



10th June 2025

Dear Councillor,

I hereby summon you to attend a meeting of the **Governance & Performance Committee** on **Tuesday 17th June 2025** in the **Council Chamber, Shotton Hall, Peterlee, SR8 2PH**, at **10.00 am**

Mr I Hall
Town Clerk

Membership: Councillor R. Moore (Chairman),
Councillor I Pygall (Vice-Chairman); and
Councillors P Brown, M Cartwright, S Franklin and A Laing

Members of the public are very welcome to attend our meetings. We have a limited number of designated public seating in our Council Chamber and so any members of the public wishing to attend to observe the meeting are advised to contact the Council in advance so that we can reserve a seat for you: council@peterlee.gov.uk or (0191) 5862491.

AGENDA

1. Apologies for Absence

2. To receive declarations of interest

Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk **prior to the meeting** if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>

3. Reviews of Policies

To review the Council's following policies (Copies attached):

- a) Abusive, Unreasonable & Vexatious Complaints Policy
- b) Allotment Policy
- c) Annual Leave Policy
- d) Eyecare Policy
- e) Maternity Policy
- f) Menopause in the Workforce Policy
- g) Performance Appraisal Policy
- h) Redundancy Policy
- i) Retirement flexible retirement & Pensions Policy
- j) Special- Bereavement and Emergency Leave Policy
- k) Whistle Blowing Policy
- l) Working from home Policy



Abusive, unreasonable and vexatious complaints policy

Version 2 March 2025

SUMMARY

This document sets out the council's policy on dealing with abusive, unreasonable or vexatious complaints. The policy is intended to support the council's complaints procedure which was adopted in April 2017 and reviewed by Council in 2021. It is also intended to help us to protect our staff, in line with our duty of care as an employer.

Chief Officer & Town Clerk

Peterlee Town Council
Abusive, unreasonable and vexatious complaints policy

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Introduction

1. Dealing with a complaint is a straightforward process covered by the Council's complaints procedure, but in a minority of cases people pursue their complaints in a way that is abusive to staff or can either impede the investigation of their complaint or have significant resource issues for the council. This can happen either as part of making the complaint, while their complaint is being investigated, or once the council has finished dealing with the complaint.
2. If this occurs as part of the making of a statutory or corporate complainant, the incident will be dealt with using this policy.
3. We will not normally limit the contact which complainants have with council employees. It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are simply being difficult. It must be recognised that people may sometimes act out of character at times of anxiety or distress and reasonable allowances should be made for this.
4. We do not expect staff to tolerate abusive, vexatious or unacceptable persistent behaviour by complainants. Where a person's behaviour threatens the immediate safety and welfare of staff, a decision will be taken to place that person on the council's Potentially Violent Persons Register (PVPR). Abusive, vexatious or unacceptable persistent behaviour in the context of the PVPR is defined as conscious, deliberate or malicious acts of violent, aggressive or abusive behaviour towards Council employees including physical assault. The following behaviours will not be tolerated and apply to all of the access channels including telephone, face to face, email, web form and social media:
 - Using abusive or foul language
 - Multiple contact to the service
 - Physical assault
5. Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.
6. Even where an applicant displays abusive, vexatious or unacceptable persistent behaviour they can still make requests for information. These will be assessed according to the relevant access to information legislation, and there are grounds within the Freedom of Information Act to declare a request as vexatious in certain conditions.¹
7. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent. The principles outlined in paragraph 10 must be applied.

Abusive, unreasonably persistent and/or vexatious definitions

8. The Council defines abusive, vexatious or unreasonably persistent complainants as those complainants who, because of the frequency or nature of their contacts with the

¹ See 'Dealing with vexatious request (section 14)', Information Commissioner's Office, here: <https://ico.org.uk/for-organisations/foi/freedom-of-information-and-environmental-information-regulations/section-14-dealing-with-vexatious-requests/>

council, hinder our consideration of their or other people's complaints. The description 'abusive', 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

9. Examples include the way or frequency that complainants raise their complaint with staff, or how complainants respond when informed of our decision about the complaint.
10. Features of an abusive, unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, one single feature on its own does not necessarily mean the person will be considered as being in this category):

An abusive, unreasonably persistent and/or vexatious complainant may:

- have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious).
- refuse to specify the grounds of a complaint despite offers of assistance.
- refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure (e.g. staff disciplinary issues; policy decisions).
- refuse to accept that issues are not within the power of the council to investigate, change or influence (examples could be a complaint about a private car park, or something that is the responsibility of another organisation).
- insist on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint).
- make what appear to be groundless complaints about the staff dealing with the complaints and seek to have them dismissed or replaced.
- make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints.
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails).
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive language.
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- deny statements he or she made at an earlier stage in the complaint process.
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- make the same complaint repeatedly, perhaps with minor differences, after the complaint's procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaints' procedure.
- persistently approach the council through different routes about the same issue.
- persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons.

- refuse to accept documented evidence as factual.
- complain about or challenge an issue based on a historic (more than a year old) and irreversible decision or incident.
- have knowingly recorded meetings or face to face/telephone conversations without prior knowledge and consent by the parties involved.

Imposing restrictions

11. We will seek to ensure that the complaint is being, or has been, investigated properly according to the corporate complaints' procedure if possible. In the case of an abusive complainant, we may refrain from investigating the complaint until such time as the complainant stops the abusive behaviour.
12. In the first instance the service manager will consult with the Town Clerk prior to issuing a warning to the complainant. The service manager or Town Clerk will contact the complainant either in writing, by phone or face to face to explain why this behaviour is causing concern and ask them to change this behaviour. If a complainant has a disability, reasonable adjustments will be made if necessary. The service manager or Town Clerk will explain the actions that the council may take if the behaviour does not change. All telephone or face to face conversations will be documented.
13. If the abusive, vexatious or persistent unacceptable behaviour continues, the Town Clerk will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the council in future will be restricted. The Town Clerk will make this decision and inform the complainant in writing of what restrictions have been put in place and for what period.
14. Any restriction imposed on the complainant's contact with the council will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis. Any entry onto the Potentially Violent Person's Register will be for 12 months, any repeat instance of violence or aggression within the PVPR timeframe will result in a reset of the PVPR entry, effectively resetting the entry for a further 12 months.
15. Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
 - banning the complainant from making contact by telephone except through a third party e.g. councillor/friend acting on their behalf.
 - banning the complainant from using some council buildings to access services.
 - banning the complainant from accessing any council building except by appointment agreed by relevant service manager.
 - requiring contact to take place with one nominated single point of contact.
 - restricting telephone calls to specified days / times / duration.
 - requiring any personal contact to take place in the presence of an appropriate witness and/or advising that the conversation will be recorded.
 - letting the complainant know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence).

- in extreme circumstances, the Council may involve the Police. Where this is the case, the complainant will be advised that this is the course of action that the Council is taking and why. Examples include:
 - abusive and threatening behaviour
 - physical abuse
 - refusal to leave the premises
16. When the decision has been taken to apply this policy to a complainant, the Town Clerk will contact the complainant in writing (and/or as appropriate) to explain:
 - why we have taken the decision.
 - what action we are taking.
 - the duration of that action.
 - the review process of this policy
 17. The Town Clerk will enclose a copy of this policy in the letter to the complainant.
 18. Where a complainant continues to behave in a way which is unacceptable, the Town Clerk, in consultation with the Councils Legal advisors, may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.
 19. The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Town Clerk after three months and at the end of every subsequent three months within the period during which the policy is to apply. During this period an integrated restorative practice approach will be considered to try and find a positive way forward for all parties involved.
 20. The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.
 21. Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action. In those cases, the complainant will be put on the Potentially Violent Persons Register for a minimum of 12 months.

New complaints from complainants who are treated as abusive, vexatious or persistent

22. New complaints from people who have come under this policy will be treated on their merits. The Town Clerk will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a 'blanket policy' of ignoring genuine service requests or complaints where they are founded.

Author of Policy;	Chief Officer & Town Clerk
Date effective from;	March 2025
Policy review;	March 2028
Version Control;	V2



Peterlee Town Council Leisure Gardens Policy

EXPLANATORY NOTE

This Leisure Gardens Policy sets out the Council's approach to the provision of our Leisure Gardens in Peterlee and includes issues such as rents, rules and the role of plot holders.

Town Clerk

Version 3: March 2025

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Introduction

The provision of allotments is one of the few statutory duties that the Town Council has. If the Council feels that there is a demand for allotments in Peterlee then it is under a legal duty to provide a 'sufficient' number of them.

The concept of 'Leisure Gardens', as different from 'allotments' came significantly from the 1969 'Thorpe Report' – the report from the 'Departmental Committee of Inquiry into Allotments' of the same year. This report suggested that all councils should review their provision of allotments and move towards re-designating them as 'leisure gardens', with leisure gardens being more attractive and accessible forms of land allotment that appealed to more people from a wider range of social and economic backgrounds.

The Thorpe report considered that the term allotment was outdated and harked back to a time of the *'charitable dole of land...designed to help the "laboring population"'*. The report suggested the adoption of the term 'leisure garden' as signifying *'...that the land is provided primarily for purposes of recreation, and that it is intended for cultivation during the occupiers spare time.'*¹ It has been suggested that one of the main ambitions of the Thorpe report was to *'...move the allotment system away from its (perceived) working class origins and bring it more into line with middle-class values...emphasis[ing] the recreational use of allotments over and above their functional aspect, and in this way hoping to create more demand for allotments.'*²

Whatever the motive, the Thorpe report's suggestions seem to have been taken up in Peterlee. Peterlee Town Council has been referring to the gardens provided at the two current sites at Lowhills Road and Thorntree Gill as 'leisure gardens' since at least 1979. The terms 'leisure gardens' and 'allotments' are used interchangeably throughout this policy, and can be considered to be referring to the same subject – i.e. the 66 plots rented by the Town Council to local people to garden at their leisure.

Current Provision of Leisure Gardens by Peterlee Town Council

The current provision of Leisure Gardens by the Town Council has its roots in the s23 of the Small Holdings and Allotments Act (1908) which put a statutory duty on borough, urban district or town and parish councils to provide a 'sufficient' number of allotments if there is a demand for allotments in the area and to let them to people resident in the area³. The Allotments Act, 1922 defines an 'allotment garden' as being wholly or mainly cultivated by the occupier for the production of fruit or vegetables for consumption by himself and his family, and this definition is common to all the statutes in which the term occurs

The Council sees the provision of Leisure Gardens as an essential part of its services to the people of Peterlee and wishes to see an increasing number of people from all communities and social groups from Peterlee to take up leisure gardening. We will actively promote the service through our work with local communities, and would like to see increasing numbers of people

¹ See Thorpe Report (1969) para674, p269

² See Allotment Gardens: A Reflection of History, Heritage, Community and Self (Lesley Acton, 2011), p56

³ See <http://www.legislation.gov.uk/ukpga/Edw7/8/36/section/23#commentary-c6440201>

from different backgrounds taking up tenancies on our sites – whether that is more women, young people, people with disabilities, or people from black and minority ethnic backgrounds – in line with our commitments under the Public Sector Equality Duty.

At the current time Peterlee Town Council provides two sites for Leisure Gardens, as follows:

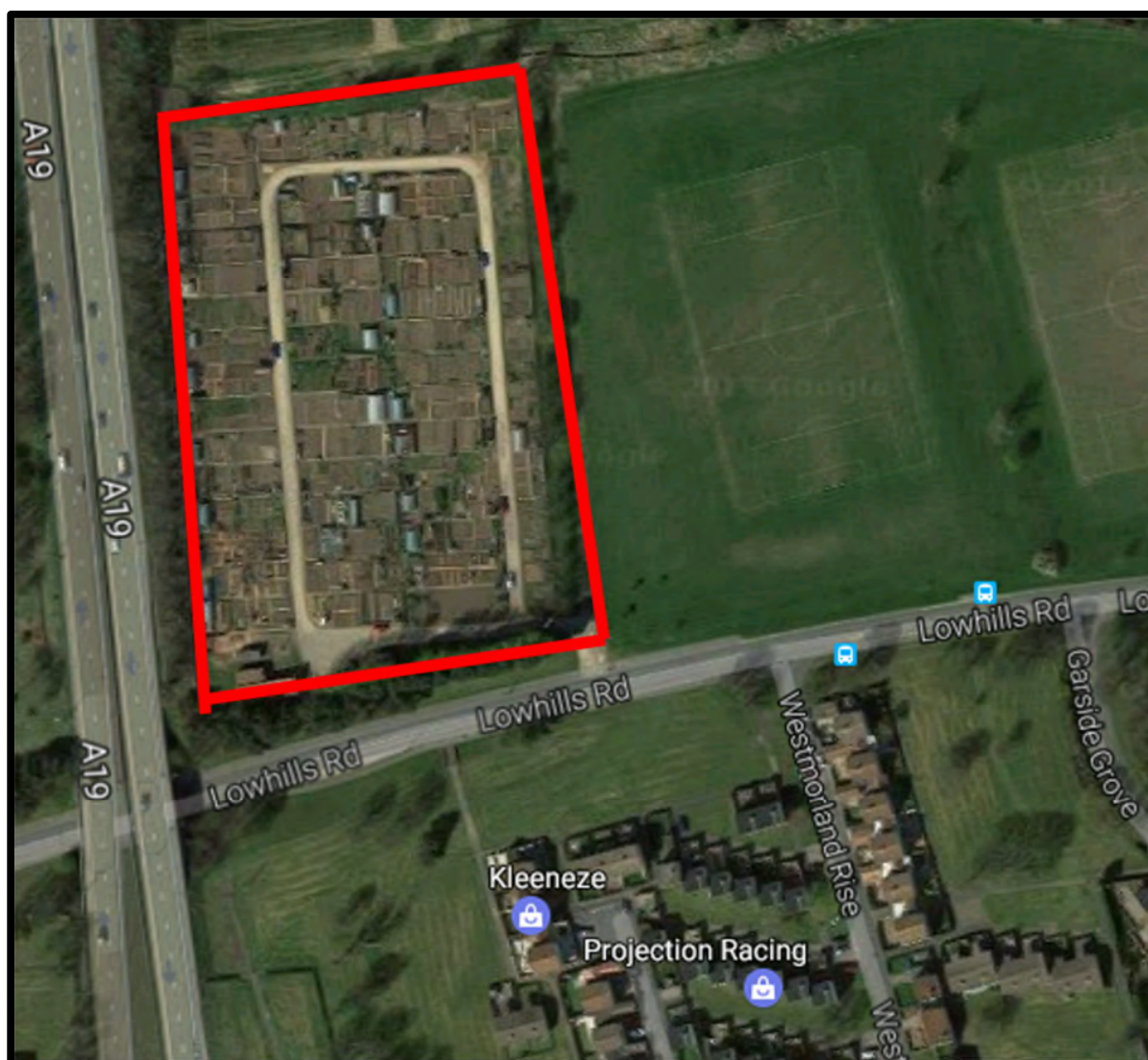


Figure 1: site location of Lowhills Road Leisure Gardens

Site Name	Lowhills Road
Number of plots available	49 full plots equivalent
Facilities on site	Shelter; Toilet; Community Room
Annual Rent	£73.00 full plot; £36.50 half plot
	Key deposit £20.00



Figure 2: Thorntree Gill leisure gardens site location

Site Name	Thorntree Gill
Number of plots available	17 full plots equivalent
Facilities on site	Community Building; Toilet
Annual Rent	£73.00 full plot; £36.50 half plot
	Key deposit: £20.00

The role of Leisure Garden Associations

The relationship between Councils and Allotment Associations has long been an issue of debate.

As far back as 1969 the Thorpe Report considered the relative methods of leasing allotment sites *en bloc* to associations versus the system of appointing associations to act as the landlord's management agents, and concluded that while the final decision rested with the local council '*the appointment of an association to act as an agent has less objection than the grant of a lease to an association*'. One significant factor in this decision was the fact that by their very nature of being volunteer-led bodies, local associations can be somewhat transient in membership.

A 1998 government report 'The Future of Allotments' noted similar reservations:

*Instead of letting and managing themselves, some allotment authorities lease allotment sites to local societies or associations under devolved management agreements. In such cases the local society or association is then responsible for letting the plots, collecting the rent, site maintenance and day to day administration, so the allotment authority's administrative responsibilities are minimal. This can have considerable advantages for allotment authorities, but the membership of the local society can change quickly, and the legal responsibilities of a lease may be best shouldered by a permanent and responsible body.*⁴ (The Future for Allotments, DETR, January 1998 (AL23))

Peterlee Town Council has a long history of working with local associations on the management of its Leisure Garden sites. The Council had formal agreements in place with the 'Peterlee Leisure Gardens Association' (PLGA) as far back as 1979 (Lowhills Road) and 1982 (extended to include Thorntree Gill) which amounted to a management agreement (as opposed to a lease of land).

Unfortunately, in recent years PLGA has ceased to function as a recognizable management agent. At the date of review of this policy, both sites have no established Association or Committee members, and Officers at the Council are supporting plot holders.

The Council is committed to future support on both sites and is working with representatives from both sites to ensure that robust working practices are in place, in line with this policy.

The Council's Policy for the provision of Leisure Gardens in Peterlee

1. Peterlee leisure gardens are available to any adult resident of Peterlee, regardless of gender, race, belief, or disability;
2. Tenancies for leisure gardens will be between the individual leisure gardener and the Council.
4. The Leisure Gardens service is managed through the council's Neighbourhood Services department, and the Council may delegate certain elements of the day-to-day management to local associations;

⁴ See: <https://www.publications.parliament.uk/pa/cm199798/cmselect/cmenvtra/560-iii/560iii02.htm>

5. Regardless of any local arrangements in place for management of the garden sites, the Council reserves the right to terminate through notice to quit or re-entry and all other powers and remedies conferred by the Allotment Acts and other relevant law;
6. The Council will set the level of annual rent payable by garden tenants. and will not unreasonably withhold permission for such charges; a full year's rent will be taken as a deposit at the start of a garden tenancy. An access key to the site gates can be obtained at a cost of £20.00. This is refunded if handed back to PTC.
7. Any local association wishing to manage gardens on behalf of the Council must have a constitution and committee approved by the Council; such approval will not be unreasonably withheld;
8. A waiting list will be maintained by the Council for both of its sites. The waiting list will operate on the basic premise that newly vacated full plots are offered first to applicants who have been on the waiting list for the longest time. When a half plot becomes vacant it is initially offered to the other half plot holder. Half plots are only offered to brand new applicants. If the offer is rejected or a response is not made to the Office within 7 days of the offer, the plot will be offered to the next person on the list in chronological order, and so on until the plot is successfully allocated. If a person declines the offer they will go to the bottom of the list.
9. The Council may agree to delegate the maintenance of local site waiting lists to local associations, however this will include strict reporting requirements in line with the Council's Single Equality Duty and the General Data Protection Regulations (GDPR);
10. Children under 16years of age must be always supervised when they are at the Leisure Gardens site accompanied by the tenant.
11. Tenants are required to keep the allotment clean, in a good state of cultivation and fertility and in good condition. The tenant shall not cause any nuisance or annoyance to the occupier of any adjoining land, or obstruct any path set out by the Council for the use of the occupiers of the allotment gardens. The tenant shall not, without written consent of the Council, cut or prune trees or take, sell or carry away any mineral, clay or sand. It is the responsibility of the tenant to keep every hedge or fence that forms part of the boundary of their allotment garden properly trimmed, and ditches properly cleansed.
12. Tenants are required to maintain any wind breaks, gates or sheds on their allotment garden and be aware that the use of barbed wire is forbidden.
13. Tenants cannot erect any building, shed or other structure on a garden without the written consent of the Town Council.
14. Tenants must not keep any animals or livestock of any kind on the garden and any dogs must be controlled as per the Terms and Conditions (which are to be observed in conjunction with the tenancy agreement). **However, the keeping of bees would be considered on application to the Town Council.**
15. Where there is an association in place, tenants are encouraged to be a member, but if not, are expected to abide by the rules of the association.
16. Responsibility for minor paths lies with the plot holders.

17. Allotments should not be used for commercial gain.

18. The use of water butts is encouraged but may present a hazard to young children and wildlife and should therefore be covered when not in use.

19. The conditions listed above ensure compliance with the tenancy agreement, which is in accordance with the principles of the 'Allotment Acts'. Enforcement is carried out by the Neighbourhood Services Department in consultation with any recognized local Association if one is in place and involves a process of serving a warning notice, giving one month to comply with the notice, followed by a notice to quit for non-compliance. Non- cultivation of plots is the most frequent cause for this procedure to be implemented.

20. Rent Charges will be reviewed annually in line with the annual rate of inflation, as measured by the Consumer Price Index (CPI) published by the Office for National Statistics (ONS) for September each year, unless otherwise determined by Council resolution.

21. The annual rental for an allotment plot should be paid annually, with the rent year commencing the first day of April. Tenants must have paid their rent to the Council by the end of April of each rent year.

22. Any disputes between gardeners, between gardener and association, or association and Council will first be resolved by the Town Clerk. Failure to agree a resolution will result in the matter being referred to the Council's Community & Environment Committee for mediation and/or final decision.

Is there 'sufficient' provision in Peterlee?

i. Waiting lists

In 2023 the Council publicized a number of vacancies on the two leisure garden sites through website and social media, and as a result a number of local residents came forward with interest in joining the waiting lists. In February 2025 the waiting list stood at 25 people.

ii. The Thorpe report

The 1969 Thorpe report suggested that local councils should review their current provision of garden sites and if the provision '*falls short of half an acre per thousand population* [the Council] *must consider the advisability of acquiring new sites.*'⁵ Indeed the Thorpe report even went so far as to suggest that this ratio should be set as statutory guidance – a recommendation that did not make it into legislation.

Based on the Thorpe Committee ratio the area for Peterlee with a population of around 20,000 the recommended provision would be $20 \times 2,023\text{m}^2 = \text{c}40,000\text{m}^2$

The approximate total area of the Council's two sites at Lowhills Road (c16,000m²) and Thorntree Gill (4,000m²) is 20,000m². This suggests that although the Thorpe Report recommendations are

⁵ See Thorpe report para 763, p300 http://allotmentresources.org/wp-content/uploads/2013/10/thorpe_report.pdf

in no way binding on the Council, the Town's current provision is around 50% of that recommended amount.

In the future there could be scope to extend leisure garden provision in the town. This is not currently identified as a priority for the Council and no budget for any further provision is identified in the current (2018/19) budget or earmarked reserves.

