

MSG PC Employee Welfare Policy

Incorporating:

- Health and Safety at Work
- Equal Opportunities
- Grievance Procedure
- Disciplinary Procedure

This Employee Welfare Policy is meant as an overarching Policy

Please note: Particular terms & conditions relating to specific employees are set out in their individual contract of employment

1. STATEMENT OF GENERAL POLICY

1.1

The Parish Council fully accepts the obligations placed upon it by the various Acts of Parliament covering health, safety and welfare. The Parish Council requires its Proper Officer to ensure that the following policy is implemented and to report annually on its effectiveness.

2. MANAGEMENT ORGANISATION AND ARRANGEMENTS

Introduction

2.1

This policy has been prepared and published under the requirements of Health & Safety At Work legislation. The purpose of the policy is to establish general standards for health, safety and welfare at work and to distribute responsibility for their achievement to all officers and members of the Council.

3. MANAGEMENT RESPONSIBILITIES

Proper Officer of the Parish Council

3.1

The Proper Officer has overall responsibility for the implementation of the Parish Council's policy. In particular he/she is responsible for ensuring that the policy is widely communicated and that its effectiveness is monitored.

Health & Safety Officer

3.3

The Health & Safety Officer is a nominated person responsible for co-ordinating effective health and safety policies and controls across the organisation.

3.4

The Health & Safety Officer is responsible for:

- the production and maintenance of the Parish Council's policy and ensuring that the Guidelines are consistent with policy;
- its application;
- monitoring and reporting on the effectiveness of the policy;
- the provision of general advice about the implication of the law;
- the identification of health and safety training needs. The safety officer also acts on behalf of the Proper Officer, as the Parish Council's formal link with the Health and Safety Executive, Environment Health Departments and other external agencies;
- the production and maintenance of Health and Safety Codes of Practice for each aspect of the services within the Parish Council.

4.

HEALTH AND SAFETY AT WORK MANAGEMENT PROCESS

4.1

The provision of the Health and Safety at Work Act, associated Codes of Practice and E.C. Directives will be adopted as required within the Parish Council. Responsibility for Health, Safety and Welfare matters shall be explicitly stated in job descriptions.

4.2

The Parish Council requires Councillors and Officers to approach Health, Safety and Welfare in a systematic way, by identifying hazards and problems, planning improvements, taking executive action and monitoring results so that the majority of Health, Safety and Welfare needs will be met from locally held budgets as part of day-to-day management, although many Health and Safety problems can be rectified at little additional cost.

4.3

For major additional expenditure, cases of need will be submitted to the Proper Officer.

4.4

If unpredictable Health and Safety issues arise during the year, the Proper Officer must assess the degree of risk, in deciding the necessary resources and actions to commit to addressing these issues.

5. HEALTH, SAFETY AND WELFARE GUIDELINES

5.1

It is the policy of the Parish Council to require the Proper Officer to produce appropriate Health, Safety and Welfare policies or guidelines. These should embody the minimum standards for Health, Safety and Welfare.

5.2

It shall be the responsibility of the Officers of the Parish Council to bring to the attention of all members of the Council the provisions of the guidelines, and to consult with appropriate Health and Safety representatives about the updating of the these guidelines.

6. IDENTIFICATION OF HEALTH AND SAFETY HAZARDS AND PROBLEMS

6.1

It is the policy of the Parish Council to require a thorough examination of Health, Safety and Welfare performance against established standards, at least annually. The technique to be adopted for such examinations will be the 'Safety Audit' which will be incorporated within annual risk assessment.

6.2

The information obtained by the Audit will be used to form the basis of the plan for the Council for the following year. Audits must be completed by July of each year.

6.3

The responsibility for ensuring that audit activity is carried out as part of this policy rests with the Proper Officer and will be carried out by the Health & Safety Officer.

6.4

It is the Parish Council's responsibility to ensure that any deficiencies highlighted in the Audit are dealt with as speedily as possible.

6.5

In addition to carrying out Safety Audits, it is the responsibility of the Proper Officer to check, at least quarterly, all portable equipment, including electrical appliances, in their area, and to ensure that all problems are immediately dealt with.

