

Registered Charity No 1146311 – Company registered in England & Wales No 7800298

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Personnel Handbook

**This handbook does not form part of the Employees Contract and can be varied from time to time. It provides employees with relevant information of their rights and responsibilities whilst employed by sedcat but does not cover the full extent of sedcat policies and procedures.**

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# CODE OF CONDUCT

This code of conduct applies to all employees of **sedcat**. It is not intended to detail all situations where disciplinary action might be taken but it is intended to draw attention to some specific areas.

Our Employee Code of Conduct policy outlines our expectations regarding employees’ behaviour towards their colleagues, supervisors and overall organization. **sedcat** employees are bound by their contract to follow our Employee Code of Conduct while performing their duties. We promote freedom of expression and open communication but we expect all employees to follow our code of conduct.

Employees should not seek or undermine, outside of constitutional procedures, agreed policy of the Organisation, nor work against the interests of the Organisation, nor seek to bring the Organisation, its workers or its members into disrepute.

Staff members are expected to treat each other, service users and all people with whom they come into contact in the course of their employment with respect at all times.

They should not denigrate colleagues or adversely criticise a colleague in the presence of third parties save in the context of the appropriate procedures. Should an employee believe that a colleague has behaved in an inappropriate manner they should consider speaking to the employee or their Line Manager.

# Standards of Dress and Appearance

Staff members represent **sedcat** when working and as such their appearance reflects on the standard of the Organisation as a whole. In all cases clothes should be clean and must be appropriate for the nature of the role and specific duty being performed. High visibility jackets must be worn by staff when loading and unloading passengers from or to the buses or MPV. High visibility jackets are provided to each **sedcat** driver. High visibility vests/jackets must be worn when visiting the Southcote Road Depot to collect or return buses. Male and female employees are expected to achieve the same standard of appearance.

The Chief Officer will provide guidance where clothing is inappropriate.

# Conflicts of Interest and Gifts

Individuals should be careful not to accept any gift or hospitality which might interfere with or be perceived as interfering with **sedcat** business or services. Accordingly all staff should declare their interests, and any gifts or hospitality received in connection with their role in the Charity.

**Tips and Gratuity**

It is recognised that at times Clients may be very grateful for the service that we provide to them and may want to tip drivers an additional payment as gratuity. Whilst it may seem rude to decline tips as a driver for **sedcat** you need to be aware that we are dealing with vulnerable community members with limited financial means who may at times become a bit confused thus accepting or asking for tips is not appropriate and should be discouraged at all times.

* At no point should any driver ask or expect a tip or gratuity from clients.
* However, if you are confident that the client genuinely is of sound mind and insists on giving you a tip it may be accepted provided it is under the amount or value of £10.
* Any client trying to give a tip over this amount should rather be encouraged to donate it to the charity.
* Any tip or gratuity received is to be recorded with the Chief Officer to ensure transparency.

# Use of phones, I T and Electronic communications.

The acceptable use of telephones, I T and electronic communications is described in a separate policy to which your attention is drawn.

# Conduct During Meetings

## Conduct during formal meetings

The behaviour of participants at a meeting is important to the success of the meeting. Some people may lack the confidence to express themselves fully in a meeting with other people, whereas some find it all too easy to dominate. Effective meetings can be achieved if all participants are committed to some simple ground rules for behaviour before and during meetings.

## Conduct during informal meetings

It is just as important that employees conduct themselves appropriately outside of official meetings as they may be seen as representing **sedcat** and its views in a number of other circumstances including non **sedcat** meetings.

# EQUAL OPPORTUNITIES

**sedcat** aims to ensure that no job applicant or employee is discriminated against, either directly or indirectly on grounds of:-

* Age
* Colour
* Current employment status.
* Disability
* Ethnic or national origins
* Gender
* HIV status
* Marital status
* Nationality
* Race
* Philosophical views
* Sexual preference
* Trade Union activity

This principle applies to all aspects of employment and service delivery, including pay, hours of work, holiday entitlement, work allocation, sick pay, pensions, recruitment, training, promotion and redundancy. The only exception would be where legal or contractual restrictions on employment prevent the service from adhering to the Policy, e.g. DBS checks.

 All employees as part of their terms of employment will adhere to our Equal Opportunities Policy and failure to do so shall be cause for disciplinary procedures to be instituted which could lead to dismissal. In addition any employee who considers that he or she is suffering from unequal treatment on any grounds may implement the grievance procedure.

We are committed to taking positive action to ensure that groups who are oppressed or discriminated against are equally represented at all levels of employment within the organisation.

# EVENTS AND MEETINGS

 a) We will ensure that events and meetings organised and/or supported by **sedcat** are held in fully accessible locations which are reasonably accessible by public transport, and that arrangements are made to enable participation by people irrespective of impairments, disability, diet and religion. We will respect individual beliefs, and enable staff to participate in religious holidays.

#  REPRESENTATION

 a) We will ensure that staff, volunteers and trustees who represent **sedcat** commit themselves to the principles of our Equal Opportunities Policy. Also we will support and encourage representatives to seek the adoption of good practice in equal opportunities and anti-discrimination within the bodies, organisations and events in which they participate on our behalf.

#  INFORMATION AND COMMUNICATION

 a) We will ensure that information produced by **sedcat** and the means of communication are accessible to as many people as possible irrespective of location, technology, language, physical and mental ability and financial resources.

#  OFFICES

 a) **sedcat** will endeavour to occupy office premises which are fully accessible to people with disabilities and are in a location which is accessible by public transport.

# IMAGE AND PERCEPTION

 a) It is our policy that the image projected by **sedcat** reflects our commitment to equal opportunities and anti-discrimination and that we are generally perceived as an organisation that is open and accessible to all groups of people.

#  TRAINING AND DEVELOPMENT

a) All employees will be encouraged to discuss their work with their line manager in order to train and develop to their fullest potential within available resources. Appropriate opportunities for training and promotion within **sedcat** will be open to all employees and discussion at formal appraisal/regular supervision will be recorded.

b) Discussion of Equal Opportunities issues tailored to the experience of the individuals will be included in the induction and on-going training of all volunteers, staff and trustees.

 c) Regular working contacts, particularly through meetings, will foster in our workers a positive attitude towards the adoption of good equal opportunity practice.

#  SELECTION FOR REDUNDANCY

 a) We will ensure that any criteria for redundancy will not differentiate against any personnel on grounds that constitute discrimination.

# CONDITIONS OF SERVICE

 a) Adherence to the **sedcat** Equal Opportunities Policy is a condition of employment.

b) Our policy recognises that pregnant women or anyone acquiring a disability may need changes to their work conditions and will do whatever it can to make those changes.

 c) Time off with pay will be given to both full and part-time pregnant women employees to attend antenatal classes, including medical checks and relaxation/childbirth classes. Similar provision will be made for partners sharing responsibility for childcare to attend antenatal classes where necessary.

 d) Requests for part-time working, job sharing and flexitime will receive fair and equal consideration subject to operational requirements.

 e) **sedcat** will endeavour to ensure that all its premises are accessible to disabled people. It will provide information about access on request at all times as part of any document asking people to come to our offices.

# DISCIPLINARY

## PURPOSE AND SCOPE

* 1. Many day to day performance issues can, and should be dealt with as part of on-going supervision and development. Such matters are not regarded as a part of the formal disciplinary process although issues identified and/or discussed during supervision meetings may give rise to disciplinary proceedings. There are occasions when more serious matters arise or performance issues are not resolved through routine supervision sessions and this procedure describes how these will be dealt with.
	2. This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for all. Every effort will be made to deal with matters as quickly as possible. This procedure should be read in conjunction with the ACAS Code of Practice on Discipline and Grievance.
	3. The full procedure set out in section 3 will not apply during an employee’s probationary period. During that time any concerns regarding conduct or attendance will be dealt with as part of the probationary process and may result in either an immediate end to employment- where matters are serious, or an extension to the probationary period, or an end to employment at the end of the probationary period.

## PRINCIPLES

* 1. Line Managers must ensure that their staff are aware of general and specific rules, standards and procedures covering work and conduct. Employees must familiarise themselves with these standards and procedures and follow them.
	2. No disciplinary action will be taken against an employee until the case has been fully investigated. The employee will be informed in writing that an investigation will take place. When starting an investigation into an allegation of misconduct or poor performance, there shall be no assumption that disciplinary action will automatically follow.
	3. The employee will be advised in writing of the nature of the complaint against them and will be given the opportunity to state their case at a disciplinary meeting before any decision is made.
	4. At all formal disciplinary meetings the employee will have the right to be accompanied by prior arrangement, by a Trade Union representative or a fellow employee.
	5. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty may be dismissal without notice or payment in lieu of notice.
	6. An employee will have the right to appeal against any disciplinary penalty imposed.
	7. The procedure may be implemented at any stage if the employee’s alleged misconduct warrants such action.
	8. An employee will be made fully aware at the outset of any disciplinary case that the formal procedure is being used rather than the situation being an informal one.
	9. All records relating to the proceedings will be kept confidential.