Appendix 1: summary of English law relating to allotments

Act and Date	Description and notes on most important Sections
Small Holdings and Allotments Act 1908	<p>Repealed and consolidated previous legislation and established the framework for the modern allotments system.</p> <p>Section 23 provides that if allotment authorities 'are of the opinion that there is a demand for allotments...in the borough, district or parish the council shall provide a sufficient number of allotments to persons...resident in the borough district or parish and desiring the same'. In determining demand an authority must take into consideration 'a representation in writing by any six registered parliamentary electors or rate payers'.</p> <p>Section 25 gives a local authority the power to compulsorily purchase land for allotments if land cannot be acquired by private agreement.</p> <p>Section 26 provides that an allotments authority 'may' make improvements to allotment land such as drainage, paths and hut construction.</p> <p>Section 32 deals with the 'Sale of superfluous or unsuitable land' and permits local authorities to sell land if they are 'of opinion that any land ... is not needed for the purpose of allotments'. However, Section 8 of the Allotments Act 1925 (see below) places restrictions on this process.</p> <p>Section 47 deals with compensation for allotment holders who are required to leave the site. These provisions were amended by the Allotments Act 1922.</p>
Land Settlement Facilities Act 1919	<p>This Act was mainly to assist returning servicemen and opened up allotments to all, not just 'the labouring population'.</p> <p>Made metropolitan borough councils allotment authorities for the first time.</p> <p>Section 22 enables an allotment authority to appropriate for allotments any land held for other purposes.</p>
Allotments Act 1922	<p>This Act was established to provide allotment tenants with some security of tenure, laying down specific periods of notice and compelling most allotment authorities to appoint allotment committees, and provided tenants with greater compensation at the termination of their tenancy.</p> <p>Section 1 provides that an allotment garden tenancy may be determined by the landlord by notice to quit only if a six months or longer notice is given. This provision was amended by Section 1 of the Allotments Act 1950.</p> <p>Section 2 provides for compensation on being forced to quit an allotment, based on the value of the crops.</p> <p>Section 16 required allotments authorities to exact a 'full fair rent' for allotments. This provision was repealed by Section 10 of the Allotments Act 1950.</p> <p>Section 22 defines 'allotment gardens' as 'an allotment not exceeding forty poles in extent which is mainly cultivated by the occupier for the production of vegetables and fruit crops for consumption by himself or his family'.</p>

Allotments Act 1925	<p>This Act was intended to facilitate the acquisition and maintenance of allotments, and to make further provision for the security of tenure of tenants of allotments.</p> <p>Section 3 specifies that when a local authority is preparing a town-planning scheme, it must 'consider what provisions ought to be included therein for the reservation of land for allotments.' This provision was repealed by the Town and Country Planning Act 1947.</p> <p>Section 8 specifies that land purchased or appropriated by local authorities for use as allotments must not be disposed of without Ministerial consent. The Secretary of State must be satisfied that 'adequate provision will be made for allotment holders displaced by the action of the local authority, or that such provision is unnecessary or not reasonably practicable'.</p> <p>Section 12 provided that a local authority with a population of over 10,000 should appoint an allotments committee which is responsible for all allotment matters with the exception of financial issues. This provision was repealed by the Local Government Act 1972.</p>
Small Holdings and Allotments Act 1926	<p>Made minor amendments to previous Acts but was mostly concerned with small holdings.</p> <p>Repealed sections 1-22 of Small Holdings and Allotments Act 1908 which related to small holdings.</p>
Agricultural Land (Utilisation) Act 1931	<p>Temporary measure passed at time of economic depression to assist the unemployed.</p> <p>Section 13 permitted the seizure of land for allotments and gave the Minister of Agriculture authority to provide allotments for the unemployed. This provision expired in 1939 under Section 19.</p>
Town and Country Planning Act 1947	<p>Made no specific reference to allotments but removed requirement made in 1925 Act for town planning authorities to consider allotment provision within town planning schemes.</p>
Allotments Act 1950	<p>Followed on from the Allotments Advisory Committee report of 1949. Made provision for better compensation following termination of tenancies, and clarified the systems for collecting rent.</p> <p>Section 1 increases the period of notice to be supplied to allotment holders to 12 months and this must expire during the winter months.</p> <p>Sections 2 to 6 deal with the compensation which should be payable to an allotment holder according to the season his tenancy terminates. Also, allotment holders who have allowed their plots to deteriorate through neglect are liable to pay for compensation for dilapidations on quitting.</p> <p>Section 9 confines local authorities' obligation to 'allotment gardens'- in effect, making 'farm allotments' no longer statutory.</p> <p>Section 10 amends the rent collection systems and allotments authorities may charge such rent "... as a tenant may reasonably be expected to pay for the land". This section also makes provision for the allotments authority to let land "... to a person at</p>

	<p>a less rent, if the Council are satisfied that there exist special circumstances affecting the person which render it proper for them to let the land at a less rent".</p> <p>Section 12 allows certain forms of livestock (hens and rabbits) to be kept although this is, in some cases, restricted by local bye-laws.</p>
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Taken from

Environment, Transport & Rural Affairs – Fifth Report, APPENDIX II: MODERN ALLOTMENTS LEGISLATION, accessed at

<https://www.publications.parliament.uk/pa/cm199798/cmselect/cmenvtra/560/56016.htm>

13th February 2017



ANNUAL LEAVE POLICY

MARCH 2025: VERSION 5

ABSTRACT

Peterlee Town Council provides this Annual Leave Policy for employees to use as a guide for the process of taking annual leave.

Resources Manager

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided
and in greyscale

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Statement

The councils' annual leave entitlement is above the statutory minimum. How much annual leave you receive will vary according to how many hours you work and your length of service. Employees are encouraged to take their leave during the current leave year, to help ensure an effective work-life balance. However, annual leave arrangements are subject to prior approval by Managers, who must take into account the operational needs of the Council.

Purpose

The purpose of the Procedure is to ensure annual leave is managed fairly and consistently across the Council, in relation to the operational needs of each service area, and to inform employees of the procedure for applying for and approving annual leave.

Annual Leave Guidelines

The Council's leave year runs from the date of your birthday, which on that day you will receive your full year's annual leave entitlement.

- The following notice would normally be required for annual leave:
 - 1 – 3 days 5 days' notice but left at Managers' discretion
 - 3 – 10 days 3 weeks' notice but left at Manager's discretion
- Requests for annual leave should generally not be made more than 12 months in advance of the planned leave.
- The maximum single period of leave, under normal circumstances, will be three weeks. Requests for longer periods of leave will require the approval of the Town Clerk.
- The minimum period of leave is one hour. From the first hour leave can be taken in thirty minutes intervals from that, i.e., Employees can take 1.5 hours holiday if requested.
- All leave should be taken within the current leave year. If for any reason leave cannot be taken within the year, employees may be allowed to carry over a maximum of 3 days (22.5 hours) into the following year. Prior approval of the Manager and Town Clerk must be obtained.
- Subject to the above, and the provisions of the Council's Sick Pay and Maternity/Paternity/Adoption Leave Policies, any untaken leave will be carried over into the next annual leave year. Employees will not be entitled to pay in lieu of untaken holidays, except where protected employment rights apply.
- Annual leave should be planned over the year and not 'saved' until the end of the annual leave year.
- In some years, employees will be required to retain annual leave for use during any period of Council close down e.g. Christmas and New Year period. Employees will be notified at the start of the leave year in question of any close down periods.

- Employees can take a maximum of 1 day extra annual leave, in advance of their new annual leave entitlement, in the case of an emergency. These hours will then be deducted from the new entitlement on their birthday. This request must be approved by the line manager.
- Every effort will be made to accommodate requests for annual leave. However, during peak operating periods or when planned major events are taking place, approval of leave requests will be at the Manager's discretion.
- Where multiple requests are received in the same operational area for leave during the same peak period - e.g. school summer break - it may not be possible to approve all requests. In such circumstances, approval will be granted on the basis of the date the request is received. In subsequent years where the same employees request the same period, a rota arrangement will be applied.
- The operational needs of the service must be given priority over any annual leave requests.
- Any leave taken without the prior approval of the Manager will be classified as unauthorised absence and may result in disciplinary action being considered and pay being withheld depending on the outcome of any disciplinary action.
- Employees must advise their Manager of any changes to their holiday plans in advance of such changes. This includes changes to dates of holidays which will require further management approval and cancellation of a planned holiday which may require consequent changes to holiday relief cover arrangements.

Procedure for Obtaining Approval for Annual Leave

The employee's manager or team leader must approve all annual leave in advance. Members of staff wishing to take annual leave should follow the procedure set out below in order to accommodate cover:

- All requests for annual leave should be made via either the BrightHR app or through the website, at the earliest reasonable opportunity. The request will automatically sent a notification to your Manager that you are requesting an absence.
- The Manager will consider the absence request, having regard to the needs of the service and leave already in place before a final decision is made.
- Only on receipt of the approved notification you receive from your Manager, should the member of staff commits him or herself to any leave plans, particularly where a deposit needs to be paid.
- If leave is refused, you will receive a notification stating that the Manager has declined your request and the reasons why.

It is the Managers responsibility to ensure the notifications are acknowledged once they receive the notification request. This should be acknowledged within 3 days of receipt and ideally or prior to the holiday being taken. Failure to follow this procedure may result in disciplinary action being taken.

If your employment terminates part of the way through the holiday year, your annual entitlement to holidays during that year will be assessed on a pro rata basis. Deductions from final salary due to you

on termination of employment will be made in respect of any holidays taken in excess of entitlement. If an employee wishes to make a complaint regarding the application of the procedure, they should do so within the provisions of the Council's Grievance Procedure.

For the purposes of this policy, in all matters relating to the leave of the Town Clerk, the Mayor will perform the functions of the 'Manager'.

Any queries regarding this Policy please contact either the Chief Officer / Town Clerk or Resources Manager on 0191 5862491.

Author of Policy;	Resources Manager
Date effective from;	March 2025
Policy review;	March 2028
Version Control;	V5



Maternity / Paternity/Adoption & Surrogacy Policy

Version 6: March 2025

This document sets out the support and guidance Peterlee Town Council have in place for employees during Maternity/Paternity/Adoption and Surrogacy.

Resources Manager

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided and on a greyscale.

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Introduction

Peterlee Town Council recognises the need to balance family responsibilities with paid work. We recognise the need for adequate maternity provision to provide pregnant employees with peace of mind and to ensure their and the child's health and welfare during the maternity period.

What is the Policy About?

The Council is committed to ensuring that working parents have a greater choice in balancing work and family life.

This policy provides guidance on the Council's Maternity, Paternity, Adoption and Surrogacy provisions. This includes risk assessment, leave and pay arrangements and provisions for return to work.

Who Does the Policy Apply to?

This policy covers all employees.

Maternity, Paternity, Adoption & Surrogacy

Frequently used terms/abbreviations

AML/AAL	Additional maternity/adoption leave - the last 26 weeks of a maximum of 52 weeks maternity/adoption leave
EWC	Expected week of childbirth - the week beginning on a Sunday, in which the doctor or midwife expects your child to be born
KIT Days	Up to a maximum of 10 days during maternity leave where an employee, by mutual agreement with their manager, carries out work or attends work related events, without bringing their maternity leave to an end (paragraphs 63-67)
LEL	Lower Earnings Limit. To be entitled to statutory payments (SMP or SAP) the employee must have earnings of not less than the LEL. This is calculated based on the average normal pay prior to the 15th week before the baby's birth date.
MATB1	A form given to a woman by their doctor or midwife after the 20th week of pregnancy that provides medical evidence of pregnancy and shows the expected date of childbirth.
MA	Maternity Allowance – an allowance usually paid to mothers who don't qualify for statutory maternity pay (SMP) A claim form is

	available at the UK Government website Maternity Allowance: Overview - GOV.UK or Job Centre Plus.
OML/OAL	Ordinary maternity/adoption leave – the first 26 weeks of a maximum of 52 weeks maternity/adoption leave.
Partner	Your spouse, civil partner or someone living with you in an enduring family relationship but who is not a relative of the mother/primary adopter (sibling, child, parent, grandparent, aunt, uncle, niece, or nephew)
Primary Adopter	A person who has been matched with a child for adoption and who has elected to be the main carer for the child
Primary Parental Order Parent	A person in a legal surrogacy arrangement who is entitled to and intends to apply for a Parental Order under the Human Embryology and Fertilisation Act 2008, and who has elected to be the main carer for the child.
SMP/SAP/OMP	Statutory Maternity/Adoption Pay – a legal entitlement to a certain amount of statutory pay to qualifying employees which lasts for up to 39 weeks. For more information, please refer to Maternity pay and leave: Pay - GOV.UK OMP is Occupational Maternity Pay, weeks 7-18 50% of the weekly earnings will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave
Qualifying week	The 15th week before the EWC

Leave Entitlement

All pregnant employees and primary adopters (the parent who has elected to be the main carer of the child, usually the child's adoptive mother) have the right to 52 weeks leave, regardless of the number of hours they work or their length of service. This period of leave is made up of 26 weeks Ordinary Maternity/Adoption Leave (OML/OAL) and 26 weeks Additional Maternity/Adoption Leave (AML/AAL). Where a couple are adopting; only one parent, the primary adopter (main carer), can request adoption leave.

Adoption leave is also available to the primary carer in a legal surrogacy arrangement (primary Parental Order parent) for babies due on or after 5 April 2015 who has applied for, or intends to apply for, a Parental Order in respect of the child under the Human Embryology and Fertilisation Act 2008.

Employees starting maternity or adoption leave may also wish to consider Shared Parental Leave. Further details can be found in the separate policy on Shared Parental Leave.

Maternity

It is up to each employee to choose when to start maternity leave and how long to stay off work, subject to the following restrictions:

Maternity leave can start no earlier than 11 weeks before the Expected Week of Childbirth (EWC), as confirmed by the employee's MATB1 certificate.

An employee cannot return to work during the 2 weeks after giving birth, this is compulsory maternity leave.

If an employee has not started their maternity leave, it can be automatically triggered by either childbirth or pregnancy related absence during the 4 weeks before the EWC.

Adoption and Surrogacy

Only one person in an adopting or surrogate couple is entitled to take adoption leave. The other partner may be entitled to take paternity leave and/or maternity support leave/shared parental leave if they meet the qualifying criteria (see paragraphs 19 and 20).

Adoption leave can be taken by the primary adopter for any child placed for adoption up to the age of eighteen via an official adoption agency; however, only one period of adoption leave can be taken at any time, regardless of the number of children being adopted.

Adoption leave is not available in circumstances where the child is not newly placed for adoption i.e. a stepparent adopting a partner's child. Leave can also be taken by the primary parent in a legal surrogacy arrangement.

It is up to each employee to choose when to start adoption leave and how long to stay off work, subject to the following restrictions:

For UK adoptions, adoption leave can start no earlier than 14 days before the date the child is expected to be placed and up to the date the child is placed with the family.

For Overseas adoptions, adoption leave can start when the child arrives in the UK or within 28 days of this date.

For surrogacy arrangements it can start no earlier than 14 days before the expected date of birth of the surrogate child and up to the date the child is born.

An employee cannot return to work during the first 2 weeks of adoption leave.

Dual approved prospective adopters (sometimes referred to as fostering to adopt) may be eligible for adoption leave and pay where they have agreed to have a child placed with them in accordance with section 22C of the Children Act 1989 with a view to them adopting that child.

Pay Entitlement

Pregnant employees with over one year's local government service at the 11th week before the EWC plus 26 week's continuous service with Peterlee Town Council at the 15th week before the EWC, plus earnings over the national insurance lower earnings limit are entitled to:

- 90% of average weekly earnings for the first 6 weeks
- OMP is Occupational Maternity Pay, which is paid in weeks 7-18, 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave.
- SMP will be paid for the remainder 19 to 39 weeks.

During weeks 7 – 18 if employees have provided written notification that they will return to work, they also receive half their normal pay (OMP). These will be without deduction unless the combined half pay and SMP exceed full pay in which case the half pay will be reduced accordingly. **(This pay will be reclaimed if the employee does not return to work for at least three months)**

Statutory maternity/adoption pay (SMP/SAP)

The Council pays SMP/SAP to employees on behalf of the Government, where certain qualifying conditions are met. SMP is paid for up to 39 weeks during an employee's maternity or adoption leave as follows:

Pregnant employees with less than one year's local government service at the 11th week before the EWC but more than 26 week's continuous service with Peterlee Town Council at the 15th week before the EWC, plus earnings over the national insurance lower earnings limit are entitled to:

- 90% pay (i.e. higher rate SMP) for the first 6 weeks
- Basic rate SMP for the remaining 33 weeks.

Pregnant employees with less than 26 weeks service at Peterlee Town Council at the 15th week before the EWC and earnings over the national insurance lower earnings limit may be entitled to:

- 39 weeks Maternity Allowance (Length of service insufficient to qualify for SMP)

Pregnant employees with more than 26 week's service with Peterlee Town Council but below the national insurance lower earnings limit may be entitled to:

- 39 weeks Maternity Allowance (Earnings insufficient to qualify for SMP)

Details of the current SMP/SAP rate can be found by visiting [Adoption pay and leave: Overview - GOV.UK](#)

To qualify for SMP/SAP the employee must have:

Average weekly earnings (before tax and NI) at least equal to the Lower Earnings Limit [Maternity pay and leave: Pay - GOV.UK](#). Given the appropriate notice.

In addition, the following qualifying conditions apply depending on the particular situation:

Maternity

26 weeks' continuous service by the 15th week before the EWC.
Provided proof of pregnancy including EWC (MATB1 certificate).

If an employee does not qualify for SMP then her original MATB1 form will be returned to her along with an SMP1 form which explains why she cannot receive SMP within 7 days of the Council making their decision. If an employee does not qualify for SMP, they may qualify for Maternity Allowance (MA) which can be accessed via Job Centre Plus or via a claim form on the UK Government website [Maternity Allowance: Overview - GOV.UK](#)

Adoption

26 weeks continuous service by the week the adopter is notified of being matched with a child.

- provided official proof of the date of placement e.g. letter from the adoption agency.
- provided a copy of the matching certificate provided by the adoption agency.
for overseas adoptions only, provided proof of the date the child arrives in the UK.

Surrogacy

- 26 weeks' continuous service by the 15th week before the EWC.
- provided proof of pregnancy including EWC (copy of birth mother's MATB1 certificate).
- the intended parents must have applied for, or intend to apply for, a Parental Order and expect to obtain this.

- provided a copy of the parental order within 6 months of the child's birth.

If requested must provide a 'statutory declaration' (written statement signed in the presence of a legal professional) confirming you have applied or will apply for a parental order in the 6 months after the child's birth.

Maternity and Surrogacy

More than one year of continuous service at the start of the 11th week before the Expected Week of Childbirth (EWC).

Adoption

More than one year of continuous service by the date notice is given that they are matched with a child.

Notification requirements

If the employee does not give the required notification, they lose their right to start maternity/adoption leave on their chosen date. The only exception to this is where it is not reasonably practicable for the employee to give notice any earlier e.g. if the baby is born much earlier than expected.

If the employee changes their mind and wishes to change the start date of their leave, they must give 28 days' notice.

Written confirmation of the end date of their maternity/adoption leave will be sent to the employee within 28 days of their notification form being received. It will be assumed that the employee is taking 52 weeks leave unless they have given a different end date in their notification.

Maternity

Pregnant employees are advised to notify their manager of their pregnancy as soon as possible, however, as a minimum employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their maternity leave. This form includes the following information:

Confirmation of the pregnancy and the EWC. This is usually via a MAT B1 certificate.
The date they wish to commence maternity leave.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

If maternity leave is triggered by the birth of the child or pregnancy related absence during the 4 weeks prior to the EWC the maternity leave will start on the day following the first day

of sickness absence or the day of childbirth. The employee must inform their manager of the date of birth as soon as reasonably practicable, and any absence should be reported to their manager in line with the sickness reporting procedures.

Adoption

The primary adopter should advise their manager as soon as possible; however, as a minimum, employees should notify their manager, in writing, within 7 days of being told that they have been matched with a child, which includes the following information:

Confirmation of the adoption i.e. through the provision of a matching certificate.

- The date the child is to be placed with the employee.
- The date they wish to commence adoption leave.

Surrogacy

The primary surrogate parent is advised to notify their manager of the surrogate's pregnancy as soon as possible, however, as a minimum, employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their adoption leave. This form includes the following information:

- Confirmation of the birth mother's pregnancy and the EWC. This is usually via a copy of the birth mother's MATB1 certificate.
- The date they wish to commence adoption leave.

A Parental Order parent is also required to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing. The Council reserve the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the start of the adoption leave/pay.

Adoption leave would be triggered for parents in a surrogacy arrangement if the child were born earlier than the adoption leave start date.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

Other Time Off

This section details entitlement to time off for pregnant employees, primary adopters, and primary parental order parents.

Employees must produce evidence of all appointments if requested to do so.

Antenatal Care/Appointments

All pregnant employees, regardless of hours worked, pay or length of service are entitled to reasonable paid time off for antenatal appointments.

Antenatal appointments may include any of the following, provided they have been recommended by a doctor or midwife:

- medical appointments
- parent craft
- relaxation classes

All time off will be paid at the employee's normal hourly rate of pay. Where an employee does not have normal working hours, the rate of pay during any time off should be the average rate in the last twelve complete weeks prior to the time off.

Pre-adoption Leave

The primary adopter is entitled to paid time off to attend up to five pre-adoption appointments after they have been matched with a child.

A maximum of up to 6.5 hours is allowed per appointment.

Pre-surrogacy Leave

Employees in a legal surrogacy arrangement have the right to unpaid time off to attend two antenatal appointments with the surrogate mother.

A maximum of up to 6.5 hours is allowed per appointment.

Sickness

If an employee has not started their maternity leave, it can be automatically triggered by a pregnancy related absence during the 4 weeks before the EWC, however, before this time, a pregnancy related absence would not automatically trigger maternity leave to start.

Occupational sick pay or SSP may still be allowable during the 4 weeks before the EWC if the absence is due to anything other than a pregnancy related condition.

Employees who are sick during their maternity/adoption leave period are not entitled to sick pay as they will be receiving SMP/SAP, unless they end their maternity leave. Where an employee cannot attend work at the end of their maternity/adoption leave due to sickness, the normal contractual arrangements for sickness absence will apply.

Risk assessments

The Council's responsibility for the health and safety of our employees comes into sharp focus when considering the requirements for an expectant or new mother and therefore it is important that the manager carries out a formal risk assessment for an employee when

she declares her pregnancy. A New and Expectant Mothers Risk Assessment form is attached.

The risk assessment should be reviewed on a regular basis throughout the pregnancy and upon her return to work to ensure the operating environment is considered. Where risks that may adversely affect the health and safety of the employee or their baby are identified, the manager should consider temporary adjustments to the employee's working conditions and/or hours or offer suitable alternative work, if available.

The employee's normal rate of pay continues during any period of adjustment. Managers should be aware that if adjustments are not deemed to be feasible, the employee is entitled to paid leave for as long as necessary to protect her and/or the child's health and safety.

The following are examples of the type of risks that can arise in the workplace:

For pregnant women or women who have had a caesarean section, lifting heavy items can lead to injury therefore the amount of physical work should be reduced, or suitable aids supplied physical fatigue from standing or poor posture position for long periods of times can lead to miscarriage, premature birth and low birth weight. Potential remedies include avoiding excessive volume and hours of work, seating being made available, longer rest breaks or workstations being adjusted. Work involving substantial vibration or movement may lead to miscarriage, therefore tasks should be avoided if they risk whole body vibration or jolts to the abdomen. Exposure to radiation, chemical and biological agents, lead, infectious diseases, work related stress or extremes of cold and heat should also be avoided.

The following table gives some examples of the aspects of pregnancy that may lead to changes in the work environment:

Aspect of Pregnancy	Work Factor to Consider
Morning sickness	Early shift work, exposure to nauseating smells
Backache	Standing, manual handling, posture
Varicose veins	Standing, manual handling, posture
Haemorrhoids	Working in hot conditions
Frequent visits to toilets	Difficulty in leaving work area
Increasing size	Use of protective clothing, work in confined spaces, manual handling, speed of movement and reach
Tiredness	Overtime, evening work
Balance	Working on uneven, wet, or slippery surfaces

Breastfeeding

Should you be continuing to breastfeed your child when you return to work, you should notify your manager in writing prior to your return. A risk assessment can then be carried out, prior to your return to work.

The Council has limited suitable rest facilities for breastfeeding mothers. However, employees are not entitled to take time off to breastfeed.

Employees should arrange for childcare close to work, and/or enable breastfeeding to take place before and after work. The Council does not provide facilities for breastfeeding employees to express and store milk.