6.6

It must be emphasised that all members and officers of the Parish Council have a continual responsibility for the elimination of hazards in order to maintain a safe working environment. Any hazard which is identified must be reported to the safety officer as soon as possible.

7. SAFETY REPRESENTATIVES

7.1

The Parish Council will support the Health & Safety Officer in carrying out their role and give all reasonable assistance. Safety Officer will be encouraged to discuss specific health and safety issues with the Proper Officer. They may also formally report hazardous or unsafe circumstances to the Proper Officer and will be formally notified of the remedial action taken or be given a reason why the action cannot be taken.

8. TRAINING

8.1

Health and Safety training shall be incorporated within annual training programmes, as part of the development of a systematic training plan. Health and Safety training needs will, therefore, be identified and planned for in the same manner as other training needs.

8.2

Four areas of need shall be given special priority:

- training for Officers and Members of the Parish Council, to equip them with an understanding of their responsibilities under this policy, and the role and purpose of safety representatives;
- training for safety representatives to enable them to discharge their function;
- training for all members of staff and Councillors to acquaint them with the main provisions of the law and its practical implication, the main features of this policy and key safety rules;
- induction and in-service training for staff at all levels to acquaint them fully with new requirements and hazards.

9. RECORDS, STATISTICS AND MONITORING

9.1

The Parish Council will operate systems for recording, analysis and presentation of information about accidents, hazard situations and untoward occurrences. Advice on systems will be provided by the Safety Officer, in conjunction, where appropriate with specialist advisory bodies for example local Environmental Health Departments, and the responsibility for the operation of these systems rests with managers and supervisors at all levels. Information obtained from the analysis of accident statistics must be acted upon and, where necessary, bids for additional expenditure made to the Proper Officer.

10.

REPORTS TO THE HEALTH AND SAFETY EXECUTIVE

10.1

The responsibility for meeting the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 to the Health and Safety Executive, shall rest with the Proper Officer.

11. SPECIALIST ADVISORY BODIES

11.1

Certain bodies and the individual members of those bodies, have always had a Health and Safety role, most notably, the Health & Safety Executive, or local Environmental Health Departments. If further specialist advice is required, this may be obtained by Officers of the Council from expert individuals or bodies outside the Parish Council.

12. FIRST AID

12.1

It is the policy of the Parish Council to make provision for First Aid and the training of 'First Aiders' in accordance with the First Aid Regulations (1982). The Health & Safety Officer is responsible for ensuring the Regulations are implemented and for identifying training needs.

13. FIRE

13.1

The Proper Officer is responsible for ensuring that the staff receive adequate fire training, and that nominated fire officers are designated in all Parish Council premises.

13.2

In addition the Parish Council will nominate a Fire Officer (this may be the Safety Officer or someone external to the Parish Council)

- report and advise on the standard of fire safety in the Parish Council's premises and the standard of fire training of its staff;
- undertake overall responsibility for fire training;
- assist in the investigation of all fires in the Parish Council's premises and to submit reports of such incidents.

14. CONDEMNATION AND DISPOSAL OF EQUIPMENT

14.1

Procedures for the, condemnation and disposal of equipment are set out in the Parish Council's Standing Financial Instructions. Officers introducing new equipment should have new equipment checked by the Health & Safety Officer.

15. LIFTING AND HANDLING

15.1

Officers are responsible for informing staff of safe lifting techniques. The Safety Officer will identify specific training needs.

16. NON-SMOKING ON PARISH COUNCIL PREMISES

16.1

The Parish Council has agreed that there will be no smoking in its buildings. The overall aim is to reduce smoking and so save life, reduce risk of fire, prevent unnecessary illness and chronic disability.

17. CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH

17.1

The Control of Substances Hazardous to Health Regulations (COSHH) require the Parish Council to identify those substances which are in use and which are hazardous to health (as legally defined) and to assess the risk of those substances. The Parish Council must also provide and use controls to prevent exposure to substances hazardous to health; maintain controls by monitoring exposure, or by health surveillance of employees; and provide information, instruction and training for employees on all these matters. The Health & Safety Officer is responsible for implementing these Regulations.