## Who is authorised to take disciplinary action?

Informal action: Line Managers

Formal action: Chair of Trustees or designated Trustees or **sedcat** Chief Officer under the direction of the Trustees.

## PROCEDURE

If informal action fails to achieve the required improvement in performance or behaviour, then this procedure is followed. This procedure applies to all employees, once their probationary period is completed.

**Invitation to a Disciplinary Meeting**

a) Following an investigation if there is a case for formal disciplinary action the employee should, without unavoidable delay (normally within 10 working days of the alleged misconduct or poor performance issue), be given a letter from the **sedcat** Chief Officer detailing the allegation, the possible consequences and inviting them to a disciplinary meeting.

b) This will also state that they have the right to be accompanied by a trade union representative or work colleague at the meeting.

c) At the same time the employee will be provided with copies of all documentation and supporting evidence to be presented at the meeting.

d) If the employee or their companion is unable to make the meeting then it will be rearranged within 5 working days of the original date.

DISCIPLINARY MEETING

e) The **sedcat** Chief Officer and another Manager or Trustee will form a Panel. Where possible a note-taker, who must be uninvolved in the case, will take down a record of the meeting but will take no part in the proceedings**.**

f) If there are any witnesses, they should not be present throughout the meeting. They should be called in, one by one, to give their evidence and asked to leave once they have done so.

g) The Chair of the formal meeting will open the meeting with an explanation of its purpose and will read aloud the allegations.

h) If the employee has a companion that companion can:

* Put the employees’ s case
* Ask questions of any witness or documentary evidence
* Sum up the employee’s case
* Respond on the employees behalf to any view expressed at the meeting.
* Confer with the employee during the meeting.

However the companion does not have the right to answer questions on the employee’s behalf or address the meeting if the employee does not wish it.

i) The Chair will then ask the employee if s/he wishes to take the opportunity to respond to the allegations or concerns or if there are any mitigating circumstances to be taken into account. The Panel members may question the employee and any witnesses called.

j) The Chair will summarise the main points of the discussion and ask the employee if they have anything further to say.

k) The Panel will then consider the details heard in private. They must decide whether the case against the employee has been established on the balance of probabilities, i.e. whether misconduct is confirmed or the employee’s performance is found to be unsatisfactory.

l) If this is the case, when they are considering appropriate disciplinary action, they should also consider any special, mitigating circumstances, the employees’ previous disciplinary or performance record, how **sedcat** has dealt with similar cases in the past and whether the proposed action is reasonable in view of all the circumstances.

m) The Chair (of the Panel) shall give the employees written notice of the decision normally within five working days of the meeting. This will include notifying the employee of her/his right of appeal and the procedure to be followed.

**Failure to attend a disciplinary meeting**

 If an employee fails to attend a meeting then the meeting will be rearranged within 5 working days. The employee will be warned that the rearranged meeting may go ahead without them, the Panel making its decision on the evidence available to the Panel if they do not attend. However if the employee has good reasons such as sickness the Panel may consider rearranging again, or negotiating the place or time, or allowing the employee to provide their response in writing.

## DISCIPLINARY ACTION

If following the disciplinary meeting it is decided to take action, one of the sanctions below may be applied.

*STAGE 1 – WRITTEN WARNING*

If conduct or performance does not meet acceptable standards, the employee will normally be given a written warning.

* This will give details of the complaint
* the improvement required and the timescale and review dates
* Detail any support or training that will be provided to assist the employee
* It will warn that action under Stage 2 will be considered if there is no satisfactory and sustained improvement and will advise of the right of appeal.

A copy of this written warning will be kept on the personnel files. The exact duration of the warning will be specified at the time when it is given. The warning will usually lapse after six months and will be removed from the file in the absence of any further misconduct or poor performance.

*STAGE 2 – FINAL WRITTEN WARNING*

If the Panel considers that there is still a failure to improve, or conduct or performance is still unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal, a final written warning will be given by the Chair of the Panel. This will

* give details of the complaint
* give details of the improvement required, the acceptable timescale and review dates
* will warn that dismissal will result if there is no satisfactory or sustained improvement
* will advise of the right of appeal

 A copy of this final written warning will be kept on the personnel files and subject to satisfactory conduct will be removed from the personnel file after 12 months unless specified at the time of warning.

*STAGE 3 – DISMISSAL*

If conduct or performance is still unsatisfactory or if gross misconduct occurs, dismissal will normally result. The employee will be provided, as soon as reasonably practicable, with

* written reasons for dismissal
* the date on which employment will terminate
* be advised of the right of appeal.

**Time limits for warnings**

There may be occasions where an employee’s conduct is satisfactory throughout the period that the warning is in force, only to lapse very soon thereafter. Where a pattern emerges and there is evidence of abuse, the employee’s disciplinary record should be borne in mind in deciding how long any warning should last.

## GROSS MISCONDUCT

Gross misconduct includes any action which threatens the organisation, its work or reputation, people connected with the organisation or members of the public, or which destroys the employer’s necessary relationship of trust with the employee.

The following list, while not exhaustive, provides examples of offences which are normally regarded as gross misconduct:

* Theft, fraud, deliberate falsification of records.
* Physical violence
* Serious bullying or harassment
* Criminal offences which affect the individual’s ability to carry out her/his role.
* Discriminatory behaviour
* Abuse of position of authority
* Failure to comply with organisational policies and procedures
* Deliberately accessing internet sites containing pornographic, offensive, extremist or obscene material.
* Deliberate damage to property
* Serious act of insubordination
* Misuse of the organisation’s property or name
* Bringing the employer into serious disrepute both at and away from work.
* Incapacity through alcohol or misuse of illegal drugs
* Serious negligence which causes unacceptable loss, damage or injury
* Serious infringement of health and safety rules
* Providing false information during recruitment
* Engaging in unauthorised employment during contracted hours
* Making malicious or unfounded allegations of a serious nature
* Serious breach of confidence
* Unauthorised entry to, or supplying access codes to outside parties, to computer records computer records
* Action likely to endanger others

If you are accused of an act of gross misconduct, you may be suspended from work on full pay while the organisation investigates the alleged offence. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

## SUSPENSION

While any alleged misconduct is being investigated, the employee may be suspended and will be paid their usual salary. It should only take place where it is considered that the employee may impede the disciplinary investigation or commit further offences if he/she remains at work.

The Chief Officer or Chair of the Board of Trustees will inform the employee in writing that s/he is to be suspended immediately: stating that the nature of the alleged offence, the purpose of suspension, and its anticipated duration.

Suspension will not imply that any view has been reached by the organisation about the allegations made neither should it be considered as a disciplinary penalty. Periods of suspension will be kept to a minimum.

## APPEALS

An employee is entitled to appeal against any Disciplinary Warning or other Disciplinary Action. To do so an employee must notify the Chair of the Board of Trustees or his/her authorised deputy in writing within seven working days of receiving the written warning or other written notification of the penalty. The employee must specify the issues the employee wishes to appeal or contest and attach any documents in support of the appeal.

The Chair or his/her deputy will appoint an Appeal Panel made up of three Trustees. If possible, in the interest of fairness, these will be people who have not been directly involved in the disciplinary procedure at any previous stage. If necessary, the Chair may replace a Trustee with an independent external person. If possible a note taker will also be present.

A meeting of the panel will be convened as quickly as is reasonably practicable. The employee will be given at least two working days’ notice of the meeting. The employee is entitled at the appeal meeting to be accompanied by a trade union representative or fellow employee. At the appeal any disciplinary penalty imposed will be reviewed but cannot be increased. Confirmation of the decision of the meeting will be given in writing within five working days. The decision of the Appeal Panel is final.

# TOIL (Time off in Lieu)

**Permission to work extra hours and the granting of toil will be considered on a case by case basis but the following principles will apply:**

1 Employees must gain their line manager's permission, to work or take TOIL. Line managers must monitor the work done and permission must be granted for all work outside of normal hours.