Special Circumstances

Premature Births

If an employee has their baby prematurely, the Council will consider each case on an individual basis as to what assistance may be relevant. For example, it may be appropriate to extend the maternity leave arrangements.

Stillbirth and Miscarriage

In the unfortunate event that the baby is stillborn or lost through miscarriage after 24 weeks, the employee is entitled to take maternity leave.

Where a miscarriage or termination takes place before 24 weeks the Council will give sympathetic consideration to the individual circumstances. Where necessary, sick leave or other leave may be appropriate, depending on the needs of the employee and any medical opinion.

Adoption Placement Ends

Adoption leave will end where the adoption placement does not take place or breaks down or where the child dies. The adoption leave will end 8 weeks after such an event.

Parental Order is Refused

Where the intended parents' application for a Parental Order is refused by the court, the employee's entitlement to adoption leave will end 8 weeks later or at the end of the adoption leave, whichever is earlier.

For surrogacy arrangements the Council reserves the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing.

Keeping in Touch (KIT) Days

All employees on maternity or adoption leave can participate in up to 10 KIT days where an employee can work without bringing their leave to an end. KIT days are not limited to the employee's normal job and can include attending training events, appraisals, meetings, as well as enabling an employee to return to work gradually at the end of their leave.

Any KIT days must be mutually agreed, therefore just as an employer cannot insist that work is carried out during a maternity or adoption leave period, an employee cannot insist on working during the period.

Working any part of a day will count as one full day for the purpose of calculating the number of KIT days taken or pay received. The employee's normal rate of pay offset against any SMP or SAP received will be paid for such days. Payment per day will be based on the number of days in the month the KIT Day is worked i.e. 1/28th, 1/29th, 1/30th or 1/31st of the person's monthly full-time equivalent salary.

Payment arrangements should be discussed and clearly understood and agreed before any work is undertaken and efforts should be made to ensure both the employee and manager are fully aware of the work to be carried out on the day.

Where an employee has multiple posts within the Council only 10 KIT days can be taken in total as they are allocated per person, not per job. In addition, in the case of employees on maternity leave, KIT days cannot be taken during the first two weeks following the birth.

Returning to Work Following Maternity/Adoption Leave

It will be assumed that an employee will take their full 52 weeks of maternity or adoption entitlement and will return to work at the end of their AML/AAL, unless they have stated otherwise on their notification form. If the employee intends to return to work sooner than this, they must notify their manager at least 8 weeks before the date they intend to return. If less than 8 weeks' notice is given, the Council can postpone the return to ensure there is 8 weeks' notice, although any postponement cannot go beyond the end of the 52-week maternity or adoption leave period.

If the employee does not want to return to work after their maternity/adoption leave, they are required to give the Council notice in line with their contract of employment.

The manager should ensure they meet with the employee either prior to their return or immediately upon their return to aid their smooth return to the workplace and discuss any particular needs or wishes they may have e.g. changes to the working environment to assist with breastfeeding (see above).

Maternity Leave Flowchart/Timeline

This timeline provides a helpful summary of the main times to be aware of where a maternity situation occurs within the workplace.

Employee completes Notification of Maternity Leave form advising their manager of the forthcoming absence:

- No later than 28 days before a maternity absence begins
- Notification includes details of the pregnancy and the expected absence



Formal advice to the employee:

- Within 28 days, the Manager / HR Adviser advises the employee about her return-to-work date



Starting maternity leave:

- The earliest starting point is 11 weeks before the EWC.
- Leave is triggered by childbirth or if a pregnancy related absence occurs from the start of the 4th week before EWC



Pay Entitlement (subject to qualifying conditions being met): **52 weeks** leave and payment as follows: 6 weeks at 90%,

OMP is Occupational Maternity Pay is paid weeks 7-18, which is 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave. SMP will be paid for the following 19-39 weeks. Weeks 40-52 no payment will be made.



Returning to work early:

Employee to provide **8 weeks' notice** before they intend to return to work.

Adoption /Surrogacy flowchart/ timeline

This timeline provides a helpful summary of the main times to be aware of where an adoption situation occurs within the workplace.

Employee completes Notification of Adoption Leave form advising their manager of the forthcoming absence:

- No later than 7 days after being notified of being matched with a child or for surrogacy, within 28 days before adoption absence begins.
- Notification includes details of the adoption matching certificate and expected absence



Formal advice to the employee:

- Within 28 days, the Manager/HR Adviser advises the employee about her return-to-work date



Starting Adoption leave:

- For adoption, on the date the child is placed or another predetermined date which should be no more than 14 days before the date the child is expected to be placed ☐
- For surrogacy, on the date the child is born or no earlier than 14 days before the birth



Pay Entitlement (subject to qualifying conditions being met): **52 weeks** leave and payment as follows: 6 weeks at 90%,
OMP is Occupational Maternity Pay is paid weeks 7-18, which is 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave. SMP will be paid for the following 19-39 weeks. Weeks 40-52 no payment will be made.



Returning to work early:

Employee to provide **8 weeks' notice** before they intend to return to work.

Paternity Leave Policy Introduction

Peterlee Town Council recognises that employees may wish to take time off work to support the mother of a baby or look after the baby.

Who Does the Policy Apply to?

The policy applies to all Peterlee Town Council employees.

Authority

The Town Clerk is accountable for the proper application of the Paternity Leave Scheme.

Legal Framework

These provisions take account of the framework of statutory rights as set out in the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002. The details of these rights are set out in supporting regulations: The Paternity and Adoption Leave Regulations 2002, as amended by the Paternity and Adoption Leave (Amendment) Regulations 2006, The Children and Families Act 2014 and The Paternity and Adoption Leave (Amendment) (no 2) Regulations 2014.

Provisions

The Council provides one type of paternity leave, Ordinary Paternity Leave

Ordinary Paternity Leave

To be eligible for Ordinary Paternity Leave an employee must:

- Have, or expect to have responsibility for the child's upbringing.
- Be the biological father of the child or the mother's husband or partner.
- Have worked continuously for the Council for 26 weeks leading into the 15th week before the baby is due and be employed continuously during the pregnancy up to the actual date the baby is born.
Employees may choose to take leave (as outlined below) any time up to 8 weeks after the date of birth. The leave is based on the employee's normal working week, pro rata for part time employees. one or two whole weeks.

Process

Employees must complete the Application for Ordinary Paternity Leave Form (Appendix 1), arrange for it to be authorised by their line manager and return it to: Finance Section by the 15th week before the Expected Week of Childbirth (EWC). The Line Manager will confirm authorisation of leave.

If the baby is born early the employee can choose to take their leave any time between the actual date of birth and the end of an 8-week period running from the Sunday of the week the baby was originally due.

Where the employee has chosen to start his/her leave on the date the child is born and he/she is at work on this date, his/her leave will begin on the following day.

The employee must notify the Line Manager of the date the child was born, as soon as is reasonably practicable.

The employee may change the proposed date providing he/she gives 28 days' notice.

Payment

Employees will receive Statutory Paternity Pay for each week of their Paternity Leave. This will be the lower of 90% of average weekly earnings or the current SPP rate. The employee must have average weekly earnings which are no less than the current National Insurance lower earnings limit in the 8 weeks prior to the qualifying week.

Shared Parental Leave

Shared Parental Leave (SPL) is a new legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year. The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

More details on shared parental leave can be obtained by reading the Shared Parental Leave Policy.

Time Off for Ante-Natal Appointments

An expectant father or partner of a pregnant woman is entitled to take unpaid time off work to accompany the woman to up to two of her ante-natal appointments.

Employees and qualifying Agency Workers (workers are required to have been doing the same kind of job for the Council for at least 12 weeks) are entitled to time off to accompany an expectant mother to her ante-natal appointments if they are:

- The baby's father

- The expectant mother's spouse, her civil partner, or partner (of either sex) in an enduring relationship; or
- Intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child.

Employees are entitled to unpaid leave for 1 or 2 appointments. The time off is capped at 6.5 hours for each appointment.

The employee is not required to provide evidence of such appointments, as they are considered the property of the expectant mother attending the appointment. However, the employee should complete the attached declaration (Appendix 2) stating the date and time of the appointment, that they qualify for the unpaid time through their relationship with the mother or child and that the time off is for the purpose of attending the ante-natal appointment.

There is no qualifying period for employees – they are entitled to receive this entitlement from day one, providing they meet the qualifying criteria.

Contractual Benefits

You are entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary throughout your paternity leave. You may however be entitled to SPP for this period.

You will continue to remain bound by any obligations arising under your contract of employment.

Return to Work After Paternity Leave

You are entitled to return to the same job following no more than two weeks' paternity leave. If, however, you take two or more consecutive periods of statutory leave (which could include additional adoption leave or parental leave of more than four weeks), you will be entitled to return to the job in which you were employed before your absence or, if that is not reasonably practicable for the Council, then to return to another job which is both suitable and appropriate in the circumstances.

You have the right to return:

- with your seniority, and similar rights
- on terms and conditions not less favourable than those which would have applied if you had not been absent.

- You will not be subject to any detriment by the Council because you took or sought to take paternity leave.

Appendix 1

PETERLEE TOWN COUNCIL

Application for Ordinary Paternity Leave

Part A to be completed by the member of staff - Please complete the form in BLOCK CAPITALS.

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

I wish to inform you that I intend to take Ordinary Paternity Leave as follows:

Expected date paternity leave period to commence* _____

Expected return to work date ** _____

Partner's Expected Week of Childbirth (EWC) or expected date of placement for adoption:

*Your paternity leave cannot begin prior to the baby's birth/date of placement for adoption, but you can state that you wish your paternity leave to start on the day your child is born.

**Ordinary paternity leave must be taken in blocks of either one or two weeks

I declare that I:

- am the baby's biological father / married to the mother / living with the mother in an enduring family relationship, but am not an immediate relative (please delete as applicable)
- will have responsibility for the child's upbringing ☐
- will take time off work to support the mother or care for the child.
- have provided a copy of my partner's MAT B1/matching certificate with this form

Signed:

Date:

PTO

Please ensure you have discussed this application with your Line Manager and provided them with a copy of this form.

This form must be returned to the Resources Manager 15 weeks before your baby's due date, or within 7 days of receiving a matching certificate for adoption.

Section to be completed by Line Manager

Approved by: Manager Signature:

Date:

Employee informed of approval by:

Date:

Appendix 2

PETERLEE TOWN COUNCIL

Request for time off to accompany a pregnant woman at an antenatal appointment

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

Date of appointment: Time of appointment:

I have the following relationship with the pregnant woman I am accompanying to an antenatal appointment or her expected child (please tick as appropriate)

- I am the husband/Civil partner
- I live with the pregnant woman in an enduring family relationship
- I am the father of the expected child
- I am the intended parent in a surrogacy situation

Section B: I declare the following to be true (please tick each box)

- My purpose in taking time off is to accompany the above pregnant woman at an antenatal appointment
- The ante-natal appointment has been made on the advice of a medical practitioner, midwife or nurse

Employee Signature:

Date:

Section to be completed by Line Manager

Approved by (Manager Signature)

Date:

Employee informed of approval by:

Date:

Appendix 3

Risk Assessment for New and Expectant Mothers

Name of New/Expectant Mother:	Department, Division:	Location:
Job Title:	Details of work activities:	
Date of initial assessment:	Review 1 (between 14 & 26 weeks):	Assessment carried out by:
Review 2 (after 27 weeks):	Return to work review:	

Review the Hazard Profile for the Worker Type (job title above) and consider whether the controls in place are adequate to protect new & expectant mothers. Work through the table below, which highlights some particular risks to consider.

NB in all cases where it is not possible to adequately reduce risks by making changes to the working conditions or hours of a new or expectant mother, she must be suspended from work on full pay for as long as necessary to protect her health & safety and that of her baby.

Has the new or expectant mother's Doctor or Midwife identified any health issues that may affect her work?
If yes, please detail below.

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
--	----------	-------------------------------------	---

PHYSICAL RISKS

Movement and Posture

How will you reduce the risks to a new & expectant mother due to standing or sitting for long periods of time? e.g. dizziness/faintness/fatigue/thrombosis/embolism	Allow regular rest breaks		
	Allow changes in activities, i.e. alternating between standing and sitting		
	Adjust workstation		
	Arrange alternative work		
What adjustments can you make to the New & expectant mothers' workstation to take into account of increased size?	Redesign layout of office/workstation to allow sufficient room		

Manual Handling

How will you eliminate the need for the new/expectant mother to carry out manual handling tasks with risk of injury?	Review Manual Handling Assessments		
	Provide lifting/handling equipment		
	Eliminate the need for MH – allocate tasks to others		
	Arrange alternative work		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
--	----------	-------------------------------------	---

Working at Heights

How will you eliminate the need for the new/expectant mother to work at heights e.g. ladders, MEWPS?	Eliminate the need to work at height – allocate jobs to others		
	Arrange alternative work		

Extremes of Heat/Cold

What will you do to control any exposure to extremes of temperature?	Ensure sufficient rest/refreshment breaks are possible.		
	Ensure there is an unrestricted supply of drinking water.		
	Arrange alternative work.		

RISK OF INFECTION

	Many biological agents can affect the unborn child during pregnancy or pass from mother to child during childbirth or breastfeeding.		
How will any risk of infection be eliminated? e.g. Hepatitis B, HIV, Herpes, Syphilis, Chickenpox, Typhoid, Rubella (German measles) & Toxoplasma	Review Infection Control Risk Assessment		
	Additional hygiene controls		
	Arrange alternative work.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
--	----------	-------------------------------------	---

CHEMICAL AGENTS

Hazardous Substances	A number of substances have hazardous properties indicated by Risk Phrases (cancer risk, genetic risks, harm to the unborn child etc.)		
How will you eliminate the risk from exposure to substances hazardous to health? Those labelled R40 (limited evidence of carcinogenic effect), R45 (may cause cancer), R46 (may cause heritable genetic damage), R49 (may cause cancer by inhalation), R61 (may cause harm to the unborn child), R64 (may cause harm to breastfed babies) & R68 (possible risk of irreversible effects) e.g. mercury; lead; carbon monoxide, and those listed 'Sk' – absorbed through the skin.	Review COSHH assessments		
	Eliminate risk by substituting substances		
	Arrange alternative work		
	Once pregnancy is confirmed, women must be suspended from the work that exposes them significantly to lead. The ACOP Control of Lead at Work sets out exposure limits for women of reproductive capacity, to prevent harm to a foetus before a pregnancy is confirmed.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
--	----------	-------------------------------------	---

WORKING CONDITIONS			
Facilities			
What facilities are there for new & expectant mothers to rest?	Somewhere for new & expectant mothers to sit or lie down		
	Adequate access to drinking water		
	Some flexibility in frequency & timings of breaks		
How will you provide adequate hygiene facilities for new & expectant mothers?	Easy access to toilets (& associated hygiene facilities)		
	Facilities for breastfeeding mothers to express & safely store milk		
Working hours			
How will the risk to new/expectant mothers from working long hours or night shifts be controlled?	Rearrange shift patterns		
	Shorter shifts		
	Arrange alternative work		
	If a medical certificate is received from the employee's doctor/midwife stating night work is affecting her H&S or that of her unborn child, alternative day work must be organised.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
Lone Working	Pregnant women are more likely to need urgent medical attention.		
How will lone working be eliminated for the expectant mother?	Review Lone Working Risk Assessment		
	Arrange alternative work		
Violence & Aggression			
How will any risk of violence or aggression at work be eliminated?	Review Personal Safety Risk Assessment		
	If the risk of violence cannot be Significantly reduced, new or expectant mothers should be offered suitable alternative work		
Work Equipment	Some work equipment may be uncomfortable or unsafe for use e.g. where mobility, dexterity or co-ordination is impeded by pregnancy		
Have you considered any potential problems with the new/expectant mothers use of work equipment?	Review your work Equipment Risk Assessments, taking into account changes in risks as pregnancy progresses.		
	Arrange alternative work.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
Other Hazards			
Please indicate which other hazards are applicable and how they are controlled	Significant exposure to noise		
	Shocks/vibration		
	Radiation (ionising or non-ionising)		
	Occupational Stress		
	Passive smoking		
	Personal Protective Equipment (suitability)		
	Travelling for work		
	Other (please list)		

ACTION PLAN

**Summary of steps to be taken, if any, as a result of this risk assessment, to reduce level of risk for the mother, foetus, or baby
(continue on a separate sheet if required)**

Ref.	Action	Responsibility	Completion Date

Have the controls implemented, reduced the risk to an acceptable level? (please indicate)

If 'no,' please seek further advice from DCC Health & Safety.

Action plan completed by:

Position:

Date:



Appendix 4

Maternity/Adoption Leave Notification Form

Please discuss your plans for maternity/adoption leave with your line manager before completing this form and please send them a copy of this form, along with the MAT B1/SAP 1 certificate by the end of the 15th week before the Expected Week of Childbirth (EWC). If you have not received the MAT B1/SAP 1 Certificate you should send it once received. Please ensure that you have read the Maternity/Paternity/Adoption & Surrogacy Policy before completing this form.

Incomplete forms will not be accepted, please ensure all sections are fully completed.

Employee Details (please enter the following details)			
Title		First Name	Surname
Home Address			
Contact Number			
Email Address			
Payroll number			
Job Title			
Dates for Maternity/Adoption Leave			
Date Baby Due			
Expected start date of Maternity/Adoption Leave			
A MAT B1 Certificate confirming the above details			
Your doctor or midwife will give you a MAT B1 certificate which will give you the expected week of childbirth (EWC). You must provide a copy of the original form to your line manager days before you wish to start your maternity leave.			
Expected Return date (back on payroll)			
I understand that if I am taking less than the full 52 weeks' maternity/adoption leave entitlement, I should provide at least 8 weeks' notice in writing if I wish to return to work earlier or later than the date agreed above with my line manager, and I will need to complete a Return-to-Work Form.			
Maternity Pay			
Employees are eligible for Contractual Maternity/Adoption Leave and Pay if they have continuously worked for Peterlee Town Council for 26 weeks at the beginning of the 15 th week before EWC. If I am paid Occupational Maternity Pay in weeks 7-18, I agree to return to work for a minimum period of 3 months following my maternity leave. Failure to do so will result in the money being reclaimed back.			
Declaration of Employee			
I wish to apply for maternity/adoption leave, as set out above and I confirm the information provided is correct. I understand that should I wish to take annual leave in the standard leave year, I will book this in the usual manner. Any holiday hours left on commencement of your maternity/adoption leave will be carried over into the next holiday year.			
Name		Position	
Signature		Date	



MENOPAUSE AND ANDROPAUSE IN THE WORKFORCE AND GUIDANCE POLICY

Version 3: March 2025

SUMMARY

This document sets out the support and guidance Peterlee Town Council have in place for female employees during the menopause transition and male employees during Andropause.

Resources Manager

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1. Introduction

Peterlee Town Council are committed to providing an inclusive and supportive working environment for everyone who works here.

Menopause and Andropause should not be taboo or 'hidden'. We want everyone to understand what they are, and to be able to talk about it openly, without embarrassment. This is an issue that can impact on many of our staff, therefore all our staff and managers should be aware of this.

In the UK's workforce the majority of people of Menopause / Andropause age are in work. Research shows that the majority of people are unwilling to discuss Menopause / Andropause-related health problems with their line manager, nor ask for the support or adaptations that they may need.

Menopause is a natural part of many people's life, and it isn't always an easy transition. With the right support, it can be much better. Whilst every person does not experience severe symptoms, supporting those who do will improve their experience at work.

Andropause is a condition which is associated with the decrease in the male hormone Testosterone. It is unlike Menopause in that the decrease in Testosterone and the development of symptoms is more gradual than what occurs in women.

This policy sets out the guidelines for staff and managers on providing the right support to manage symptoms at work.

2. Aims

The aims of this policy are to:

- Foster an environment in which colleagues can openly and comfortably instigate conversations or engage in discussions about menopause.
- Ensure everyone understands what menopause is, can confidently have good conversations and are clear on the Town Council's policy and practices.
- Educate and inform managers about the potential symptoms of menopause, and how they can support women at work.
- Ensure that women suffering with menopause symptoms feel confident to discuss it, and ask for support and any reasonable adjustments so they can continue to be successful in their roles or studies.
- Reduce absenteeism due to menopausal symptoms.
- Assure women that we are a responsible employer, committed to supporting their needs during menopause.

3. Scope

This policy applies to all Town Council staff and Managers.

4. Definitions

Menopause

Is defined as a biological stage in a woman's life that occurs when she stops menstruating and reaches the end of her natural reproductive life. Usually, it is defined as having occurred when a woman has not had a period for twelve consecutive months (for women reaching menopause naturally).

The average age for a woman to reach menopause is 51, however, it can be earlier or later than this due to surgery, illness or other reasons.

Perimenopause

Is the time leading up to menopause when a woman may experience changes, such as irregular periods or other menopausal symptoms. This can be years before menopause.

Post menopause

Is the time after menopause has occurred, starting when a woman has not had a period for twelve consecutive months.

Surgical Menopause

Surgical Menopause is triggered by the removal of a woman's ovaries, even if she is young. Menopause symptoms will start straight away after the surgery if the woman has had both ovaries removed. If the woman has lost only one ovary, there is a chance the symptoms will start within five years of the surgery. Ovaries are part of a woman's reproductive system. Surgical menopause can increase the risks of cancer, heart disease, weaker bones, depression and anxiety.

To find out more about surgical Menopause, go to the NHS website at:

www.nhs.uk/conditions/hysterectomy/considerations/

The early Menopause

As many as one in 20 women may go through an early Menopause. It may happen for various reasons, including if a woman has had certain medical conditions and health treatment.

Employers, managers and team leaders need to be aware that medically this can be a complicated area, and they should take this into account in supporting a worker through the Menopause.

To find out more about early menopause, go to the NHS website at:

www.nhs.uk/conditions/early-menopause and/or charity the Daisy Network at: www.daisynetwork.org

Andropause

Andropause is a condition which is associated with the decrease in the male hormone Testosterone. It is unlike Menopause in that the decrease in Testosterone and the development of symptoms is more gradual than what occurs in women. Approximately 30% of men in their 50s will experience symptoms of Andropause caused by low Testosterone levels. A person experiencing Andropause may have a number of symptoms related to the condition and could be at risk of other serious health conditions such as Osteoporosis without proper treatment. Therefore, they could have very similar feelings to Menopausal women. Support for the Andropause can be found at:

<http://www.nhs.uk/conditions/male-menopause/pages/introduction.aspx>

Some men develop depression, loss of sex drive, erectile dysfunction and other physical and emotional symptoms when they reach their late 40s to early 50s. Other symptoms in men of this age are:

- Mood swings and irritability
- Loss of muscle mass and reduced ability to exercise
- Fat redistribution, such as developing a large belly or “man boobs”
- A general lack of enthusiasm or energy
- Difficulty sleeping or increased tiredness
- Poor concentration and short-term memory.

These symptoms can interfere with everyday life and happiness so it is important to find the underlying cause and work out what can be done to resolve it. Men experiencing these symptoms should seek medical advice. Like Menopause some individuals may only experience some or all of the symptoms.

A Testosterone deficiency which develops in later life (also known as late-onset hypogonadism) can sometimes be responsible for these symptoms, but in many cases the symptoms are nothing to do with hormones.

Testosterone is the hormone responsible for deep voices, muscle mass, facial and body hair patterns found in males. As men get older, the level of Testosterone in the body and production of sperm gradually becomes lower, and they experience physical and psychological symptoms as a result of these low levels. This is part of the natural ageing process and it is estimated that Testosterone decreases about 10% every decade after men reach the age of 30.

