



# STAFF HANDBOOK

2019/20

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## **A Welcome Message**

The success of any organisation and that of its employees depends very largely on the employees themselves and their interrelationships. The College has a well-established profile in education and we are delighted to welcome you to the College where not only will you join one of the most prominent independent colleges in London, but one that is dynamic and innovative in its teaching and support practices. We have been providing successful, quality education for nearly six decades in a supportive learning environment.

We are an organisation which is large enough to offer an extensive range of specialist courses to equip students for the future, yet small enough to ensure the feeling of a friendly, supportive community that values individuality. Our staff take pride in knowing students by name rather than by their ID numbers! This makes the experience of working at our College unique and we trust pleasurable.

Not only do we offer courses at various levels, in a broad spectrum of subjects but we also offer comprehensive support to staff so that they may continue to develop both personally and professionally. We are constantly modifying our courses to reflect the changing needs of industry; and our staff, greatly contribute to these challenges.

Whilst working at the College in London we believe that not only will you be a part of a dynamic community, but you will experience the world's most vibrant and cosmopolitan city. London offers a wealth of museums, galleries, clubs, theatres, shops, restaurants, parks and sporting arenas. We trust that you will enjoy the London magic.

We hope that you will enjoy browsing through this handbook, which has been designed to provide you with detailed information in every aspect of your employment.

We welcome you to our community and wish you every success in your employment.

## **AIMS**

This handbook is designed to introduce you to The London College and give you a helping hand through your employment at the college. We hope after reading it, you will:

- ✓ familiarise yourself with the terms and words used during your employment
- ✓ form an informed opinion of who we are and why you should work here
- ✓ tackle problems when assessing your work and progress
- ✓ know who to contact for help and advice
- ✓ find other useful information that will guide you throughout your employment, e.g. terms and conditions of your employment, deadline dates, rules, regulations and policies etc.

## OBJECTIVES

As an employer we have clear values in respect of the individual and of others. The following aims and beliefs support our employment policies:

- to offer fair and equal treatment to all employees, students and people from external organisations regardless of race, colour, age, nationality, ethnic or national origin, disability, sex or marital status, sexual orientation, religion or belief
- to provide the environment and resources that will enable all employees to advance on merit with due regard to their individual talents and skills.
- to encourage continuous self-development whenever possible to in order to maintain and develop the College as a significant player in the higher education sector
- to develop an employee base that is sufficiently stable to provide coherence of vision and continuity in planning along with churn to provide new employees with internal promotion opportunities
- to offer appropriate remuneration that rewards individual performance and contribution in recognition of excellence, innovation and quality
- to ensure an organised network of responsibility that meets external expectations and avoids unplanned risk
- to ensure that ideas, concerns and problems are identified early so that a two-way communication is effectively maintained. This includes involvement in decision making whenever appropriate, as well as feedback on individual performance
- to encourage effective communication for all employees and a continual flow of ideas throughout the College by having an 'open door' policy to the College management
- to ensure that the working environment is physically comfortable, safe and compliant with ruling legislation

We do hope you enjoy working with us and we wish you a long and successful career with the College

# OUR VISION AND MISSION

## Vision

The College is committed to be a leader in learning, to inspire excellence and to promote nurturing and enriching the lives of its students, staff and the communities it serves.

The College seeks to value diversity; recognise aspiration and achievements; promote opportunities for self-development; respect its heritage whilst embracing appropriate change; and remove barriers to progress.

## Purpose

The College is a higher education institution with a foundation rooted in the 1950s. The College academic portfolio includes undergraduate, postgraduate and work-based programmes in Business, Humanities, Media, Engineering and IT professions.

Through the provision of academic and vocational courses, the College produces successful students with excellent employment prospects who are equipped to make a valuable contribution to society. The College also engages in knowledge transfer and other appropriate support and dissemination in its work with the community.

## Mission

The mission of the College is to:

- excel at teaching, learning and research;
- enable all students to achieve the highest possible standard in their chosen field of study
- provide a dynamic environment that supports learning, research and external collaboration;
- engage with cultural and creative activity at all levels for the enrichment of our society
- develop productive partnerships with businesses and communities for mutual benefit;

## **Core Beliefs and Values**

The College:

- is committed to be an inclusive community that welcomes and hosts a diverse population of students and staff and fosters an ethos of mutual respect, trust, support and care
- has a strong belief in and commitment to education, learning, and the facilitation of personal development, placing high value upon the academic quality of the courses we offer
- is committed to making a positive impact on the society in which we live and work, locally, nationally and internationally
- seeks to take an ethical approach to all activity and policymaking that encourages good practice in issues relating to the environment and sustainability.

## **YOUR HANDBOOK**

We are aware that each organisation has its own culture and sometimes it takes a while to become accustomed. This handbook has been produced to assist you to settle into your role and to continue to keep up to date with College employment issues.

The information contained in this handbook is important as it relates to working practices within the College. You are therefore asked to read the handbook carefully to ensure that you understand these practices, as it will be implied that you have accepted them as part of your conditions of employment.