2. Employees must keep a record of the TOIL that they have worked on the **sedcat** TOIL extra hour’s timesheet. This will be checked by line managers and submitted to them at the end of each month. Completed forms will be held on file by the office manager to enable use of the system to be monitored.

3. The maximum amount of TOIL which can be accrued by full time staff is 14 hours. This will apply on a pro-rata basis for part time staff.

4. Where it is agreed or required that an employee work outside of their normal hours they will, subject to these conditions, be granted an equal amount of TOIL.

5. TOIL should be taken within one calendar month of being accrued.

6. Where TOIL in excess of the usual limit has been accrued and operational requirements make it impracticable for it to be taken within one calendar month then a maximum of two months can be allowed for the TOIL to be taken.

7. Line managers will try to allow TOIL to be taken at times agreeable to the employee however where a mutually acceptable time cannot be agreed then line managers will inform employees of when TOIL must be taken.

# EXPENSES

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| Policy statement  |
| **sedcat** will reimburse to staff (including trustees) any expenses wholly, exclusively and necessarily incurred in order to further the charity’s business in accordance with this policy.   |
| The policy outlines maximum levels of reimbursement, which will only be increased in exceptional circumstances following approval by The Board of Trustees. |
| Staff are entitled, but not obliged, to claim reimbursement for charity related expenditure in line with this policy. They have a duty to keep expenses to a minimum. |
| **Travel** |
| All staff are required to keep travel expenditure to a minimum by purchasing the best value tickets and giving consideration to the cheapest way to travel that does not compromise personal safety, or the effectiveness of the trip for **sedcat** |
| Staff who already have travel cards covering the entire cost of a journey may not claim reimbursement. Part reimbursement may be claimed for journeys that extend beyond the area covered by a travel card. |
| **Cars/motorbikes** |
| Staff are encouraged to consider using alternative modes of transport to private vehicles reflecting the charity’s stance on pollution and its effect on the lives of people with asthma. |
| Staff should, where possible, gain prior approval from their line manager/supervisor before using their own private vehicle for business use. Where several members of staff are undertaking the same journey, where practical, they will be expected to use the same vehicle. |
| If staff use their own car when public transport is the more cost effective or practical means of transport they will only be able to claim for the cost of public transport. There may be circumstances when it is more practical (e.g. when transporting a stand, to reduce travel time or because the employee is disabled in a way that makes public transport difficult to use for the journey ) to use a car and in such cases the full mileage allowance will be allowed  |
| All staff must ensure that their car insurance covers them for business purposes, that they have a valid driving license and that their car is roadworthy, taxed and has a valid MOT certificate. Staff are advised to have a roadside assistance plan especially if undertaking long journeys. The mileage rates set out below includes allowance for this. Current maximum mileage rates are as follows:

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| Up to 10,000 miles | 45p per mile |
| Over 10,000 miles | 25p per mile |

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### Once the car user has completed over 10,000 business miles within any tax year, their mileage entitlement will reduce to 25p per mile.

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| **Motorbike mileage rates** |
| All users | 24p per mile |

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| **Bicycle mileage rates** |
| For staff using their own bicycles for **sedcat** business, reimbursement will be made on the basis of 20p per mile.

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| Pedal bike mileage rates |
| All users  | 20p per mile |

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| **Car hire**  |
| Car hire will be authorised where: * costs incurred are less than or the same as other transport allowing also for any saving in staff time
* if public transport or taxis are not practical, e.g. to transport heavy or bulky luggage
 |
| **Parking fees and congestion charge** |
| The cheapest possible option for incurring parking fees should be chosen at all times.  |
| Car park fees will be reimbursed if supported by a receipt. Meter charges will be reimbursed provided that details of date, times and location are provided with the expenses claim form. |
| **Parking fines, clamping, recovery and valet charges.** |
| Costs associated with parking fines, clamping and recovery charges and valet services (excepting **sedcat** buses) will not be reimbursed unless in exceptional circumstances following approval by the Executive Director Operations.  |
| **Taxis** |
| Examples include:* Working in the office, or attending meetings when there is either no public transport available or it would be unreasonable to expect staff to use it, e.g. due to personal safety reasons.
* Staff who are called out in an emergency at a time when there is either no other means of transport available or where there is a real urgency in the journey.
* A journey where taking a taxi would result in a substantial saving of time.
* Staff transporting heavy or bulky baggage or valuable material that would make negotiating public transport difficult or dangerous.
* Staff travelling together to a meeting where sharing a taxi would make the cost the same as or less than public transport.
* Staff severely affected by disruptions to public transport where it is essential that they attend the office or where they are unable or it is impractical for them to get home by any other means (e.g. pregnant staff or those with disabilities).
* Expenses incurred in the UK or overseas by staff when away from their normal office base and for volunteers when away from home on **sedcat** business will be reimbursed based on actual expenditure, substantiated by appropriate receipts.

**Meal reimbursements**Bus drivers may claim a subsistence allowance of up to £5.00 per day if they are working away from the office for six hours or more.Expenditure relating solely or substantially to alcohol will not be reimbursed.**Business telephones****sedcat** recognises that staff may **occasionally** have to make private telephone calls from work but they may be asked to reimburse the charity for the cost of excessive personal calls.**Home telephones**Staff are not normally expected to use their home telephones for business purposes although it may be necessary for them to do so occasionally, e.g., where they work from home on an ad hoc basis. Staff who make calls from home on behalf of **sedcat** will be reimbursed on submission of an appropriate claim form supported by an itemised bill or, for occasional use, by a reasonable estimate. The same rules apply to Business use of the personal Internet connections. As staff are not expected to use their private telephones for business purposes on a regular basis, they will not be entitled to reclaim a percentage of line rental costs, rental costs for mobile phones or monthly internet access fees.**Mobile telephones**Staff may be provided with a mobile telephone if there is a specific business need to do so. Mobile telephones provided by **sedcat** should not be used for personal calls. Staff who use their own mobile telephone for business purposes may reclaim call costs in the same way as they would for the use of their home telephone (i.e. based on itemised bills or reasonable estimates). Similarly reimbursement for pay as you go ‘top-up’ mobile phones for calls made on behalf of **sedcat** must be supported by written reasonable estimates. If regular significant claims are made for phone use and the claimant incurs a charge for itemised billing the extra cost will be reimbursable. **Home based staff** A dedicated business line will be installed for staff with a contractual home working arrangement.**sedcat** will pay all line rentals and call costs associated with business telephone lines, which can only be used exclusively for business purposes. See Policy for full details for other expenses related to contractual working from home.**Hospitality**The use of charitable funds for hospitality must be strictly in the best interests of the charity. Directors are responsible for ensuring that expenditure remains within moderate limits and that only those members of staff for whom attendance is necessary are involved. |

Expenditure on tobacco will not be reimbursed under any circumstances; that on alcoholic drinks will be at the discretion of the Board of Trustees and must be clearly seen to benefit the charity’sinterests.

Sandwiches and non-alcoholic drinks may be ordered for lunchtime meetings with external contacts and volunteers. Costs will be paid directly by the charity on receipt of a relevant invoice.

## If in the course of sedcat business, it is necessary for members of staff to entertain external professional or business contacts a maximum payment of £10.00 per head may be paid with the prior agreement of the Chair of Trustees. Reciprocal entertaining, where the purpose is merely to repay the external contact for entertaining sedcat, is not permitted.

In accordance with current health and safety legislation, **sedcat** will pay for each member of staff that uses a computer for more than 6 hours a working day, 5 days a week to have an eye test on an annual basis.

A certificate is required from an optician confirming that spectacles specifically for computer work are needed before re-imbursement can be made.

**sedcat** will cover the cost of a pair of basic spectacles with plastic frames or single vision lenses up to the maximum amount of £200 which are for use whilst working on the computers.

All reimbursement needs to be signed off by the Chief Officer or Sedcat Chair.