5. Symptoms of Menopause

It is important to note that not every woman will notice every symptom, or even need help or support. However, 75% of women do experience some symptoms, and 25% could be classed as severe.

Symptoms can manifest both physically and psychologically including:

- Hot flushes
- Headaches
- Night sweats
- Difficulty sleeping
- Skin irritation
- Panic attacks
- Lack of confidence
- Anxiety
- Mood swings
- Heavy/light periods
- Memory loss
- Poor concentration
- Depression
- Libido

Around 30-60% of women experience intermittent physical and/or psychological symptoms during the Menopause.

These are associated with a decrease in the body's production of the hormone Oestrogen. For some, symptoms include hot flushes, night sweats and related symptoms such as sleep disruption, fatigue and difficulty concentrating. Hot flushes are short, sudden feelings of heat, usually in the face, neck and chest, which can make the skin red and sweaty. Severe flushes can cause sweat to soak through clothing. Mood disturbances, anxiety and depression are also reported.

Symptoms on average continue for four years from the last period, and 1 in 10 women experience symptoms for up to 12 years.

6. Treatments available

Some women do not need any assistance with the Menopause, and they can go through this natural stage without needing any medical interventions.

For those who could need help there are a number of treatment options available, which include; Hormone Replacement Therapy (HRT), Alternative medications like Anti-depressants, natural treatments and changing to a healthier lifestyle can help. It is vital that women are aware of the different treatments available and if they are unsure, they talk to their GP.

DRAFT

7. Roles and Responsibilities

Members of staff:

All staff are responsible for:

- Taking a personal responsibility to look after their health
- Being open and honest in conversations with managers
- If a member of staff is unable to speak to their line manager, or if their line manager is not supporting them, they can speak to the Resources Manager
- Contributing to a respectful and productive working environment
- Being willing to help and support their colleagues
- Understanding any necessary adjustments their colleagues are receiving as a result of their menopausal symptoms
- Line Managers (see point 10 for Managers' Guidance)

All line managers should:

- Familiarise themselves with the Menopause Policy and Guidance
- Be ready and willing to have open discussions about menopause, appreciating the personal nature of the conversation, and treating the discussion sensitively and professionally
- Use the guidance included in this policy, signposting and reviewing together, before agreeing with the individual how best they can be supported, and any adjustments required
- Record adjustments agreed, and actions to be implemented
- Ensure ongoing dialogue and review dates
- Ensure that all agreed adjustments are adhered to.

Where adjustments are unsuccessful, or if symptoms are proving more problematic, the Line Manager may;

- Discuss a referral to Occupational Health for further advice
- Refer the employee to Occupational Health

- Review Occupational Health advice, and implement any recommendations, where reasonably practical
- Update the action plan and continue to review.

8. Barriers to talking about Menopause and Andropause

The National Union of Teachers surveyed female members aged between 45 and 60 and found 78% had not disclosed transition symptoms to their line managers. The reasons for this were:

- 67% had concerns about managers linking their situation to performance at work
- 35% embarrassment.

Actions to raise awareness and foster an inclusive culture which accommodates everyone's needs will help staff to ask for what they need. For example:

- Have a senior champion
- Raise awareness amongst managers
- Be sympathetic if staff are unwell at work
- Carry out risk assessments

9. Overview for Managers and Staff

The Menopause is a natural part of ageing for most women and may affect Trans men and women.

Andropause can affect some men and Trans women.

The medical definition of the Menopause is when someone has their last period. It usually occurs between 45 and 55 years of age, although it can occur any time up to a person's mid-60s. A premature Menopause can occur, with periods stopping before the age of 40, either naturally or as an effect of a medical condition or its treatment. Around 1 in 100 women will experience a premature Menopause and this of course can be at a time when still planning to conceive.

These symptoms can adversely affect the quality of both personal and working life. At work, they can cause embarrassment, diminish confidence and can be stressful to deal with. The Menopause may be compounded by the development of other health conditions, as well as coinciding with caring responsibilities for ageing parents and relatives. Some staff may also still have children living at home.

Employers have responsibilities for the health and safety of all their employees, but there are also clear business reasons for proactively managing an age-diverse workforce. Some employers have been slow to recognise that staff of Menopausal (and Andropausal) age may need specific considerations and many employers do not yet have clear processes to support staff coping with symptoms.

These practical guidelines aim to help staff experiencing troublesome Menopausal / Andropausal symptoms, and to support them and their colleagues and managers in tackling the occupational aspects of these symptoms.

Why many workers do not reveal their symptoms

Currently, many staff do not disclose their symptoms at work. In addition, many who take time off work because of their symptoms do not tell their employer the real reasons for their absence.

For example, this can be because the worker feels:

- their symptoms are a private and/or personal matter
- their symptoms might be embarrassing for them and/or the person they would be confiding in
- they do not know their line manager well enough
- wary because their line manager is of the opposite sex or believed to be biased in the case of Trans, or younger or unsympathetic

Other worries include that:

- their symptoms will not be taken seriously
- if they do talk, their symptoms will become widely known at work
- they will be thought to be less capable
- their job security and/or chances of promotion will be harmed

10. Guidance for Managers

Managers need to be sensitive to the fact that some staff may be reluctant to have discussions about their experience of the Menopause / Andropause with their manager. In some cultures discussion may be considered inappropriate or unnecessary, and are not appropriate for discussion with a person of a different gender to the person affected.

Therefore an opportunity to discuss their symptoms with another manager or an Occupational Health professional can be very useful. Regular, informal conversations at team meetings or between managers and staff may enable discussion of changes in health, including issues relating to the Menopause and Andropause.

It may be valuable simply to acknowledge this is a normal stage of life and that adaptations can easily be made. Such conversations can identify support at work that can help staff affected remain fully productive and encourage them to discuss any relevant health concerns with their GP or Nurse Practitioner.

All staff should be able to expect respectful behaviours at work including those that relate to their gender and age. The provision of information may be helpful in these discussions and for more general awareness raising amongst colleagues. There are recommendations about working conditions for Menopausal / Andropausal staff produced by the European Menopause and Andropause Society (EMAS). These are adapted below:

- Provide information and training for staff and managers to raise awareness and convey that the Menopause/ Andropause can present difficulties for some people at work.
- Facilitate discussion about troublesome symptoms. Employers can help by communicating that health-related problems such as those experienced during the Menopause / Andropause are not unusual.
- Review control of workplace temperature and ventilation and see how they might be adapted to meet the needs of individuals.

- This might include having a desktop fan in an office, or locating a workstation near an opening window or away from a heat source.
- Consider flexible working hours. If sleep is disturbed, later start times might be helpful.
- Provide access to cold drinking water in all work situations, including off site venues.
- Ensure access to wash room facilities and toilets, including when travelling or working in temporary locations.

Additional considerations may be required.

For example:

- Flexible in dress codes. This might allowing the use of thermally comfortable fabrics (natural fibres), optional layers, the provision of changing facilities/lockers to store spare set of clothes if a member of staff has a hot flush and would like to change of their clothes.
- Where work requires constant standing or prolonged sitting, having access to a rest room (e.g. to sit during work breaks) would be helpful, as this would provide space to move about for those in sedentary roles.
- In open plan offices, it may help to have access to a quiet room for a short break to manage a severe hot flush.

Severe symptoms and their consequences may combine to have a substantial adverse effect on normal day to day activities – potentially meeting the legal definition of a disability under the Equality Act.

A manager making changes to support a staff member going through the Andropause, Menopause or Perimenopause may find that some of their colleagues, particularly those not experiencing symptoms, may complain that the worker is being treated more favourably - for example, being allowed extra breaks, or flexibility over start and finish times on some days. Or they may be unsympathetic, or dismissive. Some may ask for similar flexibility.

The manager should bear firmly in mind that they agreed the changes for the person experiencing the Andropause, Menopause or Perimenopause to support them through the health change. This does not mean the manager must or should then automatically make the same changes for other members of the team.

The manager should deal delicately with such a circumstance and respect wishes for privacy of the person experiencing the Andropause, Menopause or Perimenopause. This means the manager should not be drawn into giving information or details they had agreed to keep confidential.

11. Guidance for staff experiencing symptoms related to Menopause or Andropause

For staff who find their symptoms are affecting their wellbeing and their capacity to work:

- Find out more about the Menopause / Andropause from available sources of information (see suggestions at the end of this guidance)
- See your GP or Nurse Practitioner for advice on available treatment options
- Discuss your practical needs with your line manager, HR or another manager you feel comfortable talking to
- Use technology where this is helpful, e.g. for reminders or note taking
- If symptoms are severe, request a referral to Occupational Health to discuss support and possible work adaptations
- If those you work with are supportive, this can make a big difference. Talk about your symptoms and solutions with colleagues, particularly those who are also experiencing symptoms, but be mindful not everyone will want to talk about this
- Work out your preferred coping strategies and working patterns
- Avoid hot flush triggers (such as hot food and drinks) especially before presentations or meetings
- Consider relaxation techniques such as mindfulness and other potentially helpful techniques such as Cognitive Behavioural Therapy (CBT), as these can help reduce the impact of symptoms
- Consider lifestyle changes such as weight reduction, smoking cessation and exercise

It is important to be aware that the Menopause / Andropause / Perimenopause are a natural and temporary stage in a person's life and that not all people experience significant symptoms.

The Menopause has been regarded as a taboo subject and very little is known about Andropause. This is changing as employers gradually acknowledge the potential impact of the Menopause / Andropause on staff and become aware of the simple steps they can take to be supportive.

12. Managers' Guidance for discussions with staff

We recognise that every person is different, and it is therefore not feasible to set out a structured set of specific guidelines.

All advice is given, and written, in accordance with the various websites listed below (point 18).

If a staff member wishes to speak about their symptoms, or just to talk about how they are feeling (they may not recognise themselves that they are symptomatic) please ensure that you:

- Allow adequate time to have the conversation;
- Find an appropriate room or space to preserve confidentiality;
- Encourage them to speak openly and honestly;
- Suggest ways in which they can be supported
- Agree actions, and how to implement them (you should use the template at Appendix 1 to record the meeting, so that all parties agree what has been discussed, and the next steps, before the meeting ends). Ensure that this record is treated as confidential, and is stored securely.
- Agree if other members of the team should be informed, and by whom;
- Ensure that designated time is allowed for a follow up meeting. Do not rely on quick queries during chance encounters in the corridor.

13. Symptoms Support

Symptoms can manifest both physically and psychologically, including, but not exhaustively or exclusively; support for staff should be considered as detailed below:

Hot Flushes:

- Request temperature control for their work area, such as a fan on their desk (where possible a USB connected desk fan to ensure environmentally friendly) or moving near a window, or away from a heat source;
- Easy access to drinking water;
- Be allowed to wear natural fibres
- Have access to a rest room for breaks if their work involves long periods of standing or sitting, or a quiet area if they need to manage a severe hot flush.

Heavy/light Periods:

- Have permanent access to toilet and wash facilities;
- Ensure sanitary disposable products are available in toilet facilities.
- Provide storage space for a change of clothing if required.

Headaches:

- Have ease of access to fresh drinking water;
- Offer a quiet space to work;
- Offer noise-reducing headphones to wear in open offices;
- Have time out to take medication if needed.

Difficulty Sleeping:

- Ask to be considered for flexible working, particularly if experiencing on-going lack of sleep.
- Consider homeworking and agile working principles if appropriate to the employees role, if fatigued to reduce travelling etc.

- Identify a 'buddy' for the colleague to talk to – outside of the work area;
- Identify a 'time out space' to be able to go to 'clear their head';

Loss of Confidence:

- Ensure there are regular Personal Development Discussions and 1:1 meetings;
- Have regular protected time with their manager to discuss any issues;
- Offer coaching to the individual which might help with confidence;
- Offer reassurance about a person's value and worth in the organisation
- Have agreed protected time to catch up with work.

Poor Concentration:

- Discuss if there are times of the day when concentration is better or worse, and adjust working pattern/practice accordingly;
- Review task allocation and workload;
- Provide books for lists, action boards, or other memory-assisting equipment;
- Offer quiet space to work;
- Offer noise-reducing headphones to wear in open offices;
- Reduce interruptions;
- Have agreements in place in an open office that an individual is having 'protected time', so that they are not disturbed;
- Have agreed protected time to catch up with work.

Anxiety:

- Promote counselling and support services that staff have access to;
- Identify a 'buddy' for the colleague to talk to – outside of work their area;
- Be able to have time away from their work to undertake relaxation techniques;

- Undertake mindfulness activities such as breathing exercises, or going for a walk.

Discuss whether the member of staff has visited their GP or Nurse Practitioner. Depending on the discussion, this may be the next step suggested, particularly if the areas of difficulty are sleeping, panic attacks or anxiety.

If they have visited their GP or Nurse Practitioner, and are being supported by them, it may be helpful at this point to make an Occupational Health referral to give specific advice regarding the workplace.

14. Equality Statement

In applying this policy, Peterlee Town Council will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

15. Data Protection / GDPR

In applying this policy, the Organisation will have due regard for the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). Personal Confidential Data of data subjects will be processed fairly and lawfully and in accordance with the six data protection principles.

Data Subject's Rights and freedoms will be respected and measures will be in place to enable employees (data subjects) to exercise those rights.

Appropriate technical and organisational measures will be designed and implemented to ensure an appropriate level of security is applied to the processing of personal confidential data.

Employees will have access to Peterlee Town Council's Data Protection Officer for advice in relation to the processing of their personal confidential data and data protection issues.

16. Monitoring & Review

This policy will be reviewed every three years by the Resources Manager in conjunction with Senior Managers. Where review is necessary due to legislative change this will happen

immediately. Implementation and operation of this policy will be monitored on an annual basis by the Resources Manager.

17. Appendices

- Appendix 1 – Confidential Colleague Discussion Template
- Appendix 2 – Menopause Advice Sheet

18. External links

- **National Institute for Health and Care Excellence (NICE) guidelines.** These explain how your GP will determine what types of treatments and interventions they can offer you. You can find out more information by using the following link <https://www.nice.org.uk/guidance/ng23>
 - The **National Health Service** provides an overview of menopause and andropause. You can find more at [Menopause - NHS](#).
[The 'male menopause' - NHS](#)
 - **Menopause information.** The Royal College of Obstetricians and Gynaecologists offer further information in a dedicated area of their website at: <https://www.rcog.org.uk/en/patients/menopause>
 - **Andropause Information.** Understanding Andropause and its symptoms [Understanding Andropause](#)
 - **Premature Ovarian Insufficiency (POI)** information and support on very early menopause. You can find out more at [Premature ovarian insufficiency - British Menopause Society](#)
- Menopause Matters.** This site provides information on managing menopause, [Menopause Matters](#)
- **The British Menopause Society (BMS)**, established in 1989, educates, informs and guides healthcare professionals in all aspects of post reproductive health. This is achieved through an annual programme of lectures, conferences, meetings, exhibitions and our interactive website. They offer a range of publications including our quarterly journal *Post Reproductive Health* and the definitive handbook *Management of the Menopause*. Find out more at <https://thebms.org.uk/>

Date Effective from:	March 2025
Policy Review:	March 2028
Version Control	V3

Appendix 1

Confidential colleague Discussion - Template

Members of staff details			
Name		Job Title	
Department		Location	
Present at meeting (Line Manager name and Title)			
Date of discussion			

Summary of discussion

--

Agreed Actions/Adjustments

--

Date of next review

Signed (Member of staff).....

Signed (Manager).....

Appendix 2.

Menopause Advice Sheet – How to talk to your GP about Menopause

If you are suffering from menopausal symptoms to the point they're getting in the way of you enjoying life, it's time to talk to your doctor. But, sometimes, that's easier said than done.

We all know how difficult it can often be just to get an appointment, and then it's often only ten minutes. And talking about symptoms can be hard, let alone if you feel rushed or unprepared. So, what can you do? We've put together some helpful, straightforward tips to help you get the best from your appointment.

Don't wait. It is all too common for women to feel they must simply 'put up' with menopausal symptoms as a part of life, but if they are affecting you, there are things you can do, and support available. There is no need to wait until symptoms feel unbearable.

Read the NICE guidelines. This stands for National Institute for Health and Care Excellence and these guidelines are what your doctor will use to determine the type of conversations to have with you and treatments to offer. There are guidelines for patients, which are really useful to read before you see your GP, so you know what to expect.

Prepare for your appointment. It's easier for your doctor to understand what's going on if you provide them with all the information. That may sound obvious, but blood tests to say where you are on the menopause transition aren't always available or accurate – your hormones can fluctuate daily during this time. So, your doctor will be thinking about what to recommend for you, based on your symptoms.

Keep a list of your symptoms, your menstrual cycle, hot flushes, how you're feeling, and any changes you've noticed. Write them down, and take them to your appointment. Your doctor will thank you for it, and it's more likely that together, you'll find the right solution faster. And, if you have any preferences about how you manage your symptoms, tell them that too – for example, if you'd like to try hormone replacement therapy (HRT), or not.

Ask the receptionist which doctor is best to talk to about menopause. They are often the font of all knowledge at a surgery and can help you find the best person to speak to – it might not be your usual GP, it could be someone who has had special training in the subject.

Ask for a longer appointment. If you don't think your standard appointment will be long enough, try to book a double appointment, as some surgeries do offer this.

Don't be afraid to ask for a second opinion. If you don't feel you've received the help you need, ask to speak to someone else. Don't be put off, you know how you're feeling, and how it's affecting you.

Ask if there is a menopause clinic in your area. Occasionally, there are regional clinics, specifically devoted to menopause. If there is one in your area, and you think this would be helpful, ask for a referral.

Take your partner or a friend with you. The chances are, you spend your life supporting others and, during menopause, it's your turn to ask them for support. Your partner, or a friend, will know how the symptoms are affecting you. They could support you at the appointment, and also find out how they can continue supporting you.

What to expect from your doctor

There are certain things a GP should – and should not – do during your appointment.

They should:

- Talk to you about your lifestyle, and how to manage both your symptoms, and your longer-term health
- Offer advice on hormone replacement therapy and other non-medical options
- Talk to you about the safety and effectiveness of any treatment.

They should not:

- Tell you that it's just that time of your life. Yes, menopause is a natural stage, but please don't feel that means you should have to put up with every symptom without help
- Tell you they don't prescribe HRT. It's up to you what you want to try, and for them to say whether it could be right for you, depending on your medical history
- Impose unnecessary time restrictions, such as they will only prescribe this once, or for a year or two. This is an ongoing conversation, and if your symptoms persist, you will still need help to manage them.

Remember, your GP is there to help and support you, and you should feel comfortable and confident in talking to them about your symptoms, and any help you need. Don't think you have to struggle through menopause when there is help and support available.



Performance Appraisal Policy

Version 2 March 2025

ABSTRACT

“Through this Appraisal and Development Policy, the Council sets out how all employees will be appraised against the Council’s behavioural Competency Framework and their specific personal objectives, and how managers will agree any personal or professional development activities that are required to help an employee be successful in their role.”

Chief Officer & Town Clerk

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and in greyscale.

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Introduction

Peterlee Town Council is committed to being an excellent employer that supports its staff to be happy and successful in their roles. The Council also expects its employees to do their jobs to the best of their abilities, to behave as courteous, professional, representatives of the Council and to abide by the rules and requirements of their employment.

Through this Appraisal and Development Policy, the Council sets out how all employees will be appraised against the Council's behavioural Competency Framework and their specific personal objectives, and how managers will agree any personal or professional development activities that are required to help an employee be successful in their role.

The Policy applies to all Council employees, with the exception of casual staff working less than 8 hours per week and agency staff.

Associated documents

This policy and guidance notes compliment and are related to:

- Individual role job descriptions and statement of particulars - setting out the specific elements of every member of staff's role, and terms & conditions.
- The Council's Standing Orders and Committee Terms of Reference – sets out the role of the Council and its committees.
- Officer's Code of Conduct - sets out detailed expectations on staff conduct both on and off-duty.
- Disciplinary Policy - sets out the process for dealing with problems relating to an individual's conduct or capability to do their role.
- Training & Development Policy - sets out the Council's policy on how staff and members are trained and developed for their roles.

What is performance appraisal?

A performance appraisal is an opportunity for an employee and their manager to meet to:

- Discuss job performance and receive feedback on how they are doing.
- Discuss the achievement of any previous objectives, targets and behavioural competencies that have been agreed.
- Set specific objectives and targets for the coming year.
- Assess current training and development needs.
- Discuss any support required from the manager.
- Provide an opportunity for employees to give feedback to their manager about how they are being managed.

A performance appraisal can be thought of as a recorded conversation about the 'What' and the 'How':

- What am I required to do? – the actions and activities that I am required to do as part of my job.
- How am I expected to do it? – the way that I am expected to behave when I am doing my job.

A performance appraisal will be part of a regular dialogue between managers and staff. Staff will already be engaged through Team Meetings, 1:1s, training events, etc and so all staff should be aware of the general requirements of their role, their current performance, etc. There should be no major surprises in a performance appraisal session!

Roles in Performance Appraisal

There are a number of roles in this Council's Appraisal and Development process:

- The Council – agrees the policy framework and sets the annual training budget.
- Personnel Sub-Committee – carries out the Town Clerk's appraisal.
- Town Clerk – appraises the Senior Management Team (SMT).
- Managers – appraise their staff, as 'the appraiser'.
- Staff – all staff are 'appraisees' and receive an annual appraisal plus bi-annual (6 monthly) performance reviews.
- Human Resources – may provide training and advice to the Council and its staff on issues relating to appraisals but would not usually be directly involved in the appraisal process.

All Appraisees are responsible for:

- Gathering examples of their own performance and discussing these with their manager during appraisal meetings.
- Giving their manager constructive feedback about the way in which they are managed.
- Discussing any personal or professional aims and aspirations and agreeing a programme for development.
- Self-assessment of their own performance as part of the annual appraisal process.

Appraisers are normally the appraisee's immediate line manager. They are responsible for:

- Giving a minimum of 2 weeks' notice before an appraisal meeting.
- Arranging the meeting and organising the venue.
- Arranging a pre-meeting if necessary to clarify any points and explain the competency framework (if required).
- Preparing well for the meeting, including checking job descriptions, reviewing performance against any previous objectives and targets, any issues that may have impacted on performance (such as absence records, etc).
- Maintain regular contact with their staff throughout the year so that they are in a position to discuss their level of performance – nothing raised in the performance appraisal should come as a surprise!

- Provide help and support to appraisees to assist them to achieve their professional and personal objectives.
- Acting on constructive feedback they receive from appraisees about their own performance.
- Completing the required paperwork and forms and sending these to the Town Clerk for approval and filing.



Figure 1: It's important for the appraisee and appraiser to prepare for an appraisal meeting!

Conducting the Appraisal

1. The appraiser should:

- Ensure that the appraisee has a copy of the previous appraisal forms (if applicable) a minimum of two weeks before the appraisal meeting.
- Review the main duties and responsibilities of the appraisee.
- Review the previous period (if applicable).
- Discuss any factors that may have affected performance.
- Listen to what the appraisee is saying...this is their time to talk about their performance.
- Recognise work well done and discuss any areas for improvement.
- Discuss and agree objectives for the next period.
- Review the appraisee's personal development plan and any development needs.
- End on a positive note!



Figure 2: this is not how an appraiser should behave!

Town Clerk

The Town Clerk will review all appraisal forms before they are filed on an individual's personnel file. The Town Clerk's role is not to give a second opinion, but to ensure that the quality of the appraisals for all employees is equitable, and that line Managers have the support they need to be able to do a good appraisal. The Town Clerk will not usually be involved in the actual appraisal of staff other than SMT members and will be the first line of appeal where an appraisee has been unable to resolve a dispute with the appraiser.