If any of the provisions of this handbook conflict with your Employment Contract or Conditions of Engagement, the latter document provides the definitive terms.

As the handbook relates mainly to matters that do not alter frequently it cannot keep you informed about new events and day to day happenings. Details of current events and changes are communicated via other mechanisms, but your main source of information will generally be your immediate manager. The contents of the handbook will, however, be amended from time to time as the College progresses or there are changes to legislation.

The College values the diversity of people and actively promotes equal opportunities.



# GENERAL

## Overview

Your handbook is provided to formally notify you of the supplementary terms and conditions of service concerning your employment.

The provisions are intended to be flexible to ensure that the College operates efficiently and are not intended to be static contractual terms.

Any future changes to your individual terms and conditions such as changes to your salary or job title will be notified to you in writing by the Human Resources Department.

The handbook or any part of it may at any time may be reviewed. If appropriate, there will be consultation with individual employees, or groups of employees, before any changes are applied.

You will be issued with a job description that will be reviewed during your performance review. It will be updated to ensure that it accurately reflects your job or to incorporate any changes that are being proposed. You will, therefore, be expected to participate fully in these discussions. We aim to reach agreement with you where there may be reasonable changes, but if agreement is not possible, we reserve the right to change your job description after consultation.

## Changes in personal details

**You must inform** the Human Resources of any changes in personal details which affect the administration of your employment with us. Any change in your personal circumstances such as your surname, home address, home telephone number and email address, change of marital status, emergency contact details and your personal bank account details must be notified.

## Appearance and conduct

The appearance and conduct of all employees contribute significantly to the image of the College. You are expected to be pleasant, polite and considerate to all members of the College community and external contacts.

You are required to adhere to a standard of dress, personal grooming and hygiene that is appropriate to the work which is being undertaken. If you are working in an area where protective clothing and footwear are required, you must follow the rules of that area. Further, it should be noted that the wearing of ripped off jeans/trousers is strictly forbidden for all genders.

You may be subject to strict religious or cultural requirements in terms of your clothing and appearance. Providing that the necessary health and safety

requirements are met, the College will not insist on rules which run contrary to cultural requirements.

## **Patents and inventions**

The provisions of sections 39,40,41,42 and 43 of the Patents Act 1977 relating to ownership of employees' inventions and compensation of employees for certain inventions are acknowledged by the College.

Whilst you have a special obligation and the responsibility to further the interests of the College, any matter or thing capable of being patented under the Patents Act 1977, made developed or discovered by you either alone or in concert whilst in the performance of your normal duties, specifically assigned to you or arising out of anything done by you, shall be disclosed to the College, and subject to the provisions of the Patents Act shall belong to and be the absolute property of the College.

## **Confidential information**

Any employee must not, except as authorised by the College or required by their duties use for their own benefit or gain or divulge to any persons, firms, companies or other organisations whatsoever any confidential information belonging to the College or relating to its affairs or dealings which may come to your knowledge during your employment.

This above includes all confidential records, documents and other papers (including student thesis/ assignments together with any copies or extracts) made or acquired by the employee is the property of the College and must be retained by the College upon termination of your employment.

Confidential information will include all information that has been specifically designated by the College as confidential and any information that related to the commercial and financial activities of the College and the unauthorised disclosure of which would harm, embarrass or prejudice the College.

## **Copyright**

All records, documents and other papers (including copies, and summaries) which relate to the finance and administration of the College that are made or acquired by the employee in the course of their employment remains the property of the College. The copyright in all such original records, documents and papers remains with the College.

The copyright in any work or design compiled, edited or otherwise brought into existence by the employee as a scholarly work produced in furthering your career remains with you; scholarly work includes items such as books contributions to books, articles and conference papers.

The copyright in any material produced by you for your personal use and reference including any aid to teaching belongs to you.

However, the copyright in course materials produced by an employee in the course of the employment for the purposes of the curriculum of a course run by the College and produced, used or disseminated by the College belongs to the College as do any outcomes from research specifically funded and supported by the College.

## **Gifts and hospitality**

In order to maintain the College's reputation, and for the protection of all its employees, you must ensure that you adhere to the College policy on gifts and hospitality (a full copy of this can be found on the College website).

In general, if you are offered any gift or hospitality by a supplier, student or third party, you must inform your line manager for guidance. Dependent on the actual or perceived value you may be required to decline the offer. In general, the receipt of unsolicited gifts or hospitality from students, staff and any third party are strictly forbidden.

## **Fraud**

Any acts of fraud will be regarded as gross misconduct. Any employee suspected of committing fraud will be subject to normal disciplinary procedures and may be prosecuted.

You may raise concerns about fraudulent practices relating to the College with any member of the Directorate or, if appropriate, with the line Manager, Head of Department, Principal or the CEO in confidence.

As a guide, fraud is defined as:

- manipulation of official documents, computer programs or data records on computer or in files to disguise the true nature of a transaction
- unauthorised personal use of any College asset.
- entering the College's computer system to steal or manipulate information
- use of the College's information for anything other than bona-fide College purposes
- unauthorised use or transfer of the College's funds

This list is not intended to be exhaustive.