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| ANNUAL HOLIDAYS AND HOLIDAY PAY The leave year runs from April 1st to March 31st the following year.The initial annual holiday for employees working 37 hours per week is twenty-five working days in each leave year plus eight days public holiday.Employees will be granted five extra days leave per year after the completion of five whole years of service. This will be calculated on a pro rata basis as at 9.6 in the first qualifying leave year.Other than in exceptional circumstances, employees may not take more than three weeks annual leave at once. Authorisation for longer periods will be at the discretion of the **sedcat** Manager.All leave shall normally be taken within the leave year. Up to five days unspent leave may be carried over to the following leave year in exceptional circumstances and with the agreement of the line manager and at the discretion of the Trustees.Employees joining after April 1st will be granted leave pro rata for the period worked in that leave year. If your employment terminates during a leave year you will be entitled to paid holiday, or pay in lieu of holiday, pro rata for the period worked in that leave year. If you have already taken leave in excess of your entitlement this will be taken into account in your final salary payment and that payment will be reduced by an amount equivalent to the number of excess days taken.Pro rata calculations will be made by dividing the number of days leave to which an employee is entitled in a complete leave year by 365 (366 where the leave year in question includes 29th February) and multiplying this by the number of days which have passed since and including the previous April 1st. All part days will be rounded to the nearest half day to the benefit of the employee whether they are joining or leaving the organisation or calculating the additional leave due by virtue of paragraph 3. All periods of annual leave must be agreed in advance with the line manager.Other than in exceptional circumstances four weeks notice in writing should be given to the line manager of your intention to take periods of annual leave in excess of two days.Part-time employees will be granted annual holiday in proportion with the number of hours that they are contracted to work.  |

# SICKNESS AND ABSENCE

1.Whilst **sedcat** would wish to have all staff at work throughout each week it is recognised that a certain level of absence due to illness or injury is unavoidable. It is **sedcat** policy to offer security of employment during periods of illness or injury, subject to operational requirements. This policy is designed to inform employees of their responsibilities in relation to attendance, notification and certification of absence.

#### 2. Certificates

All sickness absence must be covered by a certificate. This will be

a) a medical certificate (FIT Note) issued by a medical practitioner for absences in excess of seven calendar days. If absence is prolonged these must be sent in within 3 days of issue.

b) a self-certificate - to be completed for full and half day’s absences, up to 7 days, immediately on return to work.

A **FIT** Note may also be issued by a medical professional stating that you are ‘fit for some work’. In these circumstances, it is your responsibility to inform your manager without delay to discuss arrangements for your return to work. Unreasonably delaying, or failing to contact your manager may be dealt with under the Disciplinary Procedure.

Return to work interviews may be held with all staff by their line manager following all periods of absence. Provision of false information on a self-certificate will be treated as serious misconduct and will be dealt with under the Disciplinary Policy.

#### 3. Occupational Sick Pay (OSP) Entitlements

In addition to the entitlements under the statutory provisions employees will receive in any twelve month period running from the initial date of appointment and subsequent anniversaries the following entitlement to occupational sick pay.

* No entitlement in the first six months of service
* During the first 6-12 months of service (after completing the first six months of service) 2 weeks full pay (less any Statutory Sick Pay or N.I. benefits).
* During the first 12-24 months of service (after completing the first six months of service) 4 weeks full pay (less any Statutory Sick Pay or N.I. benefits).
* During the second to third year of service 6 weeks full pay (less any Statutory Sick Pay or N.I. benefits
* During the third year of service +, two months full pay (less any Statutory Sick Pay or N.I. benefits)

All absences are deducted from that allowance. For clarity, one month is the equivalent of 22 working days (based on 260 working days per annum).

3.1 Where an employee returns to work following a period of absence then any subsequent period of absence beginning before they have returned to their full contractual duties for a period of eight full weeks is regarded as a continuation of the earlier period of absence. This is referred to in paragraph 11.3 as a 'linked period'.

3.2 Should a single period of absence, or two or more linked periods as per paragraph 11.2, span the anniversary date of appointment then for the purposes of calculating the amount of sick pay to which an employee is entitled this is regarded to be entirely within the year on which the period of absence, or first linked period, began and the entitlement is that to which the employee was entitled as of the first day of the period(s) of sickness.

**sedcat** reserves the right to investigate all absence further and obtain independent medical opinion

#### 4. Sickness Absence Definitions

There are two types of absence within this policy

*Short term absence* Absence due to minor ailments of 7 days or less

*Long term absence* Inability to attend work consistently due to ill health or accident

#### 5. Sickness Procedure

Employees who are away from work due to sickness or accident must follow the following procedure:-

 **You must report sickness to your line manager by 10.00am on the first working day. Unless it is not practicable this report should be made by the employee by telephone and not by a relative or friend. Sickness reports should not be made by e-mail, text or voice mail messages.**

* 1. **Where absence continues for** more than two days you must contact your line manager on a regular basis.
	2. Regular contact must be maintained throughout any long term absences. The frequency of such contact will be determined by the circumstances of the individual case but is likely to be more frequent where the probable length of absence is difficult to assess.

5.3 Self-certificates must be completed for periods of absence which are for 7 days or less and must include any part or half days. This is a condition of employment and of entitlement to OSP. Self-certificates should be completed on the morning of your return to work and must be given to your line manager.

5.4 For absences of over seven working days a medical certificate (FIT note) must be provided. For long term absences medical certificates must be submitted within 3 days of issue.

* 1. The manager should meet with the employee on their return to work after any sickness absence; this return to work interview will usually take place on the first day back. This interview is helpful in clarifying reasons for absence, the effect on work and any future potential problems. It can also assist in identifying any workplace issues which may have contributed to the absence, and also helps to ensure the employee is fit enough to be at work.
	2. A medical certificate indicating fitness to return to work may be required before employees are allowed to return to work after serious illness, infectious disease or any long term illness, the cost of any such certificate or letter will be paid for by the organisation.

5.7 It is the employee’s responsibility to ensure all periods of sickness are covered by appropriate certificates and that the proper reporting procedure is followed. Absence not covered in this way, or failure to follow the procedure may be treated as unauthorised absence and dealt with under the disciplinary policy.

5.8 If absence is the result of an accident at work, travelling to or from work or in the course of travelling for work, the accident book must be completed. Any accidents which need reporting under RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) must be reported to the relevant manager who will be responsible for complying with RIDDOR.

5.9 If an employee falls sick during the period of their annual leave, on provision of a medical certificate, they will be regarded as being on sick leave from the date of the medical

 certificate.

6. **Repeated short term absence**

6.1 If an employee has had more than seven days absence or more than 3 episodes of sickness in any 6 month period, there should be a more detailed discussion between the manager and member of staff. This should take place whether or not the sickness has been covered by a FIT note.

Usually the validity of the reasons for the absence will not be in question; what is of concern to the manager is the employee’s ability to attend for work regularly.

As part of the discussion the manager will look at the employee’s absence record with them. Failure to attend regularly for work may be dealt with under a formal capability procedure. The manager should explain this to the member of staff and advise them that a continued unacceptable level of absence will result in further action being taken.

6.2 Where it appears that there may be an underlying medical reason for the absences the manager may wish to obtain a medical report from the employee’s GP/specialist or an independent occupational health specialist.

6.3 Where there is no subsequent improvement in attendance the manager should seek the advice of the Chair of Trustees to discuss further steps to be taken. The Chair of Trustees may wish to take advice from a Human Resources professional at this stage. In some circumstances it may be appropriate to consider a change in duties, redeployment into an alternative post or dismissal on the grounds of capability where there is an underlying medical condition causing absence (see relevant paragraphs under long term absence). In other circumstances there may be no alternative to dealing with the repeated absences formally under a formal capability procedure. Where dismissal or other formal action may be a possible outcome of a meeting this will be made clear to the employee and they will be informed of the meeting in writing as per the disciplinary procedure. Staff have a right to be accompanied at formal meetings by a workplace colleague or trade union representative.

7. **Long term absence**

7.1 Long term absence needs to be assessed individually in each case. For example, where an

 employee has had elective surgery and a period of convalescence, and this and the timetable for

 return to work has been planned with the manager; there may be no need for further action.

7.2 It is important for the manager and the employee to keep in regular contact during the absence, in order to make appropriate arrangements for support during sick leave and on return to work. Employees are required to co-operate with this contact and a failure to respond to efforts to contact them by a manager without good reason may result in disciplinary action. It is important to consider other alternatives such as a shorter working week or alternative employment or working at home if this would enable the employee to return to work.

Any such considerations will be done in consultation with the advice of a medical professional, be that the

employee’s GP or an independent occupational health specialist.

7.3 In most cases of long term sickness, the manager should seek written agreement to contact the

employee’s GP or specialist to seek appropriate medical advice on the impact of the illness. The GP

 or specialist should be provided with the following information:

* list of main duties i.e. a current job description
* absences over the past year and reasons given
* background information given by the employee
* any other relevant information

The precise nature of the employee’s condition will be kept confidential unless the employee indicates otherwise.