Performance Appraisal process

The appraisal process is divided into three stages:

1. Preparing for the performance appraisal.
2. Conducting the performance appraisal; and
3. Taking agreed action after the performance appraisal.

The appraiser is responsible for recording the appraisal on the appropriate forms and for signing the completed document. This can be handwritten or completed electronically. The completed documents should then be provided to the appraisee for comment (if they wish to) and signature. The appraiser then provides the completed form(s) to the Town Clerk for endorsement prior to filing.

The Competency Framework

'Competencies' is another word for the behaviours that the Council expects effective staff to display when they are performing their duties. Competencies are observable and measurable, and they can also be improved and developed.

The Council's competency framework provides a link between what the council is trying to achieve as a whole, and individual behaviour and performance. The Council's competency framework is attached as appendix 2 to this policy. All staff are required to familiarise themselves with this framework, and managers should routinely discuss the behaviours in the framework during 1:1s with individual staff and in team meetings.

The Council has adopted 6 main competency areas that it requires its employees to work towards:

- **Customer First:** putting the customer (internal and external) at the heart of everything we do to provide an excellent service.
- **Working with Others:** working together to improve how we provide services and supporting each other through change.
- **Communicating well:** conveying information clearly and effectively, in a way which helps people understand.
- **Personal Impact:** being self-aware, acting pro-actively and accepting responsibility for achieving results.

- **Building Our Future:** wanting to be the best and working together to achieve this. Making improvements through being efficient and delivering value for money.
- **Delivering results:** continually improving performance and introducing new ideas into the Council to achieve results.

The specific behaviours required for each competency depends on the level at which the employee is working, i.e. Senior Managers are expected to demonstrate a higher level of competency than Team Leaders/Deputy Managers, who are themselves expected to demonstrate a higher level of competency than team members.

Induction Appraisal

Within 4 weeks of starting employment with the Town Council or moving to a new job with a substantial change of responsibilities, all employees must meet with their manager to undertake a performance appraisal induction.

During the induction appraisal interview the manager and employee will discuss:

- A date for the 6-month probation appraisal as well as 1:1s and/or observations if applicable.
- Objectives and targets for the first 6 months.
- Any training and development needs such as induction e-learning, H&S, etc
- Any areas of support required from the manager, and when and how this will be provided.

This meeting will be recorded on the Performance Appraisal Induction Form found in appendix 3 to this policy.

The induction checklist should be used for any employee starting a new job or transferring to another post within the Council. The checklist can be obtained from the Corporate Services Manager or the Admin team at Shotton Hall.

Probationary Appraisal

As well as the induction appraisal within 4 weeks of starting their new role, employees who are subject to a probationary period will have a probationary appraisal before the end of the 6-month period. It is important that managers plan the performance appraisal probation meetings and record them on the correct form, as found in Appendix 4 to this policy.

Annual Performance Appraisal

The annual appraisal meeting is an opportunity for the appraisee and appraiser to have a constructive discussion about the quality of the appraisee's performance during the previous year. 'Quality' can refer to both their achievement of set objectives/targets and also their behaviour in relation to the competency framework level that is relevant to their role.

The appraisee should provide details and evidence of their performance against objectives/targets set and assess how well they have met those objectives/targets. The appraisee should also discuss how they have demonstrated each of the

competencies and identify their strengths as well as any areas for development. The appraisee should also reflect on any training and development needs previously identified and the outcome of any training and development received since the last appraisal.

The appraisee and appraiser will then set objectives/targets for the next 12 months.

Disagreement

If an appraisee and appraiser have a disagreement about any aspect of the appraisal they should meet to discuss this within 5 calendar days of the appraisal meeting. There must be genuine substantial reasons for the disagreement, and not merely a disagreement about the process.

If the disagreement can't be resolved between the appraisee and appraiser, then the appraisee may write to the Town Clerk within 5 days of the meeting. The Town Clerk will seek to resolve the matter within 5 working days of receiving the written disagreement. The Town Clerk may interview the appraisee and appraiser as part of the resolution process if required and record any findings on the performance appraisal documents. The Town Clerk's decision on the matter is final.



Figure 3: disagreements can happen from time to time...

Appendix 1: Detailed Competency Framework

Customer First: putting the customer (internal and external) at the heart of everything we do to provide an excellent service		
Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none">Has an understanding of the range of services provided by the Town Council to customers (internal and external)Creates a positive first impressionShows a genuine interest in both colleagues and customersTreats colleagues and customers with dignity, respect and fairnessResponds to customer needs in a proactive and timely mannerDelivers a consistently high level of customer serviceMaintains customer confidentialityTakes ownership in dealing with customer queries.	<ul style="list-style-type: none">Has a detailed understanding of the range of services provided by the council to customers (internal and external)Develops systems and processes to ensure a consistent and quality customer service is deliveredWorks together with partners to improve services to customersConsults with customers and listens to what they say to develop service delivery that is efficient and offers value for money.	<ul style="list-style-type: none">Has a comprehensive understanding and an influence over the range of services provided by the council to customers (internal and external)Ensures that policies and strategies meet customer demands and expectationsPromotes a culture of delivering excellent customer serviceEnsures our services are accessible and easy to useRoutinely evaluates opportunities and threats to the delivery of great customer serviceConsiders the impact of wider council initiatives or plans on delivery of service.

Working with Others: working together to improve how we provide services and supporting each other through change.		
Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none"> • Has an understanding of the roles and responsibilities of key groups and individuals you work with • Can build professional relationships with people in your own work area, other service areas and agencies • Polite, approachable, cooperative and open in dealing with others • Listens and respect the views of others • Provides support when needed to help others • Shares knowledge and learning within own team and with other colleagues • Responsive and professional in dealing with requests • Understands and respects diversity; being inclusive and treating everyone fairly • Provides specific, balanced and constructive feedback to others on their performance • Asks others for feedback on own performance for future learning and development. 	<ul style="list-style-type: none"> • Has a detailed understanding of the different areas of the council and how they operate and interact • Builds relationships with colleagues, other service areas and external partners • Encourages questions and opinions from a diverse range of individuals in order to achieve better results • Is open-minded and prepared to promote the ideas of others • Delegates appropriately and empowers employees to make decisions • Promotes and manages diversity • Provides ongoing coaching and mentoring to team members – equipping them with skills to do their job better and reach their full potential • Gives credit to team members for their contribution to team goals • Provides regular feedback and support to employees e.g. through 1 to 1 meetings and team meetings 	<ul style="list-style-type: none"> • Has a comprehensive understanding and an influence over the different areas of the council and how they operate and interact • Develops external relationships to build effective local/regional/national partnerships to aid the smooth delivery of council business and service objectives • Values and respects diversity of opinions and approaches • Looks to obtain and incorporate viewpoints of others including service users • Builds teams that are diverse, competent and motivated and able to meet service requirements • Creates opportunities for others to develop positive relationships with stakeholder groups • Ensure that their service area understands how their work contributes to the organisation's strategy and objectives • Provides ongoing coaching and mentoring to colleagues – equipping them with skills to do their job better and reach their full potential • Actively reviews relationships with stakeholders, identifying which need to be improved • Continually works to promote good working relations between teams across the council.

Communications: conveying information clearly and effectively, in a way which helps people understand		
Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none"> • Open and transparent in communication • Communicates clearly using appropriate language and tone, explaining any technical terms • Checks that people have understood what was said • Shares relevant and appropriate knowledge and information with colleagues and other stakeholders • Identifies the most appropriate method of communication given for what needs to be conveyed • Produces accurate and concise communications for colleagues and clients • Responds promptly to letters, emails and phone calls when required • Uses clear language and 'plain English' as much as possible. 	<ul style="list-style-type: none"> • Is accessible to the team • Communicates effectively on a range of issues at all levels, presenting information in a clear concise, objective and accurate way • Confidently conveys information to others, adapts style and content to meet the needs of the audience • Encourages open discussion on key issues and/or council changes • Communicates key messages to employees • Listens actively, asking questions and clarifying points to check understanding • Shares important information promptly, with all those who need it. 	<ul style="list-style-type: none"> • Sets the style and tone of communication for the team/ service area • Can articulate complex technical and business issues in a concise, readily understood manner • Sells ideas by exploring the concerns of others and clearly explaining the rationale behind the proposed solution • Supports others by creating opportunities for them to contribute to discussions • Facilitates cross-service area communication to ensure information flows between services • Puts procedures in place to ensure that all employees have a voice within the council.

Personal Impact: being self-aware, acting pro-actively and accepting responsibility for achieving results		
Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none"> • Has a clear picture of role purpose and personal responsibilities • Shows confidence in ability by being positive and enthusiastic in the delivery of work • Proactively seeks new challenges and opportunities to learn from experience • Improves performance by learning from past experience • Approachable and maintains confidentiality • Takes responsibility for identifying own development needs • Sets achievable personal goals • Has ability to perform under pressure. 	<ul style="list-style-type: none"> • Is flexible, adaptable and open to change • Takes responsibility for making things happen and seek new ways of working • Proactively seeks new opportunities to develop yourself and the department/business • Takes calculated risks to achieve results, even when the full impact has not been determined • Influences attitudes and opinions • Gains support through persuasion, proposals and courses of action • Leads by example – reflecting on feedback and behaving in a way that reinforces the tone and direction of the team • Is aware of own behaviour and impact on others • Shares ideas, best practice and learning. 	<ul style="list-style-type: none"> • Demonstrates own commitment to change • Aims to create a learning organisation incorporating feedback from stakeholders • Generates ideas for improvements at an organisational level • Identifies where organisational improvement can be made • Influences people internally and externally in appropriate ways to achieve the objectives of the council • Leads by example – role modelling the council values and competence.

Building Our Future: wanting to be the best and working together to achieve this. Making improvements through being efficient and delivering value for money

Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none"> • Understands how your role contributes to the council's vision and corporate plans • Has an understanding of service priorities for the next year • Adapts to meeting changing service objectives and priorities • Listens to new ideas and is prepared to adapt how they work • Keeps up to date with council news and challenges • Has an appreciation of the environmental impacts of the council's work and how they can contribute to reduce carbon emissions. 	<ul style="list-style-type: none"> • Has a detailed understanding of the council's vision and how it applies to the team and other professional and agencies • Assesses the impact of wider changes in the council on the strategy and plans of the team • Applies the council vision into local strategies and plans • Uses relevant information to inform the development of the team strategy and plans • Promotes the future vision of the council to stakeholders • Seeks out new ways of doing things, encourages innovation and constructive challenge • Works collaboratively across service groupings and external agencies to deliver improvement • Is positive about the future of the council • Celebrates success both within the team and across the wider council • Promotes and facilitates changes 	<ul style="list-style-type: none"> • Develops and articulates the vision of the council • Connects plans, policies, strategies and services to promote one-council working • Leads the development and implementation of corporate policies at a strategic level • Anticipates future requirements and plan to meet them • Encourages others to be forward thinking and innovative in the delivery of the council vision • Proactively links with stakeholders to identify their needs and shape the council's agenda • Has an appreciation of the changing political agenda and how these impacts on service delivery • Proactively keeps up to date with Government initiatives and assesses how these impact upon the council's vision • Has a technical and political understanding of the workings of the council.

Delivering results: continually improving performance and introducing new ideas into the Council to achieve results

Team Member	Team Leader/Deputy Manager	Senior Manager
<ul style="list-style-type: none"> • Takes pride in work and always aims to deliver quality results • Focuses on results by identifying opportunities to improve processes or procedures • Demonstrates the ability to take the initiative • Anticipates obstacles and problems and take corrective action • Puts forward new and innovative ideas or suggestions, outlining the benefits they would bring • Considers new ideas and feedback from others • Aims to meet agreed targets and deadlines. 	<ul style="list-style-type: none"> • Sets and promotes high standards of performance • Incorporates council and service change initiatives into actions for the team • Evaluates how you and the team could deliver a better/more efficient service • Understands what needs to be done to make a new idea work within the council • Engages stakeholders early in the development of new products or services to ensure they are fit for purpose • Ensures timely, constructive action is taken to address performance issues • Constantly reviews workloads against available resources • Actively researches and benchmark against other service groupings/sectors to ensure best practice is delivered. 	<ul style="list-style-type: none"> • Creates a culture of innovation and creativity – welcoming new ideas from all team members • Leads teamworking across the council to improve overall performance • Looks to benchmark against excellent organisations, from all industries, to identify opportunities for change and improvement • Takes a lead role across the council and service grouping in the development and implementation of change initiatives • Develops and delivers services based on awareness and understanding of Peterlee's diverse community • Defines the common goals that all service groupings are working towards • Creates the structures, roles and responsibilities to maximise available resources.

Appendix 3: Induction Appraisal Form

Appendix 4: Probation Appraisal Form (3 month)

Appendix 5: Probation Appraisal Form (6 month)

Appendix 6: Annual Appraisal Form

Appendix 7: Group/Team Appraisal Form



REDUNDANCY GUIDANCE

April 2025: Version 4

ABSTRACT

This guidance identifies the stages involved in managing a redundancy exercise, outlines the relevant consultation requirements and provides guidance on the implementation of redundancies.

Resources Manager

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Introduction

What is the guidance about?

Peterlee Town Council will consider all ways and means of maintaining employment for employees to ensure security of employment as far as practically possible. However, it has to be recognised that there may be changes in the operation of the Council which may affect staffing levels.

In order to ensure consistency and fairness in dealing with all redundancies within the Council, this guidance identifies the stages involved in managing a redundancy exercise, outlines the relevant consultation requirements and provides guidance on the implementation of redundancies.

If it becomes clear redundancies are required, the Town Clerk should contact the HR Advice and Support Team in the first instance. The redundancy guidance should only be followed after all other alternatives have been exhausted, e.g. deleting vacancies, recruitment freeze, restructure (further examples are detailed in the Redundancy policy).

Stage 1 – Planning and approval

Before the formal consultation period can commence, a period of planning will be required, with support from HR Advice and Support, during which specific timescales will be agreed.

Initial meeting

The Town Clerk will meet with a HR Advice and Support Team representative to consider options and formulate the initial proposals in a context statement. The discussion will take place around:

- current organisational structure of the team.
- current staffing establishment, workload and priorities.
- posts to be potentially removed from the establishment.
- design principles that reduce tiers and flatten organisational structures.
- informing employees who are absent from work e.g. sickness or maternity leave.
- casual employees.
- timescales for planning, consultation and implementation.

- early retirement/voluntary redundancy (ER/VR) expressions of interest.
- how individual representations will be made.
- evaluation of new and revised posts (if appropriate).
- ring-fence and slot-in proposals (if appropriate - see section 2.4 for further guidance).
- selection criteria where applicable.
- how employees may challenge the proposals.
- equality impact assessment

The Town Clerk will provide to elected Members for agreement:

- current establishment.
- current and proposed structure diagrams.
- job descriptions and person specifications

If the Council is intending to make 20+ employees redundant then a Section 188 notice must be issued to recognised Trade Unions formally notifying them of the potential collective redundancies, in accordance with the Trade Union and Labour Relations Act (1992). This means that you must discuss redundancy changes with both recognised elected representatives and individual employees in collective redundancies.

In addition, the Council also have an obligation to inform the Secretary of State of the proposed redundancies via a HR1 form (Advanced Notification of Redundancies). Further information can be obtained from the HR representative.

In most cases, the Council will be intending to make less than 20 employees redundant, and there is therefore no legal requirement to issue a Section 188 (statutory notification to trade unions of the proposed redundancy) notice, however it is still essential that you undertake “meaningful” consultation with your employees and Trade Unions. A consultation letter should therefore be issued to recognised Trade Unions notifying them of the potential redundancies and copied to employees who may be affected by the proposals.

It is essential that any affected employee who is absent from work e.g. maternity, sickness, paternity, adoption etc is kept informed and can fully participate in the consultation process. It is advisable to inform the HR representative if there are any employees who are on maternity leave who are affected by the proposals so that additional advice can be provided regarding Regulation 10 of the Maternity and Parental Leave Regulations 1999.

Following the agreement to the proposals by elected Members, the Town Clerk supported by their HR Advice and Support representative will prepare a S188 letter (if applicable). The S188 or consultation letter will include:

- reasons for the redundancy proposals.
- employees proposed for redundancy.
- new posts created –if appropriate.
- method of selecting employees for redundancy.
- details of consultation process and meetings.
- right of appeal

In all cases, the Town Clerk will prepare a context statement to be issued with the redundancy notification letter. The context statement should include:

- introduction.
- background.
- rationale for proposed redundancies.
- current and proposed structures.
- new job descriptions – if appropriate.
- finance information.
- ring-fence and slot-in proposals - if appropriate.
- where applicable a draft of the proposed selection criteria.
- details of the consultation process and timescales.

The Town Clerk will conduct an Equality Impact Assessment on the proposal and will need to arrange for any new and/or revised posts to be job-evaluated.

Early Warning Letter

Prior to the above documents being issued it may be appropriate for the Town Clerk in conjunction with the HR Advice and Support Team to issue an 'Early Warning Letter' to trade unions and affected employees to inform them that there is a review of the workforce within the Council and to ask for any suggestions to resolve the issue, i.e. ER/VR or flexible working options. This letter should be issued one week before the agreed date to distribute the redundancy consultation documentation. (A template letter can be obtained from the HR representative).

Redundancy documentation

Once approval has been provided by elected Members, the Town Clerk in conjunction with the HR Advice and Support representative, will collate the following information in a consultation pack, to share with trade unions and employees. This pack will include:

- notification letters to trade unions and employees
- context statement (as detailed above)
- job descriptions and person specifications for new and/or revised posts – if appropriate
- frequently asked questions
- project timeline

Timescales

The S188 letter or consultation letter and project timeline will detail the dates for consultation meetings in the process.

It is the Town Clerk's responsibility to agree the dates of these meetings with their HR Advice and Support representative.

Ring-fence and slot in guidance – if appropriate

If the redundancy relates to a closure of a Council service and/or where there are no ring-fence proposals, this section will not apply.

Where there are new posts created as part of the redundancy consultation and a restructuring exercise is proposed, details of ring-fence and slot in proposals should be included in the consultation documentation.

Ring-fence and slot in proposals should be formulated based on an employee's substantive post, therefore temporary posts, honoraria and temporary acting up arrangements should not be taken into consideration.

Slot in

For a slot in to be proposed, there must be a clear demonstration that the scope, functionality and level of responsibility of the postholder's substantive role remain extensively the same. This is usually indicated by the substantive grade of the post. In addition, the individual must be the **only** person eligible to fill that post.

The postholder must also meet the requirements of the job description and person specification, although, in some circumstances qualification requirements may be waived.

Employees who meet the criteria for a slot in and then wish to be considered for a ring-fenced post elsewhere in the restructure exercise will lose the right to a slot in. This would not be the case should an employee wish to apply for a vacancy advertised through the normal recruitment process.

Ring-fence

Where it is not possible to identify a slot in for a post, a ring-fencing process should be considered. Eligibility of an employee for a ring-fence will be assessed based on their

qualifications, skills and experience, primarily demonstrated through a comparison of their substantive job description and that of the new post. This process will establish a pool of employees to be ring-fenced for each post.

An interview process will need to be carried out in line with an agreed recruitment procedure to identify suitable appointees.

An employee may be eligible to be included in more than one ring-fence and may be asked to table preferences for posts.

Where an employee is unsuccessful in their initial ring-fence(s) at one layer, they will not automatically drop into the layer below. In order to be included, the employee must be eligible to be ring-fenced to both layers based on their substantive job description.

Temporary employees

Temporary employees (including fixed term employees) can only be considered for slot in or ring-fence if they meet the following criteria:

- have two years continuous service in that post.
- appointed following a competitive selection process.
- are not covering a substantive postholder in the temporary post.
- would otherwise be at risk i.e. do not have a substantive post elsewhere.

As stated previously, permanent employees who are in a temporary post at the time of the restructure will be included in any ring-fence or slot in proposals based on their substantive post, not their temporary position.

Where there are no substantive postholders at risk, it may be appropriate for a permanent employee who is covering a position on a temporary basis to relinquish their substantive post and be considered for a ring-fence or slot in based on the post they have been covering. In order to do this, they must have at least two years continuous service in the post at the date ring-fence or slot in confirmation letters are issued.

Selection Criteria

Where the use of selection criteria is proposed, as an alternative method of selection, the criteria will be established by the Town Clerk in liaison with a Human Resources Adviser. The selection of those employees potentially at risk of redundancy will be undertaken using objective selection criteria, which will be consistently applied, transparent and fair and based on the existing and foreseeable business needs of the Council.

The chosen criteria must be consistently applied, and particular care should be taken to ensure that it does not directly or indirectly discriminate on the grounds of age, disability,

gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

An appropriate timescale to assess relevant skills and experience should be agreed. This proposed period can be determined by the elected Members prior to the commencement of consultation.

Affected employees will be asked to provide information regarding how they meet the proposed criteria and are awarded points for each of the subheadings and these points are then ranked.

Affected employees and trade unions and/or employee representatives will be consulted on the selection criteria.

The selection criteria will consist of a range of factors and may include:

- qualifications and skills.
- specialist knowledge.
- aptitude.
- efficiency.
- work performance records (such as quality of work).
- timekeeping and attendance (attendance record over a reasonable period, for example 2 years considering the reasons for and extent of any absences but excluding absences related to pregnancy, childbirth or disability, as defined in the Equality Act 2010); and/or
- disciplinary record.

The proposed selection criteria will be included with the consultation documents together with all other supplementary information provided at the start of the consultation period.

Stage 2 – Consultation

On the agreed date, the Town Clerk will circulate the consultation documents to the trade unions, which starts the formal consultation period. The Town Clerk should circulate the documents to the affected employees **the following day**. Consultation documents should be sent to all employees, including those who may be on leave e.g. long-term sickness, maternity/adoption leave etc.

Consultation meetings

The Town Clerk, with support from HR Advice and Support, will meet with both the trade unions and employees at the meetings scheduled in the S188 letter/consultation letter or

Context Statement. The trade unions and employees can make representations and/or ask questions about the proposals and also propose alternative options to make the required financial savings or to assist with the redundancy process e.g. reduction in hours.

The consultation response letters should be issued separately, ideally with the trade union consultation response letter being issued prior to the employee consultation meeting so the affected employees can see the response to the representations prior to their meeting.

An employee may request an individual consultation meeting to discuss their own personal circumstances, and, in this case, an individual response letter will need to be produced. The employee is entitled to trade union representation at any individual meeting.

During the consultation period, the manager should consider any expressions of interest in ER/VR.

Close of consultation

Unless there is a specific requirement to extend the consultation period, it will come to a close at the end of the agreed timescale.

Where changes to the new roles have been agreed during consultation, the Town Clerk will need to arrange for any new or revised posts to be evaluated.

The Town Clerk will confirm final details with elected Members. Once any changes have been finalised with elected Members, the Town Clerk will issue a determination letter accompanied by a final context statement, structure and revised job descriptions if appropriate and selection criteria/submission forms where applicable to trade unions and affected employees.

If a restructure is proposed, the employee will also receive notification of their individual slot in or ring-fence proposals. An acceptance form will be enclosed and affected employees will be advised that they have 5 days to accept or decline the slot in or ring-fence proposals or to raise any issues.

If an interview process is not proposed and selection criteria are to be used, the Town Clerk will confirm the date for the submission of the selection criteria forms from the affected employees.

If a restructure is not proposed the Town Clerk will progress to the 'At Risk' section (4.2 of this guidance).

Stage 3 - Implementation

All employees who are applying for a ring-fence post are required to complete an application form. If an individual is eligible for more than one ring-fenced post, they will only

be required to complete one application form, although supplementary information relevant to each separate post can be provided.