Any disclosures not made in good faith may result in disciplinary action being taken. The College hopes that such action will not be necessary, but each case will be treated on its own merits.

## **Whistleblowing**

The College encourages a free and open culture and recognises that effective and honest communication is essential to its success.

You may raise concerns about serious malpractice relating to the College with your Head of Department or, if appropriate, the Principal or the CEO in confidence.

Such circumstances that have occurred, are occurring or may occur within the College could be where:

- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health and safety of any individual has been, is being or is likely to be endangered.
- the environment has been, is being or is likely to be damaged

If you commit a criminal offence whilst making a disclosure you will not be protected from the consequences of making that disclosure.

Any investigations resulting from such a disclosure will be handled with the utmost discretion. The College will take reasonable steps to ensure that the working environment is not prejudiced by any such disclosure.

Disclosures should only be in good faith and where you reasonably believe that the information disclosed, or any allegations contained in it are substantially true. However, any anonymous malicious whistleblowing will be reported to the police.

Any disclosures that are made through malice may result in disciplinary action being taken against the individual. The College hopes that such action will not be necessary, but each case will be treated individually.

## **Public relations**

You must refer any press or other outside enquiries about the College and its business to the Principal. You must not issue any public statement that is likely to be associated with the College directly or indirectly without the Principal's prior approval.

## **Data protection - employee information**

In accordance with the Data Protection Act 1998 and GDPR, employees can have access to all personal data held about them in electronic or paper-based format by making a Subject Access Request to their employer. Any requests for access to personal data will be responded to within 40 days. If any of the information is deemed untrue or inaccurate, then you should inform your line manager at the earliest opportunity.

## **Private phone calls**

All College phones have direct dial facilities and the ability to make outside calls. As a College we appreciate that from time to time staff are occasionally required to make urgent calls which are of a personal nature. However, calls may be recorded for monitoring control purposes.

It should be noted that only personal calls of an urgent or emergency nature should be made using the College telephone systems.

## **Use of mobile phones**

The College discourages the use of mobile phones during contact hours for academic staff. Support staff must also limit the use of their mobile phones to break times and outside of work hours. This includes the use of mobile phones for texts, e-mails etc. The College recognises that there may be exceptional occasions when you need to use a mobile phone whilst on College business. If this is the case, you are required to adhere to and obey all legislation in relation to the use of mobile phones.

## **References**

It is the policy of the College to take up references at the time of engagement. Employers do not have a statutory duty to produce a reference if requested. However, by not providing a reference, a prospective employer could make an adverse inference and reject the employee on this basis.

In relation to staff, it is the policy of the College to provide references that honestly reflect punctuality and competency to perform the role for which the member of staff was assigned.

Any requests should in the first instance be approached via the line manager and presented to either the Principal or CEO for ratification and approval to send.

Any reference if requested will be substantiated with factual information and should end with the following caveat:

"Although provided in good faith, I hope that you will understand that the College must record that it accepts no liability, in negligence or otherwise, for the statements or information contained in this reference".

All student references must be processed through the Principal's office.

For internal promotions candidates should request their line managers to provide an account of current job scope and achievement but without a recommendation for the post. Internal candidates may select a second reference from an internal or external source.

As internal candidates are known to managers, the College hopes that this approach will be seen as fair by both internal and external candidates.

## **Policies, procedures and other documentation**

Throughout this handbook you will find various rules relating to your employment. Where more detailed explanations are required, these are provided in individual policies, procedures and agreements to which you will be referred. Many of these policies and procedures are published on the College website to meet our legal obligations to OfS and other bodies.

## **Recruitment and Selection Process**

It is the College's policy to recruit the best person for each vacancy.

Vacancies will be advertised on the website and are frequently advertised externally in media that is appropriate to the post. Prior to commencement of employment, the College takes up at least two references for prospective employees.

## **Medical Fitness**

The College may require appointees to attend a medical examination by an appointed Occupational Health Adviser.

## **Probationary Period**

Support staff members joining the College are recruited based on an initial probationary period of between 3 and 6 months.

Academic staff members have an initial probationary period of six months. During this time suitability for the appointed position will be assessed. The College reserves the right to extend the probationary period if, in its opinion, circumstances so require.

The probationary period is to allow both the new member of staff and the line manager time to ensure policies and procedures are adhered to and to assess suitability for the role.

New staff will be informed, either verbally or in writing before the end of the probationary period whether:

- they have successfully completed their probationary period; or
- the probationary period is being extended, including reasons and targets/standards to be achieved to successfully complete the probationary period

or to provide further training if necessary

Employment may be terminated during the probationary period by the College giving statutory notice.

## **Induction**

The College recognises that starting a new job is a demanding and sometimes stressful experience. Apart from the obvious challenge of tackling new tasks, there is the need to become accustomed to a new organisation, environment and colleagues. The purpose of our induction policy and process is to support employees during this initial period and to help them become fully integrated into the College and its systems.