18. COMPUTER INSTALLATIONS AND VISUAL DISPLAY UNITS

18.1

All new computer installations must adhere to the British Standard Specifications and comply with the Health and Safety (Display Screen Equipment) Regulations 1992. All new employees operating VDUs are issued with a copy of the Health and Safety Executive Booklet entitled 'Working with VDUs'. New employees who regularly use VDUs will be required to undergo sight screening.

19. CONTROL OF WORKING TIME

19.1

The Parish Council is committed to the principles of the Working Time Regulations (1998). No member of staff is expected to work more than 48 hours per week (including overtime) unless there are exceptional circumstances. Similarly all other requirements of the regulations e.g. in relation to breaks, night workers etc. will be complied with.

20. HEALTH AND SAFETY AND THE INDIVIDUAL EMPLOYEE

20.1

The Health and Safety at Work Act requires each employee 'to take reasonable care for the Health and Safety of himself and of other persons who may be affected by their acts and

omissions' and co-operate with management to enable management to carry out their responsibilities under the Act. Employees have equal responsibility with the Parish Council for Health and Safety at Work.

20.2

The refusal of any employee to meet their obligations will be regarded as a matter to be dealt with under the Disciplinary Procedure. In normal circumstances counselling of the employee should be sufficient. With a continuing problem, or where an employee leaves themselves or other employees open to risk or injury, it may be necessary to implement the formal stages of the Disciplinary Procedure.

21. PEOPLE WORKING ON PARISH COUNCIL PREMISES NOT EMPLOYED BY THE PARISH COUNCIL

21.1

Persons working in the Parish Council premises who are employed by other organisations are expected to follow Parish Council Health and Safety Policies with regard to their personal safety and their method of work. This responsibility will be included in contracts or working arrangements. Similarly seconded Parish Council employees working in other host premises will be expected to follow the host employer's Health and Safety Policy.

22.

VISITORS AND MEMBERS OF THE PUBLIC

22.1

The Parish Council wishes to ensure that as far as is reasonably practicable, the Health, Safety and Welfare of visitors to Parish Council establishments will be of the highest standard.

22.2

Any member of staff who notices persons acting in a way which would endanger other staff, should normally inform the Proper Officer. If the danger is immediate, common sense must be used to give warning, call for assistance or give aid as necessary. It is equally important not to over-react to a situation.

23. CONTRACTORS

23.1

The Parish Council wishes to ensure that as far as is reasonably practicable, the Health, Safety and Welfare of Contractors working in the Parish Council's establishments will be of the highest standards. In addition, Contractors and their employees have an obligation so far as is reasonably practicable to ensure all equipment, materials and premises under their control are safe and without risks to health.

23.2

Contractors must also observe the Parish Council's Fire Safety Procedures. These obligations will be drawn to the attention of the Contractors in the contract document issued to them. In addition a Parish Council Manager will be identified in the contract as having authority to stop the work of Contractors who are placing themselves, other staff, or visitors at risk. Any member of staff who judges there is a risk where contractors are working, should inform their Manager immediately.

23.3

In tendering, Contractors will be asked to confirm they have a written Health, Safety and Welfare Policy. The Parish Council's Manager letting the Contract will be responsible for monitoring the Health and Safety performance of the Contractor and the Contractor's performance will be a factor in deciding whether or not to invite the Contractor to tender again.

24. LONE WORKERS

The Parish Council as an employer is responsible for the health, safety and welfare at work of its employees and of those affected by the work. It is the employer's duty to organise and Manage lone workers including contractors. However, employees have responsibility for taking reasonable care of themselves and of other people affected by their work and for cooperating with the employer in the discharge of their legal obligations.

Definition of lone worker

Lone workers are employees who, at any time, work by themselves in the office or at other locations owned by the Council, such as outside on parks or on work related travel. This could include: working at and/or opening and closing sites, visiting Council owned properties and outside contractors and employees who work alone outside normal working hours.

Requirements of the lone worker

The Council needs to check that lone workers have no medical conditions which make them unsuitable for working alone and employees who could be considered as lone workers have a duty to advise their line manager or the Parish Clerk of any medical condition which may affect them working alone.

Where a medical condition is known, an assessment will be conducted through an appropriate external adviser.

The Council will take into consideration routine work and foreseeable emergencies that may impose additional and/or specific risks.