Employees should be given a minimum of 5 days to complete their application form. Appointments to posts in the new structure will be on a layered basis, with appointments to the more senior posts first.

It is acknowledged that some employees may be absent from the workplace e.g. due to sickness, maternity, adoption or annual leave etc., throughout the restructure exercise. Whilst efforts must be made to support attendance at interview, it is important that the recruitment process and the implementation of the new structure are not unduly delayed. The Town Clerk should seek advice from their HR Advice and Support representative in these circumstances to ensure any potential discrimination issues have been adequately considered.

Appointment process

The Town Clerk should follow the principles of the Recruitment and Selection Guidance when appointing to posts during a restructure exercise.

The main principle of the filling of posts during a restructure process is of retaining the employee. The Town Clerk will take into consideration the employee's potential to undertake the post. It will not necessarily be the case that the best person for the post will be appointed but the best person from within the ring-fence. All interview panel members should be aware of the above restructure principles when appointing to posts.

During a restructure process a shortened selection process may be used, for example, an interview only. One reference only may be requested. Should the referee be on the interview panel, then this should be delegated where possible.

Any complaints concerning the recruitment process should be made to the Town Clerk in accordance with the Council's Recruitment and Selection procedure, either verbally or in writing.

The Town Clerk should notify their HR Advice and Support representative of the outcome of any appointment exercise prior to any decision being communicated to the employees, particularly where there are any unfilled posts. Following this, the Town Clerk should confirm the outcomes verbally with the employees.

Confirmation of appointment letters and new statements of particulars, where appropriate must be provided to affected employees.

Application of the selection criteria

Where the selection criteria process is applied to the redundancy exercise the Town Clerk must evaluate the information provided by employees in their submission forms against the

agreed criteria. The employee(s) with the lowest score at the end of the process will be the employee(s) identified and proposed for redundancy.

Once a decision is made, it is recommended that the outcome is relayed verbally to the employee(s) identified and then confirmed in writing.

Confirmation of appointment letters and new statements of particulars, where appropriate must be provided to affected employees.

At risk

Where an employee is not appointed to a post or if there are no posts available for the employee, the Town Clerk will invite them to an 'at risk' meeting to discuss their personal situation. A HR Advice and Support representative will also attend the meeting and will advise the employee on the next steps.

Redundancy payment

The Employment Rights Act 1996 provides that employees must have **two years' continuous service** with the same employer to qualify for a statutory redundancy payment at the relevant date of redundancy. Redundancy payments will be issued in line with the agreed procedure at the time of the relevant date of redundancy.

Currently, an eligible employee, based on their age, is entitled to:

- Under 22 years old - half a week's pay for each full year of service.
- 22 years or older, but under 41 years - one week's pay for each full year of service.
- 41 years or older - one and a half week's pay for each full year.

Your weekly pay is the average you earned per week over the 12 weeks before the day you got your redundancy notice. The length of service is capped at 20 years. There is a weekly pay cap, and a maximum statutory redundancy pay cap. The redundancy payment calculation should be checked with the Council's payroll provider. The latest government guidance on redundancy calculations is available at: <https://www.gov.uk/redundancy-your-rights/redundancy-pay>

Redundancy pay (including any severance pay) under £30,000 is not taxable but the Council will deduct tax and National Insurance contributions from any wages or holiday pay owed.

Guidance on redundancy payment calculations is also available at ACAS at <https://www.acas.org.uk/your-rights-during-redundancy/redundancy-pay>

Employee(s) must be advised in writing how their redundancy pay has been worked out.

Suitable alternative employment

The Council will take reasonable steps to find suitable alternative employment for the 'at risk' employee with the Town Council. Suitable alternative employment will depend on how similar the work is to the substantive post (terms offered including pay, status, hours and location).

An employee has the right to a 4-week trial period for any alternative employment offered. An employee(s) will not be entitled to statutory redundancy pay if the Council offers suitable alternative employment which is refused without good reason.

Notice

Notice letters will be issued to employees proposed for redundancy. Statutory notice will be given; however, contractual notice will be honoured where it is greater than this. Statutory notice is:

- one week's notice if employed between one month and 2 years.
- one week's notice for each year if employed between 2 and 12 years.
- 12 weeks' notice if employed for 12 years or more.

Employees will be required to work through the notice period, but consideration may be given to pay in lieu of notice. If payment is made in lieu of notice, employment will be ended without notice although an employee will receive all the pay, they would normally have received during the notice period. Tax and National Insurance contributions are payable on an employee's notice pay, regardless of whether this is worked or paid in lieu.

The notice letter will also detail how the employee can appeal against the redundancy.

Appeal

The identified employee(s) has the right of appeal against the decision. When an employee submits an appeal, the Town Clerk will prepare the appropriate documentation for a meeting of the appropriate Appeals Committee of the Town Council. The Committee will be provided with a report which will cover an explanation of the procedure to date, including:

- how the problem was identified.
- what proposals were made and why.
- how the Committee viewed any representations made.
- how the Committee made its identification.
- how the Committee dealt with any representations on identification.

Members of the Appeals Committee must not have had any involvement in the redundancy exercise and, as far as is reasonably practicable, should have had no previous involvement in

or knowledge of the process, or have been members of the interview panel. The Appeals Committee must reach its decision only on information presented at the appeal hearing.

There are two broad areas for redundancy appeals committees to consider:

1. Does the Appeal Committee consider that there is a genuine need for redundancy?
2. Has the process followed been applied fairly and reasonably? For example, was the pool of selection fair, were the criteria applied in a fair manner?

Assistance with job seeking

An employee who has been continually employed with the Council for 2 years by the date the notice period ends, will be allowed a reasonable amount of time off to look for another job or to arrange training to help find another job.

Annual leave

Employees will be expected to use any outstanding accrued annual leave prior to the date of termination of their employment. Payment for untaken accrued annual leave may be made subject to and in accordance with the terms of their contract of employment.

Pension benefits

Any access to pension following voluntary or compulsory redundancy will be in line with the Local Government Pension Scheme rules.

Further information

Confidentiality

All information will be handled sensitively and used only for its proper purpose.

Under the Data Protection Act 2018 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

Dealing with abuses of the guidance

Employees who attempt to abuse this guidance may face disciplinary action. The Council takes false or misleading accusations very seriously which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith.

Equality and diversity

Peterlee Town Council is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our guidance is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

[Contact details](#)

If you would like any further advice or would like the document in an alternative format, please contact the Town Clerk (or Resources Manager) on Tel: 0191 586 2491.

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Pensions, Flexible Retirement & Retirement Policy

The policy applies to all Council employees that are currently active or deferred members of the Local Government Pension Scheme.

Resources Manager

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Introduction and Background

All employees of the Town Council are eligible to participate in the Local Government Pension Scheme, which is a defined benefit pension scheme.

A defined benefit pension scheme is one where the scheme rules define the benefits payable to members independently of the contributions payable, and the scheme may be funded or unfunded.

The Administering Authority for the Local Government Pension Scheme in County Durham is Durham County Council.

Durham County Council operates the scheme in accordance with the various pensions regulations as follows:

- Local Government Pension Scheme (Administration) Regulations 2008
- The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014
- The Local Government Pension Scheme Regulations 2013.

Employers and employees participating in the Pension Scheme will pay contributions and receive benefits in accordance with the requirements of these regulations and the rules and requirements of the Local Government Pension Scheme.

Employers' and employees' contributions are determined by the Pension Fund actuary on a triennial basis and are set to meet 100% of the liabilities of the Fund, in accordance with the relevant Government regulations.

The Council's contribution towards participating employee's pensions is currently set at 18.9% of pensionable pay for the period 2025/26 to 2027/28. Employees' contributions currently range from 5.5% to 12.5% of pensionable pay depending upon the level of salary.

Further information about the Durham County Local Government Pension Scheme including the various rules and regulations, membership details, contribution rates and benefits payable are available from the Pensions Department at Durham County Council, County Hall, Durham, DH1 5UE.

The Council needs to have in place a Retirement and Pensions Policy, because the Local Government Pension Scheme Regulations require each Employing Authority to formulate, publish and keep under review a policy statement in relation to the exercise of a number of discretions which employers can use under the Scheme.

There are many discretions which local government employers may exercise, but the regulations require that all LGPS employers must have a policy on the following five discretions:

- Whether to grant additional annual pension to an active scheme member, or within six months to a member whose employment was terminated on the grounds of redundancy or business efficiency
- Where a scheme member wishes to purchase additional annual pension by making Additional Pension Contributions (APC's), to voluntarily contribute towards the cost by making either a regular or lump sum additional pension contribution to member's account (part or whole funding this), via a Shared Cost Additional Pension Contribution
- Whether to allow the rule of 85 to be 'switched on' and grant application for early payment of benefits, to members who would normally meet the rule but who will not if they voluntarily draw their benefits from age 55 to 59 (for both active and deferred members)
- Whether to permit flexible retirement for staff aged 55 or over, allowing all or some pension benefits to be paid if a member wishes to reduce their working hours and/or grade and continue to work, and whether to waive some or all of any actuarial reduction that would apply on the flexible retirement
- Whether to waive, in whole or in part, actuarial reduction on benefits when a scheme member voluntarily draws their pension benefits before their Normal Pension Age, for both active and deferred members and those on suspended tier 3 ill health retirements.

Purpose of the Policy

The purpose of this policy is to set out the Council's position in respect of the above areas of employer discretion in relation to the Local Government Pension Scheme, and, most importantly for Council staff, in relation to the consideration of flexible and early retirement requests. The aims of the policy are to:

- Provide a summary of the Local Government Pension Scheme regulations regarding employer discretions
- Put in place a standard procedure for employees wishing to make an application for employer discretion in relation to the Local Government Pension Scheme or for early or flexible retirement
- Make clear the Council's policy on managing requests for early or flexible retirement and other employer discretions
- Set out the principles and criteria by which the Council will assess requests for early or flexible retirement and other employer discretions.

Equalities Statement

Peterlee Town Council are committed to the removal of all barriers preventing access to our services arising from age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion & belief, sex or sexual orientation.

Council Pensions Policy

The policy applies to all Council employees that are currently active or deferred members of the Local Government Pension Scheme.

The policy has been largely based on and is consistent with the Durham County Council policy on employer discretions.

It can, therefore, be assumed that the Council's policy in relation to any non-statutory discretion not already covered by this policy will be in line with the County Council policy.

It is also important to note that this Policy is not a substitute for the statutory requirements of the LGPS.

This policy will be reviewed at least every five years or as required by law.

The key considerations in preparing this policy were as follows: -

1. Cost and value for money – all requests for employer discretion will be considered against the key issue of affordability
2. Operational requirements - all requests for employer discretion will be considered taking into account the operational requirements of the service in question
3. Anti-discrimination laws – all requests for employer discretion will be considered taking into account all applicable anti-discrimination laws and will be applied fairly and consistently.

The Council's Policy on each of the required employer discretions is set out in the following sections of the Retirement Policy.

Granting Additional Pension to a Member

This discretion applies to whether the Council wishes to grant additional annual pension to an active scheme member, or within six months to a member whose employment was terminated on the grounds of redundancy or business efficiency.

The Council's policy on the above is that it will only consider exercising this discretion where it is in the Council's financial and operational interests to do so.

Shared Cost Additional Pension

Contributions

This discretion applies where a scheme member wishes to purchase additional annual pension by making Additional Pension Contributions (APCs), the Council wishes to voluntarily contribute towards the cost by making either a regular or lump sum additional pension contribution to a member's account (part or whole funding this), via a Shared Cost Additional Pension Contribution.

The Council's policy on the above is that it will only consider exercising this discretion where it is in the Council's financial and operational interests to do so.

For more information, please contact <https://www.durham.gov.uk/pensionsonline>

Rule of 85

The Rule of 85 is a feature of the Local Government Pension Scheme under which an employee who is aged over 55 can retire if the employee's age and length of service, together total 85. This feature can benefit the employee and the employer.

This discretion applies to whether the Council wishes to allow the rule of 85 to be 'switched on' and grant application for early payment of benefits, for members who would normally meet the rule but who will not if they voluntarily draw their benefits from age 55 to 59 and applies for both active and deferred members.

The Council's policy on the above is that it will only consider exercising this discretion where it is in the Council's financial and operational interests to do so.

Waiving Actuarial Reductions on Early Retirement, Flexible Retirement and Ill Health Retirement

This discretion applies to whether the Council wishes to waive, in whole or in part, actuarial reduction on benefits paid when a scheme member voluntarily draws their pension benefits before their Normal Pension Age and applies for both active and deferred members and those on suspended tier 3 ill health retirements.

The Council's policy on the above is that it will only consider exercising this discretion where it is in the Council's financial and operational interests to do so.

Flexible Retirement Policy

The Local Government Pension Scheme allows scheme members who are aged 55 or over to request 'flexible retirement' whereby the scheme member can, with their employer's consent, reduce their hours or grade, and elect to have their pension benefits be paid to them whilst they remain in employment. It also has the advantages that it can:

- Enable the Council to retain or attain a balanced age profile within the workforce
- Enable the transfer of skills/knowledge
- Offer the opportunity of better succession planning
- Facilitate the retention of skills, knowledge and contacts
- Offer an acceptable solution to staff who are currently a blockage to promotion or reorganisation
- Help alleviate burn-out and stress
- Improve morale
- Offer the flexibility and productivity associated with part-time working

Assist staff to:

- Ease down into retirement
- Make a gradual adjustment to life without paid employment
- Gradually break free of the routine and habits of work
- Keep mentally/physically active

There are therefore two options available to employees wishing to apply for flexible retirement:

- Appropriate and manageable reduction in working hours and,
- Reduction in grade and / or reduced responsibilities

Under the second option, an employee could also apply for a lower graded post if a suitable post was available and vacant. The Council will consider applications for flexible retirement on an individual basis. Decisions will be made on the merits of each case and will be considered primarily in the following context:

- The proposed reduction in hours or grade required to facilitate flexible retirement must be compatible with the operational requirements of the service in question; and,
- A flexible retirement request which causes a cost to the Council (including a except in exceptional circumstances.

Exceptional circumstances for the purposes of the consideration of flexible retirement requests are defined as follows:

- Circumstances where it is considered in the best interests of the Council to pay the cost and where there are sound financial reasons for doing so
- Or on the grounds of compassion, where in the opinion of the Council the special factors surrounding the application, along with the appropriate supporting evidence provided, justify granting the request, subject to the Council's ability to meet the cost.

In considering the operational requirements of the Council, the following will be considered in coming to a decision on flexible retirement requests:

- Additional costs to the service area and Council
- Effect on ability to meet service and customer needs
- Ability to reorganise work amongst existing employees
- Ability to recruit additional or replacement staff
- Impact of service quality and performance
- Sufficiency of work during periods the employee wishes to work

Where an application for flexible retirement is approved based upon a reduction in grade, the associated variation in duties and responsibilities will be incorporated in a revised job description. The change will constitute a permanent change to the contract of employment and a new written statement of particulars will be issued to the employee.

Requests from the employee for further changes to terms and conditions will only be considered as part of an additional application for a variation to the terms of the approved flexible retirement. This will be considered in the context of the operational requirements of the Council and the provisions of the pension regulations.

All decisions on flexible retirement will be properly communicated to employees, including specific details of the reasons for the decision made.

Early Retirement Policy

The Local Government Pension Scheme also allows employers discretion regarding early retirement requests.

However, this section of the policy is intended to provide some further guidance for staff as to how the Council will consider early retirement requests made by employees.

Please note that early retirement on the grounds of redundancy would be considered under the provisions of the Council's Redundancy Policy.

The Council will consider applications for early retirement on an individual basis.

Consideration will be initially by the Council's senior management team, and if supported, will be reported to and considered by the Council's Special Sub Committee.

Decisions will be made on the merits of each case and will be considered in the following context:

- The request for early retirement must be compatible with the operational requirements of the service in question
- A request for early retirement which causes a cost to the Council (including any request to waive some or all of the actuarial reductions that apply) would normally be refused except in exceptional circumstances.

Exceptional circumstances for the purposes of the consideration of early retirement requests are defined as follows:

- Circumstances where it is considered in the best interests of the Council to pay the cost and where there are sound financial reasons for doing so; or,
- On the grounds of compassion, where in the opinion of the Council the special factors surrounding the application, along with the appropriate supporting evidence provided, justify granting the request, subject to the Council's ability to meet the cost.

In considering the operational requirements of the Council, the following will be considered in coming to a decision on early retirement requests:

- Additional costs to the Council
- Effect on ability to meet service and customer needs
- Ability to reorganise work amongst existing employees
- Ability to recruit additional or replacement staff
- Impact on service quality and performance.

All decisions on early retirement will be properly communicated to employees, including specific details of the reasons for the decision made.

Application Procedure

To apply for a Local Government Pension Scheme discretion including a request for flexible or early retirement, an employee must submit a formal request in writing to their line manager in the first instance.

Making an application does not give an employee automatic right to the discretion or to early or flexible retirement.

However, the Council will give proper consideration to all requests in line with the criteria set out in this Policy.

The line manager will arrange to meet with the employee to discuss any requests in more detail and consider whether it can be accommodated. This meeting should take place within 2 weeks of the request being made.

The line manager will then consider the request and make a recommendation to the senior management team as to whether the request can be accommodated whilst safeguarding the operational requirements of the service in question.

The Senior Management Team will then consider the line manager's recommendation and make a final decision based on the criteria set out in the Policy and make a recommendation to the Council's Special Sub Committee for consideration and approval.

Employees can only make an application for early or flexible retirement once in any twelve-month period.

If an employee wishes to withdraw an application for early or flexible retirement, they must do so in writing to their line manager.

As outlined above, employees should be aware that in relation to flexible retirement applications, any approved changes to working hours or grade will be treated as a permanent change to contract and there will be no right to revert to the former working arrangements.

Appeals

An employee has fourteen calendar days from receiving notification of any rejection to set out their grounds for an appeal in writing.

Appeals will be considered by the Council's Appeals Sub Committee.

Financial Implications for Staff

The Town Council does not provide financial advice regarding applications for flexible or early retirement. In considering flexible and early retirement requests, employees are strongly advised to seek independent financial advice and obtain estimates of future benefits from the Pensions Department at Durham County Council.

Complaints

If an employee has a complaint regarding the application of this policy can be raised using the Council's Complaints Procedure.

The Retirement Process

The information on this page aims to explain the retirement process from the point of handing in your notice to your employer (active members) or requesting release of your deferred benefits.

Active members

Please read the following guidance which aims to explain when an active member is able to retire and the impact this has on their pension benefits. [When can I retire?](#)

The process

Step:

1. Hand in your notice to your employer. Benefits cannot be paid if you are still in employment, however there are certain exceptions (read for guidance about flexible retirement LINK). Your required period of notice will be in your contract.
2. Once your notification of retirement has filtered through your employers' internal procedures and been finalised a 'notification of leaver' form is sent to Durham Pension Fund (the fund) to begin the retirement process.
Please note: 'the fund' are unable to act until official notice from the employer is received.
3. The Pensions Team also require a calculation of your final pay from your Employer. Without this information 'the fund' are unable to carry out any calculations and provide the scheme member with an illustration of benefits due. Most employers do not submit this information until after the employee has received their final salary payment.
4. Once in receipt of the leaver notification and pay calculation the Pensions Team will begin the retirement process. This involves several data accuracy checks on the pension record. A pension benefit calculation will then be produced using the pay figures supplied by the Employer. Once authorised this illustration of benefits is sent to the individual along with a number of forms to complete and return. Any delay in submission of this paperwork will affect the ability of 'the fund' to put benefits into payment.

5. Once the paperwork is returned, the necessary checks will be carried out to ensure that everything has been filled in correctly. Quite often forms are returned incomplete which then need sending back to the individual before pensions can be paid. Please take care when completing retirement paperwork and ensure all parts are completed fully and accurately.

Once 'the fund' are satisfied that they have all of the information required to complete the retirement, a final calculation will be processed. After the calculation has been authorised, the pension can be put into payment and any lump sum paid (if applicable).

6. A final letter is sent to the scheme member, giving details of when payment of the annual pension will begin (plus notification of any arrears due) and when the member can expect to receive payment of the lump sum into their bank account.

What can delay payment of my retirement benefits?

A number of factors can cause a delay in 'the fund' being able to process a retirement and make payment:

- The employer being late to send a notification of retirement to 'the fund' will affect the time taken to process the case.
- Late receipt of pensionable pay information or inaccurate information submitted. In either case 'the fund' needs to ensure they have all of the required information and what has been supplied is accurate before any calculations can be processed.
- Software errors. Occasionally the administration software will find errors on a file or with a calculation which requires rectification from our software providers. Depending on the urgency of the case 'the fund' will make a decision to either wait for the 'fix' or to perform a manual calculation. Both scenarios may cause a delay.
- Delay in the member returning the retirement paperwork **or** forms returned are incomplete. As long as the forms are returned promptly by the member and are filled in correctly the turnaround in finalising the case and making payment is really quick. If 'the fund' are required to chase up submission or send out replacement forms due, then delays will be incurred.

Deferred Retirement

Please read the following guidance which aims to explain when deferred benefits are due for payment and possible reductions incurred if benefits are released early. [When can I have my pension?](#)

The process

Step:

1. Your deferred pension will be increased each year in line with the Consumer Price Index (CPI) and you will receive a statement from 'the fund' on 31st August informing you of the new value of pension and lump sum. The statement will also include the date at which your benefits can be paid without any early retirement reductions.
2. It is policy for 'the fund' to contact you in the month prior to your unreduced payment date with paperwork to be completed in order for you to claim your retirement benefits. You will not be sent any claim forms earlier than this date unless you initiate the request yourself.
3. Once you have reached age 55 you can claim your deferred benefits early. If you choose to do this, early retirement reductions will be applied to your pension and lump sum. Rather than contact 'the fund' requesting an illustration of benefits you can perform your own estimate on this portal. It is company policy to only provide one estimate per 12 months. By doing it yourself you can produce multiple estimates based on different dates - this will help you find a date which best suits your circumstances. Follow this link to use the [Pensions Online Portal](#)
4. As soon as the retirement process has been initiated by the deferred member the relevant calculations will be performed by 'the fund'. These calculations will go through the same checking/authorisation stages as an active retirement and once approved an illustration of benefits will be sent to the member along with a retirement pack to complete.
5. Upon receipt of the returned paperwork 'the fund' will ensure that all forms are returned and are completed correctly. If any forms are found to be completed incorrectly, they will be returned, which can cause delays in payments being made.

6. As soon as 'the fund' is satisfied all paperwork is present and correct, a final calculation will be processed and arrangements made to pay the annual pension and lump sum. A letter will be sent to the member informing them of payment dates and amounts.

7. The case will then be closed. Notification of inflationary increases will be sent to the member each April following completion of the pension increase exercise.

Author of Policy;	Resources Manager
Date effective from;	March 2025
Policy review;	March 2028
Version Control;	V4

FORM S20: NOTIFICATION OF LEAVER OR OPT-OUT

Durham County Council Pension Fund

EMPLOYER

Please forward the completed form to Pensions once the leaving date is known.

Post to: Pensions, County Hall, Durham DH1 5UL: Email: pensions@durham.gov.uk

Member Details

Full name						Mr	Mrs	Miss	Ms	Other
Address										
						Postcode				
Job title						Payroll number				
Service area						National Insurance number				
Date of birth						Date of leaving or opting out of this post				

Reason for leaving

Please tick appropriate boxes below ✓

Resignation/Opted out*		*delete as appropriate					
End of fixed term contract							
Dismissal							
Death							
Ill health retirement		Tier 1		Tier 2		Tier 3	
Leaver age over 55		Normal Pension Age					
		Late retirement					
		Early retirement					
Employer wishes to waive reductions		This will result in a cost to the employer					
Redundancy or business efficiency		Age less than 55			Age over 55		
Flexible retirement							
Other							

Additional information

.....