The induction process is designed to familiarise new employees with the College ethos, expectations and contribution to employees and vice versa.

## **Evidence of qualifications**

Written confirmation/evidence of any appropriate qualifications must be submitted together with your acceptance of the offer of employment. Confirmation may be requested at other times during your employment should it be considered appropriate and/or for legal compliance reasons.

## **Disclosure and Barring Service (DBS) formally Criminal Records Bureau (CRB)**

Currently, the College does not have a requirement for staff to have a DBS certificate, however, this may become a future requirement. Therefore, as a condition of employment you may be requested to inform the college of any spent as well as unspent convictions you have, particularly if the College has undertaken work that may bring staff and students into contact with vulnerable adults, groups and young people under the age of 18.

This means that under the Rehabilitation of Offenders Act 1974, all applicants who are offered employment will be required to provide evidence of a criminal record check at the appropriate level before the appointment is confirmed. This will include details of cautions, reprimands or final warnings as well as convictions. This applies both at the time of appointment and throughout your employment with the College.

If you deliberately withhold information regarding convictions you will be liable to dismissal if the true situation is discovered and verified by the College.

The College also retains the right to review your continued employment if you are convicted of serious offences, which may affect either your ability to do your job, or where you might bring the reputation of the College into disrepute.

## **Conflict of Interests**

The Working Time Regulations require that your normal working week, including overtime, should not exceed 48 hours in any 17-week period. The College wishes to ensure that you do not work in excess of these hours and therefore intends to take all reasonable steps to ensure that the limit on maximum working hours is not breached.

In accordance with this legislation and the reasons stated below, you must notify all secondary employment to the Human Resources manager who will, after consultation with the Principal, authorise activities that, in their opinion, do not conflict with the College's interests, and are not likely to make your combined hours exceed the limit.

Although it is not practicable to define all circumstances which might be detrimental, this does include activities which:

- interfere with your ability to perform your job with the College satisfactorily
- are in direct or indirect competition with the College's legitimate interests
- cause loss or embarrassment to the College

If you are invited to lecture, give after dinner, or similar speeches, write an article or contribute to a radio or television programme, or similar, either concerning matters relating to the College or to your employment, whether paid or unpaid, you must consult the Human Resources Manager and obtain permission before accepting.

The College reserves the right to ask you to resign from outside positions in certain circumstances, for instance if the role is likely to conflict with your responsibilities at the College.

Failure to notify the College of secondary employment or carrying out secondary employment which the College believes results in a conflict of interest, may result in disciplinary action including dismissal. For the avoidance of doubt, or confusion, it is better to disclose all your outside interests or to consult the Human Resources Manager.

## **SALARIES**

### **Salary Determination**

As an independent institution, the College operates outside of the three bargaining groups within the public sector institutions. Furthermore, the College has no specific salary/wages agreement with academic or support staff representatives. Nevertheless, our salaries are comparable to most public sector agreed salaries for academic & support staff.



Your salary on joining is specified in your Contract of Employment. The Human Resources Administrator will notify any changes to your salary in writing.

Whilst it is appreciated that employees are generally employed within nationally recognised salary grades and scales, individual salaries are deemed to be confidential and should not be discussed with other employees.

Salaries are subject to regular review by the College to ensure that our salaries remain competitive.

You will be notified of any changes, although salary discussed with you is not valid until confirmed in writing by the Human Resources Administrator. There is no contractual right to any increase in your basic salary.

Your salary may also be reviewed outside the national guidelines if your responsibilities change significantly.

## **Incremental Progression**

### **Support Staff**

If you are employed in a post with a salary scale, you will receive incremental progression to the maximum of the scale, or to the bar point, or as indicated in your Contract of Employment, on 1 April each year. This is subject to satisfactory job performance and at least six months service in post. New employees who have not been in post for six months on April 1<sup>st</sup> will, subject to satisfactory job performance, receive their first increment twelve months after appointment.

### **Academic Staff**

If you are employed in a post with a salary scale, you will receive incremental progression to the maximum of the scale, or to the bar point, as indicated in your Contract of Employment, on 1 September or immediately thereafter each year. This is subject to satisfactory job performance and at least twelve months service in post, subject to the maximum of the scale, and satisfying appropriate criteria for bar progression.

## **Payment**

Where required, bank information is requested in the documentation forwarded to you with the offer of appointment letters or during induction. It is your responsibility to advise the College of any changes at the earliest opportunity. The College reserves the right to alter the frequency or date of the salary payments to meet changing operational requirements, the College will give advance notice to employees, so that individual adjustments to personal financial arrangements can be made.

## **Monthly paid support staff**

Your annual salary is payable by 12 equal instalments, paid in arrears on the 7<sup>th</sup> of each month and where the 7<sup>th</sup> falls on a weekend, then the bank has informed us that it will make the payments on the next working day.

Where employment commences or ceases during a month, part payment will be made and calculated as the annual salary divided by 260 (5 days x 52 weeks) multiplied by the number of working days you have been employed during the month.

