duties and responsibilities set out in the career grade i.e. appropriate action has been taken to accelerate the grade if the criteria has been met.
- The estimated cost of recruitment - advertising, staff time, induction, training, relocation etc.
- Details of all posts to be covered by any Market Forces Supplement, the costs involved and a financial appraisal carried out in consultation between the Corporate Director/Assistant Director and Finance Colleagues.
- Confirmation from the Corporate Director/Assistant Director that there is budget provision for any payment.
- Consideration of alternative methods of service delivery.

#### **4. HOW THE SCHEME WILL OPERATE**

The Corporate Director/Assistant Director is responsible for compiling evidence in a set format (*as outlined under the 'Criteria for Market Forces' heading above*) in consultation with Human Resources colleagues.

The Corporate Director/Assistant Director should then take forward proposals, including recommendations on the actual value of the supplement to be applied etc. (*and the associated costs*) to Management Team for approval in line with the requirements outlined within this Policy.

If the Management Team support the payment of a Market Forces Supplement, the report will become a joint report from the Corporate Director/Assistant Director and the Assistant Director Partnerships, for submission to the Human Resources & Council Tax Committee for consideration.

If agreed, the supplement should be applied to all identical posts and any other relevant post, where for example supervisory differentials are inappropriate and will not become a permanent feature of the contract of employment.

## **5. REVIEW OF MARKET FORCES SUPPLEMENTS**

The supplement will be payable for 2 years initially, at which point the Corporate Director/Assistant Director will undertake a full review, re-assessing the necessity of any supplement.

Evidence from the review process will be submitted to Management Team for discussion, prior to the Head of Paid Service, in consultation with the Chairman of Human Resources & Council Tax Committee determining whether the supplement should be applied for an additional 12 months (*taking to the maximum three year period*).

At the end of the additional 12 month period, the Corporate Director/Assistant Director must undertake a further review exercise, the results of which should be submitted to Management Team. If the Management Team support the continuation of the payment of a Market Forces Supplement, a joint report from the Corporate Director/Assistant Director and Assistant Director Partnerships, will again be submitted to the Human Resources & Council Tax Committee for consideration as a new request.

If following any review, the supplement is no longer merited, it should be withdrawn, with no right of appeal.

## **6. APPLICATION OF THE SCHEME**

This scheme is discretionary and will not become part of the authority's normal terms and conditions of employment for employees. Staff will not be permitted to submit their own case for a Market Forces Supplement and the application of the Policy is outside of the scope of the Grievance Procedure or any other appeal mechanism. Corporate Directors/Assistant Directors facing a proven case for Market Forces must seek the consent of their Management Team member before any investigation can be undertaken.

## **7. CONCLUSIONS**

It is essential that this Discretionary Market Forces Policy is applied with absolute integrity and transparency. Employee confidence in our pay structure would be weakened if decisions were made without sound evidence of a Market Forces issue which could not be resolved in any other way.

Corporate Directors/Assistant Directors must take responsibility for ensuring this and that the expectations of staff are not raised unjustifiably – staff should not be allowed to believe that all they have to do is apply for other jobs to receive the additional payment.

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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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