Employer Authorisation

Completed by	Signed	Position
Date	Telephone No.	

FORM S20: NOTIFICATION OF LEAVER OR OPT-OUT



Durham County Council Pension Fund

Pensionable Pay Information

Final Pay - 2008 scheme definition: The pensionable remuneration for the year ending at the date of leaving or either of the two previous years if greater.		
Please identify any amounts included in the above figure which do not represent normal pay.		
2014 Scheme Membership Please supply information in respect of current tax year.	Main Section Date from: Date to:	50/50 Section Date from: Date to:
Cumulative pensionable pay – 2014 scheme definition: The pensionable pay for the current tax year from 1 April to leaving date	Main Section	50/50 Section
Cumulative Additional Pension Contributions (APCs) paid in respect of this employment by the employee		
Cumulative Additional Pension Contributions (APCs) paid in respect of this employment by the employer		
Pension Contributions paid in the current tax year	Main Section	50/50 Section
Hours worked		
Married women and widows: Has the employee ever paid reduced rate National Insurance contributions prior to their 60 th birthday.		
Annual rate of pay at date of leaving		
Are there any further payments of salary due for this employee?		
Early retirement: How much additional service has been granted?		
Redundancy payment £		

Additional information

.....

Employer Authorisation

Completed by	Signed	Position
Date	Telephone No.	

What is pensionable pay?

LGPS 2014

An employee's pensionable pay is the total of:

- All the salary, wages, fees and other payments paid to the employee, and
- Any benefit specified in the employee's contract of employment as being a pensionable emolument.

But an employee's pensionable pay does not include:

- Any sum which has not had income tax liability determined on it.
- Any travelling, subsistence or other allowance paid in respect of expenses incurred in relation to the employment.
- Any payment in consideration of loss of holidays.
- Any payment in lieu of notice to terminate a contract of employment.
- Any payment as an inducement not to terminate employment before the payment is made.
- Any amount treated as the money value to the employee of the provision of a motor vehicle or any amount paid in lieu of such provision.
- Any payment in consideration of loss of future pensionable payments or benefits.
- Any award of compensation (excluding any sum representing arrears of pay) for the purpose of achieving equal pay in relation to other employees.
- Any payment made by the Scheme employer to a member on reserve forces leave.
- Returning officer, or acting returning officer fees other than fees paid in respect of:
 - Local government elections.
 - Elections for the National Assembly for Wales
 - Parliamentary elections, or
 - European Parliamentary elections.

LGPS 2008 - as above but excludes overtime and certain payments in respect of additional hours.



SPECIAL LEAVE POLICY (INCLUDING BEREAVEMENT AND EMERGENCY LEAVE)

VERSION 3: APRIL 2025

ABSTRACT

Peterlee Town Council provides this Special Leave Policy for all employees to use as a guide for the process of taking special leave including bereavement and emergency leave.

Resources Manager

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Introduction

This policy is intended for all employees of the Town Council.

Good attendance is a vital factor in the effective operation of our business. High levels of attendance will help to maintain good quality services and an excellent professional reputation. Poor levels of attendance have a major impact on colleagues and may cause damage to our professional reputation.

Employees have access to annual leave and time off in lieu (TOIL) if they need to take time off work. But there are some life circumstances that the Council recognises as 'special circumstances' and in these cases the Council may award additional 'special leave' over and above an employee's annual leave entitlement or TOIL balance.

These circumstances include:

- Magistrate and other Public Duties
- Jury Service
- Trade Union activity
- Medical appointments
- Compassionate leave
- Bereavement leave
- Unpaid carer's leave
- Neonatal Care Leave
- Extreme weather
- Emergency dependents leave

The Council recognises the requirement for fairness and consistency when considering requests for special leave. All applications for special leave will be considered on an individual basis, having due regard to the Council's other applicable policies.

In authorising special leave, managers should be compassionate when considering the request and consider:

- All the circumstances surrounding the request.
- The need to ensure that services are minimally disrupted; and

- Consistency of application of this policy throughout the Council.

In most instances' approval should be sought and agreed in advance by the Chief Officer.

Medical, dental and optician appointments will be agreed by the Manager and a hospital/dental/optician appointment card or letter from the hospital/dentist or optician should be produced and checked by the Manager prior to the authorisation of leave.

'Close Relative' definition

For the purpose of this policy close relatives are generally defined as follows:

- Employee's spouse or civil partner.
- Employee's child or parent.
- Any person who lives at the same residential address as the employee (other than as a lodger, tenant or boarder).
- Or who would reasonably rely on the employee for assistance or arrangements for care in the event of illness or injury. This may also include step and foster children.

Magistrates and Other Public Duties

Paid leave of absence for Magistrate or other official Public Duties will be granted by the Town Council subject to the needs of the service. Employees are reminded that all such engagements should be declared in advance, as per the Officers Code of Conduct.

Jury Service

The appropriate National Agreements (NJC Green Book) will apply to employees called to serve as jurors. An employee receiving a summons to serve on a jury must report the fact to his/her Manager/Chief Officer, who shall grant leave of absence unless exemption is secured by the Council.

The employee shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowances Regulations in force at the time. He/she shall then have deducted from full net pay an amount equal to the allowance received. The Chief Officer must also declare whether the employee is required to return to work if not required for jury service for full or part days.

Employees' attention is drawn to the fact that under the Local Government Pension Scheme Regulations, contributions based on full pay will be payable for the first 30 days' absence. If the absence continues after a period of 30 days, the employee will be deemed to have given notice that he/she elects to continue paying contributions based on full pay.

The employee will receive from the Court details of the Jurors' Allowances payable and a Jurors' Loss of Earnings Certificate on which to claim loss of earnings. The employee will submit the form to his/her manager who will certify that a deduction from earnings will be made for each day the employee performs jury service. The amount of the deduction will be

the appropriate jurors' allowance or actual earnings, whichever is the lower amount. An amount equal to the allowance received will then be deducted from full net pay by Payroll.

Trade Union Conferences

Paid leave shall be granted to a recognised Trade Union Steward attending the annual conference of a recognised Trade Union, subject to the requirements of the service.

Medical Appointments

Routine and non-urgent appointments

All routine and non-urgent appointments should be made outside of normal working hours where possible, however if this is not possible and the timing of appointments or the urgency then annual leave or TOIL must be used during working time and will be allowed, subject to notifying Manager/Town Clerk. **Every effort should be made to ensure appointments are made outside of normal working hours.**

Any pregnant employee has the right to paid time off for ante-natal care and must produce evidence of appointments if requested.

Hospital appointments

Any hospital appointments due to an underlying health condition will be classed as sick leave and reasonable time off will be granted. An appointment card or letter from the hospital should be produced and checked by the Manager prior to the authorisation of leave.

Where the employee is able to come back to work but wishes to take time off before or after the appointment to extend the time away from work to a half or full day, the employee will be expected to take the excess time as annual leave. Or, if available, the employee may take time off in lieu of hours previously worked.

Cancer Screening

In line with the National Conditions of Service which provide that necessary paid time off shall be granted for the purposes of screening.

Ongoing Treatment

Where an employee is receiving ongoing treatment for a medical condition but is able to attend work, the employee may still require time off during working hours to receive such treatment. The employee should discuss the situation with their Manager and the Town Clerk. Reasonable time off and/or special arrangements will be considered for the purposes of the employee receiving treatment.

Special arrangements could include paid time off; unpaid time off; changing starting or finishing times; adjusting lunch periods; or any other arrangements which may be deemed suitable during the period of treatment.

Where the treatment is necessary for health reasons and the employee has no choice in the timing of appointments, he/she will be permitted paid time off from work. No employee will be paid for more than a standard day even if treatment exceeds a standard day's length.

Supporting medical evidence will be required by the Council when agreeing time off facilities with the employee.

Compassionate Leave

Compassionate leave may be granted in circumstances such as the serious illness of a close relative. The amount of compassionate leave granted will be considered on a case-by-case basis but will typically not last more than 5 working days.

The Council recognises that in some circumstances employees may need longer periods away from work than may be covered in this policy. If this can be accommodated, it will usually be on the basis of unpaid leave.

Neonatal Care Leave

From 6th April 2025 employees have a 'day one' employment right to take up to 12 weeks off work, depending on the length of time their baby is in neonatal care. Eligible parents will also be entitled to up to 12 weeks of statutory pay. The eligibility is

- This will be available to a broad range of 'parents', including adoptive parents, parents who are fostering to adopt and the intended parents in surrogacy arrangements.
- Employed parents whose babies are admitted into neonatal care up to the age of 28 days, and who have a continuous stay of seven full days or more, will be entitled to leave as a new day-one employment right. Eligible parents will be able to take a minimum of one week, and a maximum of 12 weeks, depending on how long their baby is in neonatal care. This is on top of their other parental entitlements such as maternity, paternity and shared parental leave.
- For eligible parents to also qualify for Statutory Neonatal Care Pay, they must also meet continuity of service and minimum earnings tests. This means the eligible employee must have worked for their employer for at least 26 weeks ending with the relevant week and earn on average at least £125 per week before tax from April 2025.

Notice and information requirements

Leave and pay can be taken in 2 Tiers, Tier 1 and Tier 2. The notice and evidence requirements for each Tier are:

Tier 1 — is a period when the child is still receiving neonatal care, and including one week after the care has ended.

Tier 2 — is the period outside the Tier 1 period and before the end of 68 weeks from the date of the child's birth.

Neonatal Care Leave notice periods

An employee will need to give notice to take Neonatal Care Leave (NCL). The length and format of notice for leave will vary depending on whether the employee intends to take leave in Tier 1 or Tier 2.

For leave taken in Tier 1, the employee will need to notify their employer before they would be due to start work on the first day of absence, or as soon as possible thereafter. The notice does not need to be in written form.

For leave taken in Tier 2, the employee will need to provide notice at least 15 days before the start of a period of one week leave. For a period of 2 or more weeks of leave, the employee will need to provide notice at least 28 days before the start of the leave. The notice must be in written form.

Neonatal Care Pay notice periods

An employee must provide written notice for Tier 1 Neonatal Care Pay (NCP) within 28 days beginning with the first day of the week in which NCP is being claimed.

For Tier 2 NCP, an employee must give a notice at least 15 days in advance in order to claim pay for one week's leave. Notice must be given at least 28 days in advance to claim pay for 2 or more weeks of leave.

Neonatal Care Leave and Neonatal Care Pay information requirements

At the same time, to receive leave and or pay for leave taken in either Tier 1 or Tier 2, an employee must provide the following information to the employer:

- the employee's name
- the date of the child's birth
- if applicable, the date of the child's placement with the adopter or prospective adopter
- if applicable, the date of the child's entry into Great Britain to live with the overseas adopter
- the date the child started to receive neonatal care, or each date if the child received neonatal care on 2 or more separate occasions
- if the child is no longer receiving neonatal care, the date that the care ended
- if it is the first time a notice is being given, a declaration that the employee meets the parental relationship criteria
- that they, the employee, has cared for or intend to care for the child during the week or weeks to which the notice relates

Bereavement Leave

The Town Council recognises that bereavement is an emotional matter and will treat all applications for bereavement leave with sensitivity. Bereaved employees will be offered the provision of counselling support through the Council's Occupational Health service.

It is expected that managers will take all relevant circumstances into account when granting paid leave for bereavement, such as the closeness of the relationship, both physical and emotional.

Bereavement leave for part time employees will be authorised as the equivalent of working days.

If necessary, employees can take annual leave or toil. This would be in addition to bereavement leave and subject to approval from his/her manager and the immediate needs of the service.

3 days paid leave will be granted for all employees for the loss of a parent, parent-in-law, spouse, brother or sister or grandchild.

Any other close family relatives of the employee will be granted 1 days paid leave.

Parental Bereavement Leave.

To get Parental Bereavement Leave, you must:

- be classed as an employee.
- give notice for Parental Bereavement Leave

All employees have a 'day one' right to 2 weeks unpaid bereavement leave if their child either biological (unless an adoption or parental order was made), adoptive (after the adoption order was granted) or parent of a child born to a surrogate (after a parental order was made), dies under the age of 18 or is stillborn after 24 weeks of pregnancy.

You must tell Peterlee Town Council:

- the date of the child's death or stillbirth
- when you want your parental bereavement leave to begin
- how much leave you are taking - either 1 or 2 weeks

You can speak to your manager by phone, leave a voicemail, send a text message or an email. You do not need to give them notice in writing (for example through a form or letter). You do not need to give proof of death or stillbirth.

The 2 weeks leave can be taken in either 1 block of 2 weeks or 2 blocks of one week each. The leave must be taken within 56 weeks of the date of the child's death. You must give Peterlee Town Council notice before you take Parental Bereavement Leave. How much notice depends on when you're taking the leave.

- 0 to 8 weeks after the child's death or stillbirth - You must give your employer notice before you would normally start work on the first day of the week or weeks you want to take off work.
- 9 to 56 weeks after the child's death or stillbirth - You must give your employer at least one week's notice before the start of the week or weeks you want to take off work.

An employee can cancel a request by giving the appropriate notice but cannot cancel any week of leave that has already begun.

Parental Bereavement Pay

To get Statutory Parental Bereavement Pay, you must have been continuously employed for at least 26 weeks up to the end of the 'relevant week'. The 'relevant week' is the week (ending with a Saturday) immediately before the week of the death or stillbirth.

You must also:

- continue to be employed up to the day the child dies or is stillborn
- give the correct notice and information (listed above) for Statutory Parental Bereavement Pay

For more information on Statutory parental bereavement pay please visit [Statutory Parental Bereavement Pay and Leave: What you can get - GOV.UK](#)

Unpaid Carer's Leave

Employees are entitled to unpaid leave to give or arrange care for a 'dependant' who has:

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

The dependant does not have to be a family member. It can be anyone who relies on them for care i.e.

- their husband, wife, civil partner or partner
- their child
- their parent
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them for care, such as an elderly neighbour

Employees are entitled to carer's leave from their first day of work for their employer. Their employment rights (like holidays and returning to their job) are protected during carer's leave.

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

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

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

Employees must give their employer notice before the start of their leave.

The minimum notice they must give will depend on how many days of leave they want to take.

Minimum notice requirements

Number of days requested	Minimum notice required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days a week)	12 days' notice

An employee does not have to:

- put their request for leave in writing
- give their employer evidence of their dependant's care needs

Extreme weather or other emergency conditions

Should extremely weather conditions or other emergencies affect the function of the Council, and the Council has to close for a short period, the following provisions will apply:

- Closure for a period of time resulting in staff either being sent home from work or instructed not to attend work, staff will receive their normal average earnings / day's pay.
- Should staff be unable to attend work due to severe weather conditions (e.g. unable to use their own transport and public transport services have ceased to operate, etc.) or other factors such as flight delays in returning from holiday, the emergency leave should be taken as holiday, or lieu time, if available.

Emergency Leave (Time off for Dependants)

Emergency leave is intended to cover unexpected or unplanned events such as:

- If a dependant falls ill or has been injured or assaulted.
- To make longer term care arrangements for a dependant who is ill or injured.
- To deal with the death of a dependant.

- To deal with an unexpected disruption or breakdown of care arrangements for a dependant.
- When a dependant goes into labour.
- To deal with an unexpected incident involving an employee's child during school hours.
- There is no requirement to pay for time off for dependants. However, the emergency leave can be taken as holiday, or lieu time, if available. If you are unable to take holiday or if available, time off in lieu of hours previously worked lieu, all emergency leave will be **unpaid**.
- Employees must inform their line manager as soon as possible before their usual start time or as soon as the problem has occurred. Employees must say why they need the time off and how long they think it will take to resolve the problem.
- Employees will be allowed reasonable time off work to deal with an emergency. The time off will vary depending on circumstances of the emergency. In many instances only a few hours will suffice to resolve any immediate problems. For most other cases, one day will be sufficient to deal with the problem.
- All staff absences will be recorded, monitored and managed. Should any occasions of lateness become a concern, management may use disciplinary action to address these concerns.

Emergency leave would not apply to:

- The long-term care arrangements such as childcare or nursing a sick child or relative
- A broken central heating boiler at home
- Problems with the family pet
- Accompanying a friend to hospital
- An event that is known in advance (i.e. taking a child to hospital for an appointment)

This list is not exhaustive; it is only intended for guidance.

Other leave provisions available to employees

The Town Council have a range of other policies which may be more suitable to allow employees time off from work. The Time Off for Dependents (Emergency Leave) Policy is only for emergency situation.

Other requests

Requests for leave other than those covered by National Agreements or as described above shall be determined by the Town Clerk.

Abuse of the policy

Any abuse of this policy will be considered as a disciplinary matter and will be dealt with under the Town Council's Capability and Disciplinary Procedure.

Complaints

If an employee has a complaint regarding the application of this policy can be raised using the Council's Complaints Procedure.

Author of Policy;	Resources Manager
Date effective from;	April 2025
Policy review;	April 2028
Version Control;	V3

Appendix 1

PETERLEE TOWN COUNCIL
SPECIAL/UNPAID LEAVE REQUEST FORM

NAME.....

DAYS REQUESTED

FROM..... TO.....

SIGNED..... DATE.....

MANAGER/LINE MANAGER: I HAVE APPROVED THIS LEAVE REQUEST.

SIGNED..... DATE.....

A SPECIAL LEAVE REQUEST FORM MUST BE SUBMITTED AND AGREED PRIOR TO ANY PERIOD OF LEAVE BEING TAKEN. THE TOWN CLERK RESERVES THE RIGHT TO REFUSE ANY LEAVE REQUEST.

I UNDERSTAND I WILL NOT BE PAID FOR THIS LEAVE REQUEST.

THIS FORM WHERE POSSIBLE SHOULD BE SUBMITTED TO ADMIN BEFORE 5th OF THE MONTH. ANY REQUESTS AFTER THAT DATE WILL HAVE BEEN PROCESSED BY PAYROLL, THEREFORE THE PAYMENT WILL BE DEDUCTED THE FOLLOWING MONTH.

SUBMITTED TO ADMIN TEAM BY:	MANAGERS/LINE MANAGER NAME:	DATE:
PROCESSED BY ADMIN TEAM BY:	ADMIN TEAM NAME:	DATE:

--	--	--

Appendix 2

PETERLEE TOWN COUNCIL**BEREAVEMENT**

Name

Works No

Relationship of Deceased

Leave of absence required from to

Employee signature

Manager signature

2 weeks **children under the age of 18 or still born babies****3 Days** **Allowed for Parents, Parents in Law, Spouse, Brother, Sister,****1 Day** **Allowed for other close family relations****Once completed please send this form to admin to be processed.**

Appendix 3

Neonatal Care Leave and Pay Application Form

(Effective from 6th April 2025)

Employee Details	
Full Name	
Job Title	
Department	
Contact number	
Child Details	
Child's Full Name	
Date of Birth	
Neonatal Care start date	
Neonatal care end date (if known)	
Hospital name	
Leave request	
Total weeks of Neonatal Care leave requested	
Start date of leave	
End date of leave	
Pay Eligibility (to be completed by Resources Manager)	
Continuous Service (26 weeks)	
Weekly Earnings (£125 minimum)	
Statutory Neonatal Care Pay approved	
Declaration	
I hereby declare that the information provided is accurate and complete to the best of my knowledge. I understand that my leave entitlement is subject to eligibility criteria as per the Neonatal Care (Leave and Pay) Act 2023.	

Signature		
Date		
Managers Signature		



Whistle Blowing Policy

March 2025: Version 4

ABOUT THIS POLICY

This Whistle Blowing Policy sets out how the Town Council will deal with disclosures made by employees, contractors, volunteers or Members, of malpractice, illegal acts or omissions of work.

Town Clerk

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided
and in greyscale

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1. Introduction

The word 'whistleblowing' in this policy refers to a disclosure made in good faith and in the public interest by employees, contractors, volunteers or Members, of malpractice, illegal acts or omissions at work.

A whistleblower is a witness and not a complainant. Whistleblowing is not the same as making a complaint or raising a grievance, where the individual is saying that they have been personally poorly treated. A whistleblower is usually not directly or personally affected by the matter concerned.

2. Statement of Commitment

Peterlee Town Council is committed to achieving the highest possible standards of service and practice, and the highest possible ethical standards in public life. As such, the Council takes malpractice and wrongdoing very seriously and will take all reasonable steps towards its prevention and detection.

Peterlee Town Council recognises that in many cases the Council's employees, Members, volunteer helpers or contractors will be the people most likely to become aware of wrongdoing or malpractice. In light of this, the Council encourages its staff, Members, contractors and volunteers to use the mechanisms set out in this policy to report potential malpractice without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

Where Council employees or Members are aware of or suspect malpractice, the Council expects them to report their suspicions. Employees are explicitly required to report suspicions of malpractice or breaches of policy under the staff Code of Conduct. The Council will treat failure to report wrongdoing or malpractice as a serious matter.

Peterlee Town Council will not tolerate any harassment or victimisation of a whistle-blower (including informal pressures) and will treat this as a serious disciplinary offence. Appropriate disciplinary action may be taken in accordance with the Council's Disciplinary Procedure.

3. Legal Framework

Under the Public Interest Disclosure Act 1998, workers who raise genuine concerns about a range of misconduct or malpractice at work have statutory protection against victimisation and dismissal.

An employee who 'blows the whistle' will be protected by the Act if the disclosure is made in good faith about any of the following:

- a criminal act.
- failure to comply with a legal obligation.
- miscarriages of justice.
- danger to health and safety.
- any damage to the environment; or,
- an attempt to cover up any of the above.

A whistleblower will not be protected under the Act if they break the law when making a disclosure.

4. Scope of this Policy

Peterlee Town Council has a range of policies and procedures in place to deal with standards of behaviour at work, including a Grievance Policy, Disciplinary Policy, Dignity at Work Policy and a raft of other specific policies. Employees are encouraged to use the provisions of these procedures when appropriate.

Service users should make complaints or raise concerns through the Council's Complaints Procedure.

Therefore, this Whistleblowing Policy should not be used to deal with complaints that employees may have about their employment in most circumstances. The aim of the Whistleblowing Policy and Procedure is to enable employees, Members, contractors and volunteers to report an issue if they feel that it cannot be done using the existing procedures, particularly if the matter is not about their personal employment position. Whistleblowing refers to issues that are of such importance that the public interest is served by reporting the issue.

The following is a list of examples when this policy may be used (please note that this list is not exhaustive):

- When any unlawful act, whether criminal or a breach of civil law, has been committed, is being committed or is likely to be committed.
- suspected corruption or fraud.
- disregard for legislation, particularly that of health & safety at work.
- a breach of a code of conduct.
- misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software.
- causing damage to the environment.
- breach of financial regulations.
- showing undue favour over a contractual matter or to a job applicant.
- breach of, or failure to implement or comply with, any policy determined by the Council.
- failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the Council or would otherwise seriously prejudice the Council.
- abuse of power, or the use of the Council's powers and authority for any unauthorised or ulterior purpose; or
- deliberately concealing information in relation to any of the items on this list.

Whilst volunteers are not covered by the Public Interest Disclosure Act, this Council's policy has been written to encompass Members and volunteers.

5. How to Disclose Information

5.1 The Town Council

The *Public Interest Disclosure Act* directs workers towards raising matters internally within the Town Council in the first instance, and to use the internal whistleblowing policy.