7.4 Subject to paragraph 7.5 the manager should, where practicable, arrange a meeting with the employee to discuss the outcome of the medical evidence and to consider a date by which the individual is expected to be back at work with a clear agreement of alternatives if this is not possible. This meeting should discuss the support that will be available in assisting the employee to return to work if appropriate. Outcomes agreed at this meeting should be confirmed in writing. A home visit may be appropriate depending on the nature of the employee’s medical condition.

7.5 Medical advice may indicate that the employee may not be able to return to work at all or, considering it in relation to the employee’s post and taking into account the needs of the service, within an acceptable timescale. Evidence may also suggest that they may be unable to carry

 out the duties of the post to the required standard. In this situation the Chief Officer should consult the Chair of Trustees who will consider invoking dismissal proceedings on the grounds of capability.

7.6 If the Chair of Trustees believes that dismissal or redeployment at a lower grade, salary or fewer hours may be necessary a meeting will be held to discuss the matter with the member of staff, who may be accompanied by a trade union representative or fellow employee if they wish. Whilst absence due to genuine illness is not a disciplinary matter formal written notice stating the purpose of the meeting and the possible outcome must be given as it would in a disciplinary case. At this meeting it is important to consider all available options. These may include:

* a period of rehabilitation
* redeployment
* termination of employment on grounds of capability

## Rehabilitation

Where a member of staff is fit to return to work but not on full contractual hours or full range of duties (usually after long term sickness), the manager should consider returning them to work on a phased basis on pro-rata pay. This rehabilitation period is to allow an effective, sustained return to work. It should be supported by an agreed and structured programme taking into account the advice of the GP or specialist.

The rehabilitation programme will not usually last longer than 8 weeks. Where annual leave has accrued the manager and member of staff should discuss how this can best be used to support return to work

## Redeployment

Where there is an underlying medical condition and the member of staff is unable to fulfil the full requirements of the post; the Chief Officer, based on medical advice and in liaison with the Chair of Trustees should explore the possibility of redeployment to a suitable alternative post.

Factors to be taken into account include:

* the needs of the service and the best interests of service users
* whether the job description can be amended to allow the employee to remain within a workplace with which they are familiar
* possible use of physical aids and technology to assist the employee
* an analysis of ability of the employee to undertake work of a different kind
* the availability of other suitable posts
* the views of the employee

Where a member of staff moves to a post on a lower grade or working fewer hours etc. there will be no protection of salary or other conditions. The implications of this should be fully explored with the member of staff.

## Terminating employment

Where a member of staff is not capable of carrying out their contractual duties, medical advice has been sought and all other reasonable options have been explored, termination of the employment of the member of staff may be necessary.

When employment is terminated on grounds of an employee’s capacity, the employee will be entitled to a period of paid notice as stated in their contract. This will apply whether or not their entitlement to full or half pay under sick pay arrangements has expired. The decisions taken at this meeting will be confirmed in writing.

7.7In relation toany of the above points, an employee who is considered to have a disability will not be treated detrimentally, and any reasonable adjustments recommended by a medical professional will accommodated wherever possible.

# MATERNITY/PATERNITY PROVISION, ADOPTION LEAVE and Parental Leave

Employees are entitled to the minimum statutory maternity and paternity provision, adoption leave and parental leave. These provisions will change with changes in legislation.

1. Statutory Maternity Leave is 52 weeks and is made up of:
	1. Ordinary Maternity Leave – first 26 weeks
	2. Additional Maternity Leave – last 26 weeks

You do not have to take 52 weeks but you must take 2 weeks’ leave after your baby is born.

1. Statutory Paternity Leave is either 1 week or 2 consecutive week’s leave. You can also take paternity leave when you adopt a child.

## BEREAVEMENT AND COMPASSIONATE LEAVE

At **sedcat,** we understand that the loss of a loved one is a deeply emotional and challenging time. To support our employees during these difficult moments, we have implemented a bereavement policy that allows for compassionate and necessary time off. The following is an outline of our bereavement policy:

1. **Eligibility:**

All regular full-time and part-time employees are eligible for bereavement leave

1. **Definition of Bereavement and Compassionate**

Bereavement leave is granted for the purpose of mourning and making necessary arrangements due to the death of an immediate family member, which typically includes a spouse, child, parent, sibling, grandchild or domestic partner. Other significant relationships may also be considered on a case-by-case basis. Compassionate leave may be granted for the purpose of taking care of a loved one during palliative care.

1. **Duration of Leave**

Employees are eligible for up to 3 days of paid bereavement or compassionate leave per occurrence. Additional unpaid leave may be granted based on the employees specific circumstances and with the approval of the Chief Officer.

1. **Notification Process**

Employees are required to notify the Chief Officer as soon as possible regarding the need for bereavement or compassionate leave. If the need for leave arises unexpectedly, employees should provide notification as soon as practicable.

1. **Documentation**

Upon request, employees may be required to provide appropriate documentation, such as a death certificate or obituary, or sick note to support their requests.

1. **Flexibility and support**

We understand that each person’s grieving process is unique therefore we encourage open communication between employees and Management to determine the best approach for returning to work or any necessary accommodations or adjustments during this challenging time.

# CONFIDENTIALITY

1. **General principles**
	1. **sedcat** recognises that its colleagues (employees, volunteers, trustees, secondees and students) gain information about individuals and organisations during the course of their work or activities. In most cases such information will not be stated as confidential and colleagues may have to exercise common sense and discretion in identifying whether information is expected to be confidential. This policy aims to give guidance but if in doubt, seek advice from your line manager.
	2. **sedcat** colleagues may gain information about **sedcat** plans and finances which will be confidential.
	3. All service users are entitled to privacy and will be made aware that they can specifically request to be seen in private
	4. Colleagues are able to share information with their line manager in order to discuss issues and seek advice.
	5. Colleagues should avoid exchanging personal information or comments (gossip) about individuals with whom they have a professional relationship.
	6. It is not appropriate to discuss a person’s sexuality (i.e. ‘outing’ a gay person, their gender reassignment, their disability) without their prior consent.
	7. Colleagues should avoid talking about organisations or individuals in out of work social settings.
	8. Colleagues will not disclose to anyone, other than their line manager, any information considered sensitive, personal, financial or private without the knowledge or consent of the individual, or an officer, in the case of an organisation.
	9. There may be circumstance where colleagues would want to discuss difficult situations with each other to gain a wider perspective on how to approach a problem (e.g. How to deal with a complaint from a member of the public about a charity, how to respond to evidence of malpractice in a local group) The organisation’s consent must be sought before discussing the situation, unless the colleague is convinced beyond doubt that the organisation would not object to this. Alternatively, a discussion may take place, ensuring that names or identifying information remaining confidential.
	10. **sedcat** colleagues can share information about **sedcat** that is already in the public domain or that has been agreed by the Chief Officer or the Chair of Trustees. If unsure whether the information is confidential, colleagues should seek clarification from Line Managers or the Chair before disclosing.
	11. The duty to maintain confidentiality will continue after **sedcat** colleagues cease to be employed, or volunteer or be a Trustee of **sedcat**
	12. Where there is a legal duty on **sedcat** to disclose information, the person to whom the confidentiality is owed will be informed that disclosure has or will be made.
	13. Employees, contractors, volunteers and Trustees who disclose information reasonably and responsibly in the public interest to an appropriate body about malpractice within **sedcat** may be covered by the Public Interest Disclosure Act 1998 (The ‘Whistleblowing’ Act). If they follow **sedcat** Whistleblowing Policy they will not be disciplined for disclosing confidential information as long as the disclosure is only to the extent necessary to deal with the issue in question.
2. **Why information is held**
	1. Most information held by **sedcat** relates to members, visitors, employees, volunteers, Trustees, voluntary and community organisations, self-help groups, or services which support them.

 Information is kept to enable **sedcat** colleagues to assess eligibility to register as a member, for fundraising activities or to realise the objectives of the Charity.

 **sedcat** has a privacy notice explaining how information is kept and used and the legal basis for processing information.

 **sedcat** does need to be able to give information where appropriate about the impact of our services. If one of our services has an outcome which would provide useful material for publicity, reporting or training purposes, then wherever possible the permission of the user will be sought in writing before the story is told to anyone else. If permission cannot be obtained then any details that would enable identification of the client to be made will be changed.

* 1. **sedcat** will not pass your details on to other Organisations/agencies without your prior consent except when legally required to do so.

Basic details, name, address and date of birth may be passed on to health care professionals in the event of a medical emergency unless consent to do this is withdrawn.