Your salary will be paid by BACS transfer into the individual's nominated bank account. Payments will not be made to a third-party account as this may have HMRC implications.

## **Salaried academic staff**

Your annual salary is payable by 12 equal instalments, paid in arrears on the 7<sup>th</sup> of each month and where the 7<sup>th</sup> falls on a weekend, the bank has informed us that it will make the payments on the next working day.

Where employment commences or ceases during a month, part payment will be made and calculated as the annual salary divided by 260 (5 days x 52 weeks) multiplied by the number of working days you have been employed during the month.

## **Part time hourly paid academic staff**

Upon receipt of an invoice, you will be paid by BACS transfer on the 7<sup>th</sup> of each month and where the 7<sup>th</sup> falls on a weekend, then the bank has informed us that it will make the payments on the next working day.

The payments are made as per the agreed contractual rate. The amount of the payment will be determined by the Human Resources Manager taking into consideration factors such as the number of days worked on a regular basis and the time scale over which this is worked.

- a claim form must be submitted on or after the last day of each month worked.
- the claim form must be signed by the programme leader or by the subject leader in the case of work undertaken for Subject Studies
- the signed forms must then be submitted to Human Resources for logging and countersigning providing the hours claimed are within the contracted hours
- the countersigned forms are then sent to the Bursar's office for authorisation and payment.

Fully authorised claims received will be paid on the 7<sup>th</sup> of the following month.

The full lecturing rate of payment for each hour of contact time with students includes remuneration for the following activities associated with the authorised timetabled teaching duties:

- preparation time including any ad-hoc meetings
- assessment
- marking of assessed work
- completion of registers
- provision of data and related course administration
- formal scheduled teaching
- holiday pay

The lower rate (generally half the full rate) is applied where the hourly-paid tutor undertakes the marking of assignments which are not associated with the material that he or she has received payment to teach. It is also applied where the tutor attends a meeting which is not related to the administration associated with his or her teaching. Payment will be made at this rate for the attendance of the representative at the scheduled meetings of the Programme Committee and this will be in addition to the allocation agreed with programme and subject leaders. It should be noted that this does not apply to meetings of the programme team and similar groups. This rate is also applied to attendance on training courses.

## **Overtime**

All overtime must be agreed in advance by the relevant manager. If overtime has not been agreed in advance, the College may not agree to make payment for it. Agreement to work overtime should be documented and presented to the Bursar's Department for payment to be made.

Where managers receive a request for overtime working, they will assess the situation and only approve the most effective option available. This may be:

- overtime worked by the employee
- time off in lieu
- refuse the overtime request
- rearrange working duties
- another alternative resolution
- where overtime is agreed, the payment will be made at the normal contracted rate for that individual, and will not be related to the task being carried out

## **Taxation**

A statement of taxable earnings to date (form P60) and, where applicable, taxable benefits (form P11D) are issued each year, normally in May and June respectively; copies will be sent to all relevant employees, (you must still be employed to receive a P60) in advance of submission to the Contributions Agency. You should check these details carefully.

Please ensure these forms are kept securely as Payroll may not be able to issue duplicates.

## **Expenses**

The College's policy is to reimburse you for reasonable expenses necessarily incurred in the course of the College's business. Payment will normally be made through the payroll process, but outside of PAYE.

Receipts must support all such expenditure by whosoever incurred.

## **Deduction from wages**

The College may deduct from your salary or require payment from you subject to the terms of the Employment Rights Act (1996) for any of the following:

- loans from the College under terms agreed between the parties
- any money due from you to the College
- excess of any other payment made to you by the College, including salary where you fail to work your full notice as required by your contract of employment, or annual leave taken in excess of entitlement if you terminate your contract part way through the holiday year
- excess of expenditure claimed
- such money requested in writing to be deducted by you with the approval of the bursar.
- Attachment of Earnings Orders and any other statutory deductions orders issued to the College
- reduction for failing to meet your attendance contractual requirement

Should there for any reason be any overpayment of salary recoverable under the terms of the Employment Rights Act (1996) the College reserves the right to adjust future salary payments until the overpayment has been recovered and/or to require payment upon request. Any adjustment will only be made after consultation with you.

A deduction from salary does not preclude the consideration of disciplinary action being taken, where appropriate.

Final salary will only be given to employees once all College property has been returned or the contractual termination notice requirement was given, but in any event no earlier than the next scheduled salary payment date.

## **Pension Scheme**

The college presently operates a contributory pension scheme for all its PAYE employees.

Details of your pension monthly deduction will be specified on your contractual agreement.

## **Death in service**

This is a non-contributory scheme provided by the College and has been arranged for the benefit of our permanent employees. The current provider is Norwich Union. The scheme provides cover of 2 x gross salary and is subject to eligibility criteria of a minimum age of 18 and a maximum age of 65. When you join the College on a permanent contract, you should complete and return your Nomination Form to Human Resources in a sealed envelope marked with your name and address it to "The Trustees of the College Life Assurance Scheme - Nomination Form Enclosed". This will then be kept on your personal file.