Employer responsibility

The Health and Safety of Work Act 1974, Section 2 sets out a duty of care on employers to ensure the health, safety and welfare of their employees whilst they are at work.

The Parish Council acknowledges its responsibility as an employer and understands its legal obligations under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. It has delegated this day-to-day responsibility to the Parish Clerk who will raise any concerns with, and make recommendations to the full Council for its consideration and resolution.

The Policy

The Council should establish the locations and working patterns of all staff; establish a regular pattern of inspection of premises and equipment and keep a record of the results; ensure that all equipment is maintained by properly trained, qualified persons and keep an up-to-date record of this. The Parish Council will undertake to:

- ensure that there are arrangements for identifying, evaluating and managing risk associated with lone working;

- provide any necessary training;
- ensure that there are arrangements for monitoring incidents linked to lone working and that they are regularly reviewed;
- implement safe systems of working appropriate to each employee's work activities which include effective means of communication and appropriate personal protective equipment;
- ensure that lone workers have access to first aid facilities and that 'mobile workers' carry a first aid kit suitable for treating minor injuries;
- investigate all significant incidents or accidents;
- manage the effectiveness of preventable measures through an effective system of reporting, investigating and recording incidents.

When planning safe working arrangements, the Council should aim to ensure that lone workers are not exposed to significantly more risk than employees who work with others and precautions relating to issues such as: fire, equipment failure, illness, accidents and attention to risk assessments should be taken into account.

Employees new to a particular job or item of equipment, undergoing training, doing a job that presents specific risks, or dealing with new situations, should be accompanied at first.

Risk assessments

A risk assessment should be carried out for and by all employees who are going to be working alone.

Supervision and Training of Lone workers

Lone workers must be suitably experienced, receive relevant instruction and training about the risks they are exposed to and the precautions that are needed.

The Council will aim to ensure that adequate supervision is available. The extent of this is a management decision and will depend on the level of risk, types of risk and duration of exposure.

Procedures should be in place for there to be regular contact between the lone worker and his/her supervisor.

Incident reporting

An incident can be defined as an unplanned or uncontrolled event or sequence of events that has the potential to cause injury, ill-health or damage. All incidents must be reported to the Parish Clerk. Employees should ensure that all incidents where they feel threatened or unsafe (even if this is not a tangible event/experience) are reported. This includes incidents of verbal abuse. It is a good idea to remind employees that they should dial 999 if they need emergency assistance whilst out and about.

25. EQUAL OPPORTUNITIES POLICY

MSG Parish Council's aim is to ensure that all of its employees and job applicants are treated equally irrespective of disability, race, colour, religion, nationality, ethnic origin, age, sex or marital status. This policy sets out instructions that all employees are required to follow in order to ensure that this is achieved.

Policy

1. There shall be no discrimination on account of disability, race, colour, religion, nationality, ethnic origin, age, sex or marital status.

2. MSG Parish Council shall appoint, train, develop and promote on the basis of merit and ability.
3. Employees have personal responsibility for the practical application of the Parish Council's Equal Opportunity Policy, which extends to the treatment of members of the public and employees.
4. Parish Councillors who are involved in the recruitment, selection, promotion and training of employees have special responsibility for the practical application of the Equal Opportunity Policy.
5. The Grievance Procedure is available to any employee who believes that he or she may have been unfairly discriminated against.
6. Disciplinary action under the Disciplinary Procedure shall be taken against any employee who is found to have committed an act of unlawful discrimination. Discriminatory conduct and sexual or racial harassment shall be regarded as gross misconduct.

26. GRIEVANCE PROCEDURE

1. The following procedure shall be applied to settle all disputes or grievances concerning an employee or employees of MSG Parish Council
2. Principles:
 - (i) It is the intention of both parties that employees should be encouraged to have direct contact with the Parish Council to resolve their problems.
 - (ii) The procedure for resolution of grievances and avoidance of disputes is available if the parties are unable to agree a solution to a problem.
 - (iii) Should a matter be referred to this procedure for resolution, both parties should accept that it should be progressed as speedily as possible, with a joint commitment that every effort will be made to ensure that such a reference takes no longer than seven working days to complete.
 - (iv) Pending resolution of the grievance, the same conditions prior to its notification shall continue to apply, except in those circumstances where such a continuation would have damaging effects upon the ?.
 - (v) It is agreed between the parties that where the grievance is of a collective nature, i.e. affecting more than one employee, it shall be referred initially to (ii) of the procedure.