* 1. Information about volunteers is not disclosed to anyone else except when there is a legal duty to do so.
	2. Information about students is given to the training organisation and the college, but to no one else.
	3. Information about ethnicity and disability of users is kept for the purposes of monitoring our equal opportunities policy and also for reporting back to funders.
1. **Access to information**
	1. Information is confidential to **sedcat** as an organisation and may be passed to colleagues, line managers or trustees to ensure the best quality service for users.
	2. Where information is sensitive, i.e. it involves disputes or legal issues; it will be confidential to the employee dealing with the case and their line manager. Such information should be clearly labelled ‘Confidential’ and should state the names of the colleagues entitled to access the information and the name of the individual or group who may request access to the information.
	3. Colleagues will not withhold information from their line manager unless it is purely personal.
	4. Users may have sight of **sedcat** records held in their name or that of their organisation. The request must be in writing to the Chief Officer giving 14 days’ notice and be signed by the individual, or in the case of an organisation’s records, by the Chair of Trustees. Sensitive information as outlined in para 3.2 will only be made available to the person or organisation named on the file.
	5. Employees may have sight of their personnel records by giving 14 days’ notice in writing to the Chair of the Trustees.
	6. When photocopying or working on confidential documents, colleagues must ensure they are not seen by people in passing. This also applies to information on computer screens.
2. **Storing information**
	1. General non-confidential information about organisations is kept in unlocked filing cabinets with open access to all **sedcat** colleagues. Confidential material will be kept in locked filing cabinets by the colleague directly responsible. These colleagues must ensure that the ChiefOfficer knows how to gain access.
	2. Information about volunteers, students and other individuals will be kept in filing cabinets by the colleague directly responsible. These colleagues must ensure that the Chief Officer knows how to gain access.
	3. Employees’ personnel information will be kept in lockable filing cabinets by line managers and will be accessible to the Chief Officer.
	4. Files or filing cabinet drawers bearing confidential information should be labelled ‘confidential’.
	5. In an emergency situation, the Chief Officer may authorise access to files by other people.
	6. Refer to the policy on Retention of information regarding the length of time that certain information will be retained before disposal.

5. **Limits to user confidentiality**

5.1 In certain circumstances **sedcat** reserves the right to break confidentiality should this be deemed

necessary. These circumstances include:

* If a member of staff believes that a user could cause danger to themselves or to others.
* If a member of staff suspects abuse or has knowledge of abuse.
* If the user gives information which indicates that a crime has been committed.
* If disclosure is required by law, for example, by the Police.
* If a person is felt to lack the mental capacity to make a decision. In such cases staff or volunteers will discuss with a manager and they will only act in the user’s best interest.
* If the user gives information which indicates a possible terrorist threat.

5.2 The decision on whether to break confidentiality will be decided on a case by case basis and always in conjunction with a manager.

5.3 Users should be informed of this disclosure.

6. **Duty to disclose information**

6.1 There is a legal duty to disclose some information including:

6.2 Child and adult abuse which will be reported to the Social Services Department.

6.3 **sedcat** has a responsibility to take action if we know, or suspect that a child or adult at risk is suffering or at risk of suffering. Information will be disclosed to the Bournemouth, Dorset & Poole Safeguarding Team or the Police in accordance with Safeguarding policy. It is the responsibility of the Safeguarding Team/Police to determine their lawful basis for their own processing.

6.4 Drug trafficking, money laundering, acts of terrorism or treason will be disclosed to the police.

6.5 In addition colleagues believing an illegal act has taken place, or that a user is at risk of harming themselves or others, must report this to the Chief Officerwho will report it to the appropriate authorities.

6.6 Users should be informed of this disclosure.

7. **Disclosures**

7.1 **sedcat** complies fully with the CRB Code of practice (E File) regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information.

7.2 Disclosure information is always kept separately from an applicant’s personnel file in secure storage with access limited to those who are entitled to see it as part of their duties. It is a **criminal offence** to pass this information to anyone who is not entitled to receive it.

7.3 Documents will be kept until the employee has passed their probation and then destroyed by secure means. Photocopies will not be kept. However, **sedcat** may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

#### 8. Data Protection Act

8.1 Information about individuals, whether on computer or on paper, falls within the scope of the Data Protection Act and must comply with the data protection principles. These are that personal data must be:

* Obtained and processed fairly and lawfully.
* Held only for specified purposes.
* Adequate, relevant and not excessive.
* Accurate and up to date.
* Not kept longer than necessary.
* Processed in accordance with the Act.
* Kept secure and protected.
* Not transferred out of Europe.

9 **Compliance**

**9.1** All staff, volunteers, students, placements and Trustees will be given a copy of the policy and will sign the confidentiality statement that they will abide by this policy. **sedcat** will ensure that all staff and volunteers are fully aware of and will apply this policy.

#### 10 Breach of confidentiality

**10.1** Employees who are dissatisfied with the conduct or actions of other colleagues or **sedcat** should raise this with their line manager using the grievance procedure, if necessary, and not discuss their dissatisfaction outside **sedcat**. However this does not prevent an employee taking appropriate action in accordance with the Whistleblowing policy and provided that a breach of confidentiality is reasonable and in accordance with that policy no disciplinary sanction will result from it.

**10.2** Colleagues accessing unauthorised files or breaching confidentially may face disciplinary action. Ex-employees breaching confidentiality may face legal action.

# DATA PROTECTION

The Data Protection Act 1998 gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

Anyone who processes personal information must comply with 8 principles which make sure that personal information is:

* Fairly and lawfully processed
* Processed for limited purposes
* Adequate, relevant and not excessive
* Accurate and up to date
* Not kept for longer than is necessary
* Processed in line with the rights of Data subjects
* Secure
* Not transferred to other countries without adequate protection.

The second area covered by the act provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.

The Information Commissioner’s Office (ICO) is the Regulator of the Act and:-

* registers and holds information on, data controllers.
* Handles concerns and complaints
* Takes enforcement action and can issue fines and criminal prosecution against organisations and individuals

**sedcat** is the Data Controller and is registered under the Data protection Act 1998. All processing of personal data will be undertaken in accordance with the data protection principles.

The Board of Trustees recognises its overall responsibility for ensuring that **sedcat** complies with its legal obligations.

The Data Protection Officer at **sedcat** is the **Chief Officer** and is the central point of contact for all data compliance issues.

**sedcat** Policy statement:-

**sedcat** will:

* Comply with both the law and good practice
* Respect individuals rights
* Be open and honest with individuals whose data is held
* Provide training and support for staff and volunteers who handle personal data, so they can act confidently and consistently.

**sedcat** recognises that its first priority under the Data Protection Act is to avoid causing harm to individual. Information about staff, volunteers and users will be used fairly, securely and not disclosed to any person unlawfully.

The Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, **sedcat** will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

Each member of staff and volunteer at **sedcat** who handles personal data will comply with **sedcat** operational procedures for handling personal data to ensure that good Data Protection practice is established and followed.

All staff and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.

Significant breaches of this policy will be handled under **sedcat** disciplinary procedures.

Because confidentiality applies to a much wider range of information than Data protection, **sedcat** has a separate Confidentiality Policy. This Data Protection policy should be read in conjunction with the Confidentiality Policy,

In order to provide some services, **sedcat** may need to share client’s personal data with other agencies (Third parties). Verbal or written agreement will always be sought from the client before data is shared.

Where anyone within **sedcat** feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done after discussions with the Data Protection officer. All such disclosures will be documented.

**SECURITY OF INFORMATION**

Any recorded information on users, volunteers and staff will be;

* Kept in locked cabinets
* Protected by the use of passwords if kept on computer
* Destroyed confidentially if it is no longer needed.

Staff should be careful about information that is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is displayed.

Where service users have access to the office whilst employees are working; privacy screens should be used to shield information or service users should be restricted to certain parts of the office space where employees are not working.

Service users should be kept as far away from office working space as possible to avoid overhearing telephone conversations.

* Notes regarding personal data of users should be shredded or destroyed
* Driver schedules must be handled with care and kept away from passengers during travelling and shredded upon return to the office.
* Loss of a daily schedule detailing user names and addresses should be reported to the Manager as soon as the driver becomes aware of the missing details.
* The Chief Officer will take the necessary action to inform service users and will comply with legal obligations.

**GDPR** came into force on 25th May 2018 and placed further obligations on Organisations and Companies to tighten security around holding and processing data and provided individuals with more rights over how their data is used.

The lawful basis under which **sedcat** handles and processes the personal data of clients and staff (including voluntary workers) is a **legitimate interest;** the information is necessary to provide services to the clientand to comply with the employment contract.