If you resign, retire, are dismissed or otherwise leave the employment your membership will cease on the final day of employment.

## **Anniversary**

As part of the Human Resource Strategy it was decided that members of staff who give a long and loyal service to the College should receive a token of appreciation in the form of an anniversary award. These recognition payments are £100 for 10 years' service, £250 for 25 years' service and £350 for 35 years' service. This payment is subject to PAYE and National Insurance but is not pensionable.

## **Hours of work**

The teaching working days are Monday-Saturday. It should be noted that your agreed salary is determined to reflect your entitlement during bank holidays.

The normal working hours on the premises for Staff are 40 hours per week (37.5 working hours), normally from 9.00 am to 6.00 pm Monday to Friday including an imposed half an hour lunch break. Any specific variations to this general rule will be shown in your Principal Statement of Employment.

The needs of the College may require you to work outside these hours in certain circumstances. This may include attendance during open days or attending student recruitment exhibitions.

## **Working time regulations**

The Working Time Regulations mean that the normal working week including overtime, should not exceed 48 hours (averaged over a 17-week period). This is an absolute limit for the employee, and one which is applied to all employees. You can opt-out of these arrangements on a voluntary basis. If you do opt out, you are required to give three months notice to terminate your opt-out agreement.

If you have not opted out of the Working Time Regulations, you are entitled to the following rest periods and breaks:

- a 20-minute unpaid rest break after 6 hours work for adults
- 11 hours daily rest, in each 24-hour period
- 2 rest periods of not less than 24 hours during 14 days OR one uninterrupted rest period of not less than 48 hours in each 14 day period

If you have opted out of the Working Time Regulations, to provide continuity of service, it may not be possible to take breaks at the time and of the duration as set out in the Working Time Regulations. However, the College will try to accommodate these where possible.

Whilst it is necessary for employees to work the times and hours necessary for the effective performance of their duties, the College wishes to ensure that no employee works in excess of these hours.

Should you believe that you are being required to exceed the 48 hour working time regulations on a regular basis and without prior arrangements with your Line Manager you should draw this to the attention of the Human Resources manager.

## **Study week**

The reading week is a break in the taught programme during which students are given directed tasks or undertake independent study, hopefully revision! Academic staff are expected to engage in the non-teaching aspects of their contract during this time, such as marking, course preparation and so on, and research/scholarly activity or projects for income generation. Academic staff should consult their line manager if in doubt about the most appropriate use of their time. The reading week may also be used for a more organised programme of activities for students.

## **Annual leave entitlement**

The holiday year runs from 1 January to 31 December and annual full-time holiday entitlement is currently as stated below: -

There is an annual entitlement to 20 days paid holiday per year, plus the statutory public holidays amounting to 8 days; giving a total of 28 days per annum.

In addition, there are 3 days where the College closes for efficiency purposes. These are the three days between Christmas and New Year, where the College remains closed. These days do not form part of the holiday entitlement and are not negotiable to use in other ways.

There are some caveats as to the booking of holidays, whereby teaching staff should not book holidays during what is notionally part of either the semester or term. This includes those periods classed as reading weeks. During the summer period and before leaving for the break, all teaching staff should ensure that all marking, assessments and grading confirmations are completed, along with attendance/availability for EE visits. Should the above not be completed, then the College reserves the right to contact staff and request that they return to complete their obligations to the students, the College and all awarding organisations.

Your holiday entitlement will be accrued pro-rata for your first year (for academic staff and six months for support staff), based on the number of complete months worked.

Wherever possible the College will honour reasonable holiday arrangements already made by new employees, although the dates should be discussed before joining. However, paid holiday will only be made based on the pro-rata entitlement. Any additional holidays will be unpaid.

Holiday entitlement will be pro-rata upon cessation of employment.

## **Emergency contacts**

Whilst you are on annual leave, you are required to provide a telephone number on which you can be contacted, in case of emergencies. In the unlikely event that you are contacted, you are obliged to respond.

## **Annual leave payment on leaving Employment**

On leaving, you will receive payment for any annual leave outstanding. Any annual leave already taken in excess of your entitlement will be deducted from any final salary or expenses owing to you and will be subject to deductions for tax and National Insurance contributions.

Based on operational requirements and at your managers' discretion, you may be required to work your notice period and receive pay in lieu of outstanding annual leave entitlement.

We reserve the right to ask any individual working their notice to take any outstanding annual leave entitlement during the notice period. Employees who do not co-operate may forfeit any pay for this annual leave over and above statutory holiday.

## **Part-time employees working 5 days per week**

Part-time employees are entitled to a pro-rata holiday entitlement which is calculated in hours as follows:

- contractual hours per week x annual entitlement
- full time contractual hours (number of hours per week)

Part-time employees working less than 5 days per week will be entitled to bank holidays where they fall on their normal working days.

## **Term-time only employees**

If you work 'term time only' you are required to take your holiday during the holiday periods designated by the college. Your annual leave entitlement plus bank holidays and extra statutory days will therefore take place during your non-working time.