For a disclosure to be protected by law, a whistle-blower must:

- make the disclosure in good faith.

- reasonably believe that the information is substantially true

5.2 A Legal Advisor

A disclosure of information for the purpose of obtaining legal advice is protected.

5.3 Prescribed Persons

Whilst the Town Council strongly encourages disclosures to be made internally, if a whistleblower feels unable to use the procedure outlined within this policy, they can make a disclosure to other people/organisations as prescribed by government. The most relevant prescribed people relating to the Town Council are:

- The Health and Safety Executive and Durham County Council for health and safety risks.
- The Environment Agency.
- The Serious Fraud Office.
- Inland Revenue.
- Customs & Excise.
- National Audit Office; and,
- Information Commissioners Office (ICO).

To make a protected disclosure to a prescribed person, the whistleblower must:

- make the disclosure in good faith.
- reasonably believe that the information is substantially true; and,
- reasonably believe that the information is being disclosed to the right person or organisation.

6. Wider Disclosures

A whistleblower would also be protected under the Act if they made wider disclosures, e.g. to a professional body, the Police or an MP etc., if the whistleblower:

- makes the disclosure in good faith.
- reasonably believes that the information is substantially true.
- does not act for personal gain; and,
- acts reasonably considering the circumstances.

In order to make a protected wider disclosure, the whistle-blower must either:

- reasonably believe that the Council would treat them unfairly if they made a disclosure internally or to a prescribed person.
- reasonably believe that an internal disclosure would result in the destruction or cover-up of evidence; and,
- have previously disclosed the same or very similar information internally or to a prescribed person.

7. Whistleblowing Procedure

7.1 Confidentiality

If the whistleblower requests confidentiality, the Council will not reveal the whistleblower's name or position without their permission. It is, however, easier to pursue and verify complaints if the whistle-blower provides his/her name. Unsupported, anonymous complaints and allegations will be treated with caution.

There may be circumstances when the Council is legally obliged to disclose the name of a whistleblower, e.g. when ordered to by a court.

7.2 Protection for Whistleblowers

If an employee, Member, volunteer or contractor raises a concern which they believe to be true, the Council will take appropriate action to protect the individual from harassment, victimisation and bullying. Employees who raise a genuine concern under this policy will not be at risk of losing their job.

However, a whistleblower will not be protected from the consequences of making a disclosure if, by doing so, they commit a criminal offence.

7.3 Involvement of Trade Unions

Peterlee Town Council recognises the right of whistleblowers to be advised and represented by their union when raising concerns under the whistleblowing procedure.

7.4 Designated Officer

The Town Clerk is the Designated Officer to be a point of contact for concerns raised under this procedure.

7.5 Raising a Concern

An employee should normally raise their concerns about wrongdoing or malpractice with their immediate line manager. Whilst the whistleblower is not expected to prove the truth of an allegation or to investigate the matter themselves, the whistleblower should have a reasonable belief and some evidence to back it up before raising their concerns. The manager will notify the Designated Officer within two working days whenever possible.

Where it is not appropriate to go via normal management reporting channels, because the matter is serious and sensitive (e.g. if the whistleblower believes that his or her manager is involved), he/she should contact the Designated Officer. Members, volunteers and contractors should contact the Designated Officer.

The Designated Officer must take all concerns seriously.

Where, exceptionally, the concern is about the Town Clerk, the concerns should be reported to the Chairman of the Council, who will decide how the investigation will proceed. This may include an external investigation. In normal circumstances the Chairman will consult with Durham County Council's Internal Audit and Fraud Manager in the first instance.

7.6 Employer's Response

Within ten working days, the Town Clerk will arrange an initial interview to ascertain the nature of the whistleblower's concern. The interview will be confidential if requested by the whistleblower. The whistleblower has the right to bring a friend, colleague or union representative along with them. The friend must observe confidentiality.

At this stage, the whistleblower will be asked whether they wish for their identity to be disclosed and will be reassured about protection from possible reprisals or victimisation.

The whistleblower will be asked if they wish to make a written or verbal statement. In either case, the Town Clerk will write a brief summary of the interview, which will be agreed by both parties.

The Town Clerk will be responsible for the commission of any further investigation.

7.7 Investigation

The investigation may need to be carried out under strict confidentiality, i.e. the subject of the investigation will not be informed until, or if, it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In most cases the investigation will involve consultation with Durham County Council's Internal Audit and Fraud Manager, and/or the County Council's Monitoring Officer (in the case of allegations involving an elected Member).

The Town Clerk will offer to keep the whistleblower informed about the investigation and its outcome.

If the investigation finds that there is a case to be answered by any employee, Peterlee Town Council's Disciplinary Procedure will be used.

If the investigation identifies that there is no case to answer, but that the whistleblower held a genuine concern and was not acting maliciously, the matter will be closed. The Town Clerk will ensure that the whistleblower suffers no reprisals or victimisation.

If the investigation discovers that an employee has made false accusations with malicious intent, appropriate disciplinary action may be taken in accordance with the Council's Disciplinary Procedure.

If the concern raised is very serious or complex, it may be necessary for an inquiry to be held. The Designated Officer may refer the issue to the police or other agencies in serious cases.

7.8 Following the Investigation

The Town Clerk will arrange a meeting with the whistleblower within ten working days of the conclusion of the investigation in order to feedback any action taken. This will not include details of any disciplinary action taken, as this is confidential.

If the whistle-blower is not satisfied with the outcome of the investigation, the whistleblower may make disclosures to prescribed persons, or wider disclosures, under the conditions outlined in section 5 above 'How to Disclose Information'.

9. Policy Review

The policy will be reviewed on a regular basis. In the event that an incident of whistleblowing takes place, Peterlee Town Council will take the opportunity to examine its policy, procedures and working methods to see if they can be improved.

Any queries regarding this policy please contact Town Clerk, or Resources Manager, on Tel 0191 5862491

Author of Policy;	Town Clerk
Date effective from;	March 2025
Policy review;	March 2028
Version Control;	V4



HOME WORKING POLICY

Version 3: MARCH 2025

ABSTRACT

This policy sets out the guidance, procedures and expectations for officers who are able to work from home.

Resources Manager

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The purpose of home working

At Peterlee Town Council we are committed to adopting modern flexible working practises - where appropriate to do so.

Home working offers a number of benefits including:

- Improved service delivery
- Greater productivity/efficiency
- Reduced costs
- Retention/recruitment of employees with caring responsibilities
- Reduced travel problems and environmental impact
- Savings in property costs

Scope

This policy applies to some of the Council employees.

Definition

Home working consists of working based at home rather than at the normal place of work and may involve using IT systems to perform work and to remain in contact with managers and employee. It is carried out to an agreed work pattern on a permanent, regular, part-time, temporary or ad hoc basis.

Not all jobs are suitable for home working; however, any job may be considered on its own merits. Jobs that involve project work or an identifiable output, or those that provide services within the community may particularly lend themselves to this type of work. Jobs that will not be suitable are those provide a direct service to the public at a fixed location that, e.g. staff on reception, gardeners and catering staff.

Managers must ensure that home working arrangements do not have an adverse effect on any particular group of employees neither should a refusal to agree home working disadvantage any particular group.

Procedure and expectations

Expectations of home working employees:

Employees should be able to demonstrate they can:

- Work independently and on their own initiative
- Motivate themselves
- Complete projects within set deadlines
- Manage workload effectively
- Cope well under any new pressure posed by working at home
- Adjust to new work practices
- Maintain contact with all affected by own work.

Expectations of managers for home working arrangements:

- Managers need to determine how work will be monitored, produced and delivered
- Home workers should have comparable induction, appraisal communications, access to learning and development and career development opportunities and team events as other Council employees.
- Clear work objectives with measurable outputs must be established and documented, in advance of the arrangement commencing. These objectives will be reviewed through 1 to 1s. The line manager will need to establish how the employee will be kept informed of matters that affect them or their work.
- For home working to take place it must be established that the work to be done at home can be completed without regular/frequent face-to-face contact or direct supervision.
- The manager must make clear, (in writing) how productivity and performance management issues will be assessed.

Situations where home working may be considered

Home working may be considered for many reasons:

- When seeking approval to fill a vacancy (management led)
- In response to organisational change and business transformation (management led)
- At the point of recruitment and selection (employee led)
- When a current employee requests home working (employee led)

However, home working cannot be imposed on any existing employee without proper assessment, consultation, and agreement. Posts advertised as “home based” would be exempt from the need for such negotiation and agreement but would be subject to an assessment.

Suitability of home working

Home working will be an option for many employees of the Council but due to the nature of home working, it will not be suited to either all posts or all people. In assessing the suitability of a post for home working, consideration will be given to:

- The cost implications
- The suitability of the job
- The suitability of the work location within the home

The decision about whether an employee or group of employees should be allowed to work at home will rest with the Town Clerk. It is not an employee’s right to work from home. Home working should not be viewed as an alternative to unpaid dependant leave.

Other issues to be considered

Performance Management – employees will be subject to the same performance appraisal measures, processes, and objectives that apply to all other employees.

Work Patterns - working hours and patterns, contact times and availability should be agreed in advance. Other conditions of employment as set out in the contract apply.

If any employee has any concerns with their working arrangements, they must bring the matter to the attention of their manager immediately

Contractual Changes- The manager must ensure that revised contract documentation is issued as necessary from the Resources Manager to confirm the home working arrangements. A home working agreement must be completed and signed by the employee, their manager and Town Clerk prior to home working. A copy is given to the employee, and copy will be held on their personal file.

Pay & Benefits- Pay and benefits are not affected on the basis that the full-time hours for the post are worked. Part-time employees will be entitled to salary and other benefits on a pro-rata basis.

Ending the Agreement- The Council reserves the right to withdraw home working from an employee. Managers will regularly review appropriateness for the business. If there is a service need requiring home working to be withdrawn reasonable notice will be given.

Arranging to work from home

Consideration must be given to the suitability of the proposed location. The location has to be adequate both for practical working and to comply with health and safety legislation. Ideally, the employee should have a separate room or area set aside for home working suitable to complete the work effectively.

Costs

The costs of home working will vary. The baseline costs consist of the equipment that may be required at home and the costs of networking information between the office and the home. The costs of setting up a 'workstation' should be considered before a manager agrees to home working.

All related costs will be funded by the employees' department. There will be no heating and lighting allowance paid to the employee when they are working from home.

Council Equipment

Equipment required to enable the employee to work effectively at home will be provided by the Council. Items of equipment commonly used include a laptop, mobile phone (managers/team leaders only) and items of stationery. This equipment will remain the property of the Council. The equipment required will vary from case to case. The line manager will make final decisions on what is needed. Where equipment is provided the employee must:

- Take reasonable care of it
- Use it only for official purposes
- Use it only in accordance with any operating instructions
- Return it to the Council when requested
- Use it in accordance with any existing Council policies.

Use of Personal Equipment for Work Purposes

The Council is not responsible for the maintenance, replacement, or repair of any personal equipment that is used. When using a home telephone for official work purposes a detailed record of official calls should be kept for reimbursement purposes.

Communication.

It is essential that good communication is maintained at all times between the employee and their line manager. The line manager and employee should plan and agree how they will communicate effectively with each other. These arrangements should be agreed and regularly reviewed in light of operational experience.

The employee must agree arrangements with their line manager so that every week the line manager is informed of their whereabouts and knows what they are doing. The line manager will inform the employee of meetings, training sessions and other events they would expect them to attend and will also ensure that the employee is kept up to date with information relevant to their work.

Health and Safety Policy

Induction- As a minimum, home workers must have attended a Health and Safety briefing, including the use of display screen equipment. Before agreeing to home working, managers should consider any further training necessary.

Risk Assessment- A risk assessment needs to be undertaken and recorded. It should be reviewed on a regular basis, usually annually, depending on the resultant risk.

All employees working at home will be required to complete a DSE assessment before commencing work to be reviewed annually, or immediately after any significant change of situation.

Inspection- The Council retains the right to check the employee's work areas in their own home for Health and Safety and information security purposes. The need for such inspections will depend on the nature of the work undertaken.

Reporting- Accident / Near Miss reporting procedures apply equally to incidents arising in the employee's home.

Meetings- Meetings with service users and employees of other agencies must not be held at home. Meetings with employees at home should be avoided.

Working Time- Where the agreed working pattern allows for flexibility, both manager and employee should monitor to ensure excessive hours are not being worked. It is important that working patterns and hours are not detrimental to the employee's health and comply with the Working Time Regulations.

Use of Computers- If the employee is likely to use a computer for a significant part of their duties whilst working at home, Display Screen Equipment self-audit must be undertaken by the employee and passed onto the manager. The manager should decide whether additional control measures are required.

Further information on home working can be obtained from the leaflet:

<https://www.hse.gov.uk/home-working/index.htm>(home working)

For further information on Health and Safety please refer to the following leaflets:

<https://www.hse.gov.uk/pubns/indg143.PDF> (manual handling)

<https://www.hse.gov.uk/msd/dse/> (display screen equipment)

Security use of the Council's systems

The employee must ensure that information and equipment are kept securely. In particular private and confidential material must be kept in lockable secure storage at all times. Line managers must be satisfied that all reasonable precautions are taken to maintain confidentiality of material in accordance with the Council's GDPR policy

Insurance

The Council's existing insurance policies (both public and employer's liability) will continue to operate and cover the homeowner. Home working employees are advised to take out a household insurance policy if they do not currently have one. If the employee has insurance, it is a condition of any home working agreement that they inform their household insurers of the arrangements. A copy of the current household insurance policy should be kept on the personal file.

Mortgages and Tenancy Agreements

Employees working from home on a permanent basis must inform anyone with an interest in the property (e.g. Building Society, Bank and Owner) of the position.

Council Tax and Business Rate

It is highly unlikely that there will be any change to an employee's council tax or any liability for business rates. If the employee has any doubts, these should be discussed with their line manager.

Travel

Journeys made from home to work/work to home will not be reimbursed, as is the case for all Council employees regardless of where or how they work.

Learning & Development

Working from home is a very different way of working, which requires the employee to adapt quickly to working independently and on their own for most of their working day. There will be less support from colleagues and daily contact with their line manager (although regular communication is essential).

Recommended learning and development includes:

Induction - It is good practice for new employees to spend some time in the office environment to familiarise themselves with the organisation and with colleagues before working from home. The manager will arrange for the home worker to spend a suitable period in the office during their induction period.

Health and Safety Awareness - As a minimum, home workers must have attended a Health and Safety briefing on home working which will include DSE assessments. Before agreeing to home working, managers should consider what further training may be necessary.

Other training requirements may include:

- Appropriate IT skills
- Communications and time management skills
- Cultural change and contact with others
- Personal development for employees working at home
- First aid, fire safety and accident reporting
- Managing stress
- Information security awareness
- Lone working

Applying for Home working – (Employee led)

Step 1. The employee completes the home working application form, setting out their proposals for working arrangements. (Appendix 1)

Step 2. The form is sent to the Line Manager who then discusses the proposals with the employee. (Appendix 1, 2, 3)

Step 3. In order to evaluate the employee's suitability managers will have checked (Appendix 1,2,3)

- The home working agreement form
- Health and safety/suitability checklists
- Person specification
- Job description

In particular managers will have to consider any reasonable adjustments that may be necessary in the case of a disabled employee. This will allow managers to ensure that each application for home working is considered fairly.

Step 4. The line manager will then present the business case to the Town Clerk. The Line Manager will advise the employee in writing whether or not the application is agreed, including reasons for non-approval if applicable.

Step 5. The line manager will then finalise the working arrangements and the date the employee will commence home working, considering any equipment or other resource issues.

Step 6. The line manager completes the home working Agreement and sends it to the employee. A copy should be sent to the Resources manager. The line manager should notify colleagues of the agreed working arrangements.

Further advice and support

Further help, advice and support is available from:

Chief Officer / Town Clerk & Resources Manager on Telephone: 0191 5862491

HOMWORKING FORMS

Appendix 1 Agreement to work from Home (Form)

Appendix 2 Managers Health and Safety (checklist) For Homeworkers

Appendix 3 Suitability (checklist) for Homeworker

Appendix 4 Homeworking ICT questionnaire (Form)

Appendix 5 Option1

Author of Policy;	Resources Manager
Date effective from;	March 2025
Policy review;	March 2028
Version Control;	V3

Appendix 1:

Request to work from Home

You should read the Policy on Working from Home carefully and ensure that you understand its terms before completing this form. If you need further clarification of any aspect of the policy please ask your line manager, or Resources Manager.

Part 1: to be completed by the applicant and forwarded to the line manager Name:
Grade:
Job Title:
Home address:
Home telephone number:
Work extension number:
Department:

- 1) *I wish to apply to work from home on a permanent basis. I understand that I will be provided with the necessary IT equipment required to enable me to work from home.*
- 2) *I wish to apply to work from home for [Select number] days per month. I understand that I will be provided with the necessary IT equipment required to enable me to work from home.*

*I confirm that I have read and understand the terms of the Homeworking Policy
Please detail home working arrangement (including how the Council will benefit from the proposed arrangements):*

.....

.....

.....

.....

.....

.....

.....

Signed.....Date

Appendix 2:

Managers H & S Checklist for Home workers

This checklist has been devised as a guide to aid managers in complying with their duties to protect the health & safety of their employees contracted to work at / from home. This checklist is not designed to be exhaustive and there may be items, which do not apply. Given the unique nature of individual's homes and jobs it is not possible to prescribe every hazard that may be encountered and there may be other or more specific hazards, which you will need to consider, which are not covered by this checklist.

VDU / Laptop Use

- ❖ Has a risk assessment been carried out where computers and laptops are being used for 2 hours or more during the working day for work purposes?

(Self-assessments are acceptable provided the user has had the necessary information / training)

- ❖ Have recommendations from assessments been implemented?
- ❖ Have all users of desk-top / laptop computers been trained or otherwise informed of the following:
 - hazards associated with computer use (including laptops)?
 - importance of good posture?
 - importance of taking regular micro-breaks away from the screen?
 - how to set up their workstation correctly?
 - Arrangements for obtaining an eye-test / VDU spectacles?

Manual Handling (if applicable)

- ❖ Has a risk assessment been carried out for all manual handling activities?
- ❖ Have recommendations from manual handling risk assessments been implemented?
- ❖ Has the employee concerned received manual handling training on safe handling techniques?
- ❖ Has suitable and sufficient equipment been provided to aid manual handling activities, where these are unavoidable?

Working Environment Slips, Trips & Falls

- ❖ Have all potential slip or trip hazards been identified in the home?
- ❖ Have suitable and sufficient measures been taken to reduce the risk of a slip / trip accident by, e.g.
 - ensuring adequate lighting is provided?
 - ensuring suitable arrangements for storing items are in place?
 - ensuring any trailing leads are tied up by, for example, using cable ties?

Lighting

- ❖ Is the lighting suitable and sufficient?
- ❖ Is the workstation sited to avoid glare / reflections?
- ❖ Does a blind need to be installed to eliminate unwanted glare?
- ❖ Is there a need to provide task lighting, e.g. a desk lamp?

Heating / Ventilation

- ❖ Is the heating suitable and sufficient?
- ❖ Is the employee subject to unpleasant draughts?
- ❖ Is there access to a window and can it be easily opened and closed?
- ❖ If radiant heaters are being used, is the employee aware of the risks?

Space

- ❖ Is there suitable and sufficient space for the employee to carry out work comfortably and safely?
- ❖ Has sufficient space for the storage of files, equipment etc, been allocated?

Noise

- ❖ Is the workplace free from distracting noise?

Electricity

- ❖ Has an electrical safety check of all equipment provided by the employer been carried out prior to the commencement of work?
- ❖ Has the employee been advised to carry out a visual inspection of plugs and leads on a regular basis?

(A visual inspection should involve looking for damage to the plug e.g. cracks, loose pins signs of overheating or damage to leads e.g. breaks in insulation, exposed wires, poor connection)

- ❖ Has the employee been advised to avoid overloading of sockets by use of adaptors?
- ❖ Is the employee aware that under no circumstances should he / she carry out electrical repairs / testing and that this can only be done by a competent person i.e. an electrician.

Fire

- ❖ Has a fire exit / escape route been clearly identified in the event of a fire / emergency?
- ❖ Is the fire escape route kept free of obstructions and combustible material at all times?
- ❖ Is combustible material e.g. paper, flammable substances stored away from sources of radiant heat?
- ❖ Is there a means of fire-detection in place e.g. has a smoke detector been installed?

Equipment

- ❖ Have all users been trained in the correct use of equipment provided by the employer?
- ❖ Is the employer aware of the arrangements for reporting problems with equipment?
- ❖ Where heavy bulky equipment needs to be transported, have suitable aids been provided to facilitate this?

Appendix 3:

Suitability checklist for home workers**Assessment by Manager**

(For joint discussion with employee in conjunction with application form)

NAME:**DEPARTMENT:****JOB TITLE:**

THE WORK	COMMENTS
Is the work self-contained/how much of it can be carried out away from the office?	
Is the work measurable? (e.g. report writing/project work)	
If the employee uses a computer, do the work activities allow and is the user aware of the need to take appropriate breaks for VDU work?	
Does the work require very frequent supervision and checking?	
Does the employee have existing health issues which could be affected by homeworking arrangements? Occupational Health advice and input may be necessary if this is the case.	
How will the employee cope with reduced social contact? Are measures in place to ensure that regular contact is maintained with the employee?	
THE WORK ENVIRONMENT	
Is the home environment conducive to work and not subject to frequent interruption's/distractions/noise?	
Is there a suitable surface with adequate room on which to place a computer and/or other essential work items to allow a comfortable safe work arrangement?	

Is there adequate storage to maintain confidentiality and ensure security of Council property?	
Use of paper. Will paper documents be taken home, created at home or printed out? Will this information be confidential or restricted? How will it be stored? How will it be disposed of securely?	
Other people in the home. What is the risk that they will have access to confidential information? How will access be managed?	
Portable storage media. Memory sticks and other portable media must not be used to transfer confidential or restricted information.	
THE TEAM	
What will be the effect on the level and quality of the service?	
What will the effect of this proposed flexible working pattern be on the rest of the team? Has it been Discussed with them? Are there any issues to be resolved?	
Will this pattern of working impact on appropriate and fair cover in the office? E.g. telephones/visitors	
THE MEMBER OF STAFF	
Are they able to be self-motivated and self-disciplined?	
Are they able to work with minimal direct supervision?	
Can outputs be maintained if the proposed new flexible working pattern is agreed?	
What is the business/efficiency benefits to the Council?	
Will there be any financial savings as a result – please specify.	

Appendix 4:

Homeworking ICT questionnaire

Please forward this form when complete to the Resources manager.

Your name	
Your line manager's name	
Your department	

Which applications / services will you need to use at home?

Application/services	Yes /no
MS Office (Word, Excel etc.)	
Work email	
Access to network files / folders	
Internet	

Using what type(s) of computer would you work from home? What operating system(s) is/are used (e.g. Windows XP)?

Type of computer	Yes	Operating systems
PTC-owned PC		
PTC-owned Laptop		
Your own PC		
Your own laptop		

Do you have internet access at home? (Yes/No)what type?

.....

Do you use wireless access at home (Yes / No)?.....

Date form completed:	
Signature	

Appendix 5:

I have read, understood and agree to Peterlee Town Council's Policy and guidelines on homeworking.

I accept the offer to work from home and accept that this offer may be withdrawn subject to the appropriate notice provided by my line manager.

Employee	
Signed:	Date
Agreed by Line Manager	
Signed:	Date
Agreed by Town Clerk	
Signed:	Date