**Your rights**

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA) you have a number of rights with regard to your personal data. You have the right to request from us access to and rectification or erasure of your personal data, the right to restrict processing, objects to processing as well as in certain circumstances the right to data portability.

The **sedcat** Privacy Notice is detailed on the website www.sedcat.org.uk and at Castlepoint Shopmobility unit. Employees Privacy Notice is provided to all employees and voluntary staff when they commence employment.

# HEALTH & SAFETY AT WORK

**Health and Safety Policy Statement**

**Our statement of general policy is:**

* To provide adequate control of the health and safety risks arising from our work activities
* To consult with our employees and volunteers on matters affecting their health and safety
* To provide and maintain safe plant and equipment
* To ensure safe handling and use of substances and compliance with COSHH regulations
* To provide information, instruction and supervision for employees and volunteers
* To ensure all employees are competent to do their tasks and to give them adequate training
* To prevent accidents and cases of work-related ill health
* To maintain safe and healthy working conditions
* To review and revise this policy as necessary at regular intervals

**Responsibilities:-**

Overall and final responsibility for Health and Safety is that of the Board of Trustees of **sedcat,** day to dayresponsibility for ensuring that this policy is implemented is delegated to the Chief Officer**.**

To ensure that Health and Safety standards are maintained and improved. The following people have responsibility in the following areas:-

**Chief Officer and other staff with supervisory responsibilities**

* Induction of new staff in respect of fire procedure and security procedures.
* Updating and reviewing of all policies relating to Health & Safety.
* Ensuring that all team members are provided with adequate information, instruction and training in all matters relating to Health & Safety at work and for adequate supervision to ensure they adhere to H&S at work policies and rules.
* Ensuring that their team members are advised of the risks involved in working away from the office and that they are adequately trained to carry out such work.
* Ensuring that all staff and volunteers in their own team are able to carry out risk assessments of their own working environments. Ensuring that team members are provided with all the equipment that they need in order to work safely.
* Ensuring that all accidents in their area of responsibility are reported and investigated as appropriate.

All employees have to co-operate with supervisors and managers on H&S maters; not interfere with anything provided to safeguard their Health and Safety; take reasonable care of their own H&S; report all H&S concerns to the Chief Officer.

**Competency for Tasks and Training**

Induction training into general office routines and H&S will be provided for all employees by the relevant manager. Job specific training will be provided by the relevant line manager. Specific jobs requiring special training are -:

* Lone working
* Providing Transport to clients
* Working away from the office
* Home working
* Driving minibuses
* Hire of mobility equipment to service users.

Training records are to be kept by Managers. Training will be identified by Line Managers and arranged by them where appropriate. Training will be monitored by line managers.

**Accidents, First Aid and work related ill health**

All staff regarded as Display screen equipment users are entitled to biannual eyesight tests.TheManager can arrange tests as requested by staff in accordance with policy.

The first aid boxes are kept at: -

* Castlepoint Shopmobility – kitchen area
* On all **sedcat** buses and Multi-Purpose Vehicles

All accidents and cases of work related ill health are to be recorded in the accident/incident book. A book is held at Castlepoint within the main filing cabinets. **sedcat** policy on reporting of accidents and incidents in the workplace follows the guidelines of the H&S Executive in their policy ‘Reporting of Injuries, diseases and dangerous occurrences Regulations 2013 (RIDDOR). This policy should be read in conjunction with **sedcat** Health and Safety policy statement which contains further guidance on specific risks.

**All accidents to persons or property which happen on the premises or during travel or loading and unloading however trivial must be recorded in the accident book kept at one of the sedcat offices and reported to the Chief Officer.**

In the event of accident/incident to members of the public, a report should be made by the person to whom the accident/incident was reported. The report should be signed and dated and the names and contact details of witnesses should be recorded.

* All accidents to person or property however trivial need to be reported to the Manager as soon as they occur or immediately after.
* The Chief Officer will authorise any repair to buses or other property in accordance with Insurance requirements.
* The Chief Officer will review risk assessments at least every 2 years and after a serious accident/incident.

The Chief Officer is responsible for reporting accidents, diseases and dangerous occurrences to the enforcing authority and for ensuring that the Chair of Trustees is informed.

The Chief Officer has overall responsibility for:-

* Ensuring that all fire risk assessments are undertaken and implemented
* Checking escape routes every week.
* Testing fire and smoke alarms or ensuring that they are tested by landlords
* Reviewing the emergency evacuation procedures
* Maintaining fire extinguishers adequately or ensuring that landlords do so.

## Driving sedcat Buses & Vehicles

All drivers will be provided with **MIDAS** training and testing prior to driving the minibuses. Drivers are expected to drive to the standards and rules of the **MIDAS** guidance at all times. Drivers will report any difficulty (beyond their control) which makes it difficult to follow the **MIDAS** guidelines to the Manager who will investigate and make necessary adjustments. **MIDAS** training is renewed every 4 years.

Drivers of the Multi-Purpose Vehicles will be provided with training on using the electronic winch and safe clamping of wheelchairs prior to undertaking any journey using this vehicle with a wheelchair travelling passenger on board.

Driving licences will be checked prior to taking up employment involving driving at **sedcat** and online checks made every 6 months. Drivers are required to provide permission to the Chief Officer to do this on their behalf or to produce the documentation when requested.

Should any driver be involved in a road traffic accident they will be required to complete an accident/ incident report on a **sedcat** form (copies of the forms should be available on allvehicles). The Chief Officer is responsible for conducting an investigation into the circumstances of the incident, or for appointing a responsible person on their behalf, and for reporting the matter to the Insurance company and the Chair of Trustees. (see section on road traffic collisions)

* Drivers must not drive **sedcat** vehicles whilst under the influence of alcohol or drugs which might impair their ability to drive whether or not such drugs are prescribed or controlled.
* No person shall drive continuously for a period of more than 2 hours before taking a 20 minute break and two such periods before taking a 1 hour break. Work commitments will be planned accordingly. If stopping to pick up passengers this is increased to 4 hours before a break is needed.
* Where a driver feels drowsy or otherwise unable to continue to drive they should cease driving. No disciplinary action will arise from late arrival at a commitment as a result of the onset of fatigue or illness whilst driving.
* All **sedcat** buses will be maintained regularly and weekly and daily maintenance routines followed to ensure that they are road worthy prior to the commencement of a journey.
* Walk round check – driver of the vehicle, level 1 drivers
* Weekly check - level 2 driver/trainer

All drivers will be provided with a mobile phone (should they not wish to use their own) to enable them to summon assistance in the event of an emergency. Drivers must adhere to the on the use of mobile phones whilst driving. Drivers are able to submit a receipted claim for mobile phone expenses for any charges incurred during work use.

All incidents of verbal and physical abuse of drivers must be reported to the Chief Officer and services may be withdrawn from clients who abuse workers.

Due to the Covid Pandemic all drivers will be required to wear a face mask and sanitize the vehicles after every use, sanitizers and PPE will be provided.

All buses will carry a First Aid box which will include latex gloves and antiseptic wipes.

Drivers will not attempt first aid unless trained. In the event of a passenger on the bus requiring assistance, emergency services should be called immediately.

Drivers must not attempt to lift a client who has fallen to the ground; paramedics must be called unless the client is able to get up themselves with minimal assistance or instruction. Drivers must not attempt to carry out any lift or manoeuvre for which they have not received appropriate training.

All passengers will be required to wear a seat belt unless they hold an exemption certificate. Holders of exemption certificates will sit at the front nearside of the vehicle with no other people, including the driver, in front of them. The driver will issue an instruction to passenger to apply seatbelts at the commencement of all journeys.

* It is important that seat belts and child restraints are correctly adjusted for the wearer to maximise their effectiveness. The basic points to note are:
* The belt should be worn as tight as possible
* The lap belt should go over the pelvic region, not the stomach
* Child restraints should be securely fitted according to the manufacturer’s instructions and the child should be securely held in the restraint.
* All drivers and assistants must wear a high vis jacket when loading and unloading passengers.
* Passengers should be loaded from the kerbside or rear of the vehicle (if ramp is used) unless in an emergency.
* Passengers must remain in their seats at all times when the vehicle is moving and must not distract the driver.
* When carrying passengers and their shopping; gangways should be kept clear to allow for the evacuation of passengers in an emergency. Shopping should be safely stowed on the floor or at the rear of the vehicle where it is unlikely to cause a hazard.
* Passengers who are regularly boarding an excessive amount of heavy shopping will be contacted by the Manager as this could be an H&S issue to staff and the legal payload of the vehicle.
* All drivers, supervisors and admin staff must adhere to the guidelines on the legal payload of the vehicle which are found within the Health & Safety Policy. Passenger numbers will have to be adjusted for wheelchair travelling passengers to take into account weight of the wheelchair (electric chairs can weigh 100 – 300kg with passenger insitu)

**Wheelchairs**

Passengers may remain in their wheelchairs during the journey, provided that the wheelchair is secured in a forward-facing or a rearward-facing position (never sideways), and it is securely and symmetrically fixed to the vehicle with tie down webbing restraints.