## **Staff on hourly paid contracts**

Staff on hourly paid contracts are generally academic staff employed to undertake the teaching of specific courses or elements of courses on specified days or weeks. In these circumstances you accrue entitlement to annual leave, but that leave is to be taken outside the days specified for the work to be undertaken. The hourly rate includes a separate element for annual leave, and this is specified in the contract.

## **Annual leave and sickness**

If you are sick during your annual leave, and this prohibits you from having your holiday as planned, in exceptional circumstances consideration may be given to classifying your absence as sickness subject to the following criteria:

- you need to inform Human Resources manager at the time of your sickness, not wait until you return from holiday
- you must produce a Doctor's medical certificate regardless of the length of the absence
- you may not claim sickness absence and then retrospectively swap that day for annual leave

Your annual leave entitlement will continue to accrue during a period of sickness (full time staff only). Should you wish to take a period of annual leave during an extended period of illness you will be required to submit a holiday form in line with normal policy. However, if your period of sickness absence crosses over into a new leave year and you have not submitted a holiday form, then normal rules will apply regarding carrying over into the new leave year.

## **Leave Planning**

The annual leave year is 1 January to 31 December each year.



The current procedure is for you to complete the leave request sheet and submit it to your line manager for signature before returning it to the Human Resources department.

For new staff starting from around the middle of the year onwards, leave may be pro-rata.

In all other cases, three days can be carried forward or borrowed in the December and following January in exceptional circumstances, again by agreement with the line manager.

Leave must be taken at reasonable intervals throughout the year to ensure that staff take a rest from work. This should be planned in conjunction with line managers who will have an overview of the leave arrangements of their department, to ensure cover for all roles and functions.

In any event, you are entitled to 28 days of annual leave (20 days plus 8 days statutory holidays such as bank holidays), as is highlighted in legislation, although this will be pro-rata for those on fractional or other contracts.

Any leave not taken will be forfeited except in exceptional circumstances, agreed in advance, and clearly indicated. If you do not use your leave allowance you will not be paid any extra for unused leave days (subject to the provisions relating to termination of employment).

## **Unpaid leave**

In normal circumstances, the number of days' annual leave is expected to be enough. However, in exceptional circumstances, staff may request unpaid leave. This must be agreed in advance by your line manager/Principal and clearly indicated on your leave record.

## **Obtaining leave**

When deciding whether to authorise leave, line managers will treat the operational needs of the College as paramount. If you dispute a decision not to approve a holiday request, you should follow the college's normal grievance procedure.

Once approval for annual leave has been given it will not normally be withdrawn. However, the College reserves the right to withdraw such approval should circumstances warrant it. Where this must be done because of the needs of the College, every effort will be made to minimise any inconvenience this may cause you.

## **Leave for Working from Home**

Full time teaching faculty may under special arrangement with their line managers may request written authorisation to work from home on a specific date and time. Authorisation will be given on condition that the member of staff will be contactable during normal working hours at home and the member of staff should be willing to provide his/her land line telephone numbers to enable college to contact the individual should this be required. Mobile telephone contact or call forwarding to mobile phones will not be an acceptable option.

## **Unauthorised absence / lateness**

Holidays taken without prior consent will be deemed unauthorised absence and will be dealt with in accordance with the College's disciplinary procedure. Similarly, if, for any reason, you know that you will be late returning from holiday, you must contact your line manager as soon as possible, explaining the situation. Failure to do so will render you liable for disciplinary action for unauthorised absence. If the college does not consider that you have adequate reason for returning late from holiday, disciplinary action may be taken against you. Disciplinary action taken in either circumstance may result in your dismissal.

## **Termination**

If you are working out your notice you will be allowed to take annual leave during this period, providing it has been booked in advance. Requests to take holiday during a notice period will be approved wherever possible. If this is not practicable because of the need to complete outstanding work or hand over to a successor, the College reserves the right to refuse your request. In these circumstances a payment in lieu of holiday will be made.

Outstanding leave entitlement, which has been accrued but not taken, will be calculated in accordance with the rules detailed above.

## **Sickness absence**

The College's sickness benefit scheme operates in line with the DSS Statutory Sick Pay (SSP) scheme. The scheme operates for your normal working days. SSP is subject to all normal deductions for tax and National Insurance. Qualification for SSP and Occupational Sick Pay (OSP) is dependent on the employee meeting certain requirements set out in the Sickness Policy and Procedure.

You will be required to complete a copy of the Certificate of Absence which will be provided to you by the HR administrator.

N.B: Failure to follow this procedure correctly could result in your pay (SSP) being suspended and/or not being paid.

## **Compassionate leave**

In the event of a bereavement concerning your immediate family, you may be entitled to take up to three days self-certified absence on compassionate grounds.

Any additional time would either need to be covered by a doctor's certificate or in exceptional circumstances by extra compassionate leave agreed by the CEO.

In these circumstances, you should contact your Line Manager and the HR administrator prior to taking self-certificated or certificated leave and applying for compassionate leave.