(vi) If the employee's immediate supervisor is the subject of the grievance and for this reason the employee does not wish the grievance to be heard by him or her, it shall be referred initially to (ii) of the procedure.

(vii) All workers have a statutory right to be represented at a grievance or disciplinary hearing by a trade union officer or a fellow worker.

3. The Procedure:

(i) Where an employee has a grievance, he shall raise the matter informally with his or her immediate supervisor (normally the Chairman of the Parish Council).

(ii) If the matter has not been resolved at (i), it shall be put in writing and referred to the Parish Council or to a relevant Committee. When the grievance is discussed, the employee should be given a chance to make oral representations, either in person or through a representative.

(iii) In the event of a failure to agree, the parties will consider whether conciliation or arbitration is appropriate. The Parish Council may refer the dispute to the Advisory Conciliation and Arbitration Service, whose findings may, by mutual prior agreement, be binding on both parties.

27. DISCIPLINARY PROCEDURE

The Parish Council's aim is to encourage improvement in individual performance and conduct. Employees are required to treat members of the public and other employees equally in accordance with the Equal Opportunities Policy. This procedure sets out the action which will be taken when disciplinary rules are breached.

Principles:

- The list of rules is not to be regarded as an exhaustive list.
- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- At every stage employees will have the opportunity to state their case and be accompanied by a fellow employee or other representative of their choice at the hearings.
- Only the Parish Council has the right to suspend or dismiss. An employee may, however, be given a verbal or written warning by their immediate superior.
 - Under the provisions of the 1999 Employment Relations Act, Section 10 an employee has the right to have a representative of your choice present at any Grievance or Disciplinary hearing.
- An employee has the right to appeal against any disciplinary decision.

The Rules:

- failure to observe a reasonable order or instruction;
- failure to observe a health and safety requirement;
- inadequate time keeping;
- using the Parish Council equipment for personal use;

- absence from work without proper cause (including taking parental leave dishonestly);
- theft or removal of the Parish Council's property;
- loss, damage to or misuse of the Parish Council's property through negligence or carelessness;
- conduct detrimental to the interests of the Parish Council;
- incapacity for work due to being under the influence of alcohol or illegal drugs;
- physical assault or gross insubordination;
- committing an act outside work or being convicted for a criminal offence which is liable adversely to affect the performance of the contract of employment and/or the relationship between the employee and the Company;
- Failure to comply with the Parish Council's Equal Opportunities Policy.

The Procedure:

Oral warning

If conduct or performance is unsatisfactory, the employee will be given a formal oral warning, which will be recorded. The warning will be disregarded after six months' satisfactory service.

Written warning

If the offence is serious, if there is no improvement in standards, or if a further offence occurs, a written warning will be given which will include the reason for the warning and a note that, if there is no improvement after twelve months, a final written warning will be given.

Final written warning

Before any disciplinary action is taken by the Council, you will be given a notice in writing giving details of the matter signed by the Chairman and authorised by the Council. You, together with an adviser if you wish, will be given a full opportunity to answer the complaint at a meeting of the Council held in the absence of the public and the press.

If conduct or performance is still unsatisfactory, or if a further serious offence occurs within the 12-month period, a final written warning will be given making it clear that any recurrence of the offence or other serious misconduct within a period of one month will result in dismissal.

Dismissal

If there is no satisfactory improvement or if further serious misconduct occurs, the employee will be dismissed.

Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive) the normal consequence will be dismissal:

- theft of or damage to the Company's property, incapacity for work due to being under the influence of alcohol or illegal drugs, physical assault and gross insubordination, discrimination or harassment contrary to the Company's Equal Opportunities Policy.

While the alleged gross misconduct is being investigated the employee may be suspended, during which time he or she will be paid the normal hourly rate. Any decision to dismiss will be taken by the employer only after a full investigation.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so in writing to the Chairman of the Parish Council. The Parish Council will hear the appeal and decide the case as impartially as possible.