* Wheelchairs must not cause obstruction to gangways or passengers
* The wheelchair user must be secured with seatbelts (three-point belts or harness) attached to the vehicle tracking
* The wheelchair handbrake must be applied
* The power on electric wheelchairs should be switched off and the batteries firmly attached to the wheelchair
* Tracking for the wheelchair and occupant restraint systems should be kept clean, and free from grit, etc., at all times.
* Drivers and passenger assistants should be trained in the care (boarding and assistance) of passengers who travel in their wheelchairs. Training is provided at MIDAS and can be provided by the driver/trainer at other times.

Passengers must only travel in wheelchairs which have been ‘crash tested’ (ISO 7176) and designed to withstand impact. Should clients request to travel in a wheelchair but you are unsure whether their own wheelchair has been ‘crash tested’ then we will provide our own ‘crash tested’ wheelchairs.

 Any passenger who needs to travel in a wheelchair will be required to have a ‘chair’ assessment carried out by the driver trainer prior to travelling. This may mean visiting the passenger at home prior to travel.

**Admin staff who are dealing with new memberships will need to arrange for the driver/trainer to assess** **prior to travel.**

**In the event of a vehicle breakdown:**

* The driver should move the vehicle off the carriageway (onto the hard shoulder on a motorway) and switch on the hazard warning lights. If this is not possible, it should be moved as far away from moving traffic as possible. If a warning triangle is used, it should be placed on the same side of the road, at least 45 metres from the minibus. Always take great care when placing and retrieving a warning triangle and never use them on the motorway.
* The passengers should be moved out of the nearside of the vehicle and as far away from it and other traffic as possible. No one should stand between the vehicle and oncoming traffic.
* On motorways or other busy roads passengers should be taken onto the embankment or grass margin and as far from the traffic as is practicable. The hard shoulder on a motorway is very dangerous. On Smart Motorways, where the hard shoulder is used as a running lane, drivers should try to stop in one of the emergency refuges that are placed periodically along the hard shoulder.
* Passengers should be kept together in one group. Children should be kept calm and under constant supervision.
* In some circumstances, it is safer to leave the passengers in the vehicle. For example, if it seems too dangerous to unload passengers in wheelchairs or if there is not a safe waiting area. The driver (and passenger assistant if present) will need to assess the situation and decide whether or not to unload passengers.
* If necessary, the driver should go for help, leaving the passengers with the passenger assistant. If the driver is the only adult present, he or she should not leave the children alone. The driver will need to give the police, or breakdown service, accurate details of the vehicle’s location, and inform them if children or passengers with mobility problems are being carried.
* The driver should also telephone the Chief Officer or nominated contact person, preferably with a mobile telephone kept on board for this purpose, to tell them what has happened and ask them to relay messages to relatives. They should have out-of-hours contact details for this purpose.
* If the breakdown occurs on a motorway, it is better to use the roadside emergency telephone as this will enable the Police to pinpoint the vehicle’s location. The nearest emergency telephone is indicated by arrows and numbers on small marker posts at the edge of the hard shoulder.

**Road Traffic Collisions**

* In the event of a collision, the driver and/or the passenger assistant must make the collision scene as safe as possible
* Use hazard warning lights and any other safety devices supplied
* Do not move injured passengers unless they are in immediate danger of further injury
* Call the emergency services immediately, with information about the situation, any special circumstances (e.g., carrying oxygen bottles or passengers have special needs
* Ensure one person (driver or passenger assistant) remains with the children if child passengers are involved
* Do not allow child passengers to assist with repairing or re-starting the vehicle and never allow them to push the vehicle.

 If the emergency services are called, the driver must stay at the scene until the emergency services (and anyone else with reasonable cause) have taken all the details. If possible, the names and addresses of all independent witnesses should be obtained at the scene.

 If the collision is ‘damage only’ and no one is injured, the driver should ensure that the vehicle is roadworthy before continuing the journey. The incident must be reported to the Chief Officer on their return.

**An sedcat accident/incident form is kept on the buses for this purpose.**

If there is any injury or the names of people involved are not exchanged or there is damage to property other than the driver’s vehicle (including street furniture), the driver must report the collision to the Police as soon as possible or in any case within 24 hours. Any other incident, including traffic offences, must also be reported to the Chief Officer.

**Emergency Evacuations**

 If an emergency evacuation is necessary (for example, in the event of a fire), the best way to evacuate the vehicle will depend upon the nature of the incident, the passenger group and the type of minibus. The driver and passenger assistant(s) will need to exercise their judgment at the scene. Drivers and passenger assistants who have been trained will be far better equipped to make appropriate decisions and cope with such difficult circumstances. Passengers should exit the vehicle as they would normally, if possible, and move as far away as possible. If passengers need assistance to exit the vehicle, the passenger assistants should provide the necessary help. If it is necessary to use the rear exit, care must be taken against approaching traffic. If other motorists offer help then the driver should take charge of the operation as far as possible.

It may not be possible to remove wheelchairs quickly from a minibus, unless the passenger assistants and carers are trained to do so. It may be necessary to lift a passenger from the vehicle, which is not easy to do in a confined space and often requires two people. Drivers and passenger assistants should not attempt to tackle a vehicle fire, unless they have been trained to do so.

**Defect Reporting and Repairs**

Drivers are responsible for the condition of their vehicles when in use on the road and must, therefore be able to report any defects or symptoms of defects that could prevent the safe operation of vehicles. In addition to daily checks drivers must monitor the roadworthiness of their vehicles when being driven

 and be alert to any indication that the vehicle is developing a fault e.g. warning lights, exhaust emitting too much smoke, vibrations or other symptoms.

Even with regular servicing and a rigorous weekly/daily checking system, other faults or defects will still occur from time to time.

If a defect is found it is to be noted in the space provided on the daily vehicle check sheet. The details recorded should include vehicle registration or identification mark, date, details of the defects or symptoms and the reporter’s name. The driver must then give the defect report to the designated person in the office, who must then ensure that appropriate action is taken.

It is important to note that any report listing defects is part of the vehicle’s maintenance record and must be kept together with details of the action taken, for at least 15 months. MIDAS states that it is the driver’s legal responsibility to inspect the condition of the vehicle that they are driving at all times.

**Before the driver starts a journey it is important to carry out the following steps and record on a log sheet:-**

* The driver should walk round the vehicle checking the bodywork, tyre

 condition and operation of lights, horn and windscreen wipers

* Any item that appears in need of attention should be noted as a defect

 on the log sheet, and reported immediately to the organisation. The

 driver must not drive the vehicle until defects have been investigated

 and rectified where necessary

* If there are no defects, “Nil” should be entered on the log sheet
* Read and sign the declaration on the log sheet
* Enter the start mileage on the log sheet
* If the driver forgets to fill in the mileage correctly, an estimated mileage
* figure is required.

**At the End of a Journey**

* Park the minibus in the designated parking place
* Engage the handbrake
* Check all switches are left in the “off” position
* Check all vehicle windows, doors and roof vents are properly closed and locked
* Remove any litter from the vehicle
* Check the vehicle for any lost property

**Log Sheet**

* Enter the finish mileage, the number of passengers carried if required,

 and any other relevant information on the log sheet (e.g. if the

 passenger lift was used and if fuel was purchased)

* Walk round the vehicle and check the external condition, noting any

 damage on the log sheet

* All damage, even of a minor nature (e.g. breaking a mirror), must be

 reported to the Chief Officer, as soon as possible.

* If aware of any vehicle defects, document them in the appropriate

 place on the log sheet (or Defect Report Form)

* Return the log sheet and keys to the office, along with any receipts for

 fuel and oil purchased for the vehicle.

All policies will be regularly reviewed and updated by the board of **sedcat** Trustees and staff will be provided with the updated versions and these should be kept with the staff handbook

I acknowledge that I have received a copy of **Sedcat’s** Employee Handbook and am in agreement with the above.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name of Employee: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Policy last reviewed: 31/10/2023*