## **Jury service**

If you are required to attend for jury service, or are summoned as a witness, you are obliged by law to attend court. Therefore, the College must by law release you for this public duty. Whilst you are carrying out jury service you will receive your full salary, less any payment you receive from the court as compensation for loss of earnings. You are required to claim for loss of earnings from the Clerk of the Court. Finance will verify details of loss of earnings on the appropriate form. Time off for jury service should be noted on your leave of absence form.

Written confirmation of expenses received must be obtained.

## **Time off for public duties**

The College allows reasonable time off work if you are a Justice of the Peace or member of an official body such as Statutory Tribunal or Local Authority, provided you arrange time off with your Line Manager. Reasonable time taken off will be paid, at the discretion of the CEO.

## **Maternity**

The rights of expectant mothers are as follows:

### **Antenatal care**

Irrespective of length of service, you are entitled to reasonable paid time off during working hours to receive antenatal care. Your Line manager may ask to see a maternity certificate when authorising time off work.

### **Maternity leave**

Irrespective of length of service or hours worked, you are entitled to 52 weeks' Statutory Maternity leave and the right to return to work if you are an 'employee'.

You must have been working continuously for a period of 26 weeks and inform your employer by the 15th week before the expected week of childbirth. This means that your maximum maternity leave entitlement is 52 weeks in total. You may begin your maternity leave up to 11 weeks prior to the date of childbirth.

Statutory Maternity Pay (SMP) will be paid for a maximum of 39 weeks from commencement of your leave.

You will be entitled to maternity leave only if you give written notice by the start of the 15th week before the Expected Week of Childbirth of the date on which you wish your maternity leave to commence. If this is not reasonably practicable you must give notice, as soon as is reasonably practicable.

You are required to take a minimum of two weeks, maternity leave from the date of childbirth. These two weeks will normally fall within the 26-week Maternity Leave Period but where they do not, this period may be extended by up to two weeks.

In accordance with statutory provisions, you have the legal right to return to work after the birth of your baby, irrespective of when you joined the College. Personnel will provide full details of the notification requirements to you.

You will continue to accrue holiday entitlement during your maternity period.

You will be entitled to SMP if:

- you have been continuously employed for a period of at least 26 weeks in the week before the 15th week prior to the expected week of childbirth, and
- you have average weekly earnings at or above the limit specified by the DSS, and
- you have reached the 11th week before the expected week of childbirth or have given birth to a live child prematurely, and you provide a copy of the maternity certificate (MATB1)

### **Statutory paternity leave**

Fathers who have worked continuously for the college for 26 weeks ending with the 15th week before the baby is due can take paid paternity leave. This can be for either one or two consecutive weeks (not odd days) or single weeks within 56 days of the birth of their child, or on or after adoption of a child. Where possible you are required to give at least 3 months notice if you intend to take paternity leave.

### **Statutory paternity pay**

During their paternity leave, most employees will be entitled to Statutory Paternity Pay (SPP). This is available to employees who expect to have

responsibility of the upbringing of the child. You may be the biological father, or adopter of the child or be the mother's or adopter's husband, partner or civil partner

SPP will be paid for either one week or two consecutive weeks as chosen by the employee. The rate of SPP will be the same as the standard rate of Statutory Maternity Pay (SMP).

Employees who have average weekly earnings below the Lower Earnings Limit for National Insurance purposes will not qualify for SPP. Employees who do not qualify for SPP, or who are normally low paid, may be able to get Income Support while on paternity leave. Additional support may be available through Housing Benefit, Council Tax Benefit, Tax Credits or a Sure Start Maternity Grant. Further information is available from the local Jobcentre Plus Office or Social Security office.

## **Adoption**

### **Statutory adoption leave**

Employees have a right to paid adoption leave when a child is first placed with them. This allows one of the adoptive parents to take paid leave for the same period and at the same flat rate of pay as Statutory Maternity Pay for up to 26 weeks, providing they have 26 weeks continuous employment ending with the week of notice of matching. They will also be entitled to a further 26 weeks unpaid leave.

Where a couple are adopting, they can choose which parent takes the leave but they cannot both take it. However, the other partner will be entitled to either one week or two consecutive weeks paternity leave around the time of placement. In an adoption situation the employee must inform the employer when they have been approved for adoption and give as accurate as possible an estimate of the date when leave might start.

### **Statutory adoption (paternity)**

Employees are entitled to paternity leave and pay where a child is matched and placed for adoption within the UK. These measures are also available where a child is adopted from overseas, although the detailed operation of the scheme will differ slightly for practical reasons.

Employees need to satisfy the following conditions in order to qualify for paternity leave. They must:

- have or expect to have responsibility for the child's upbringing
- be the adopter's spouse or partner
- have worked continuously for the College for 26 weeks leading into the week in which the adopter is notified of being matched with a child

Eligible employees will be entitled to choose to take either one week or two consecutive weeks paternity leave (not odd days or single weeks).

Where employees are eligible, SPP will be paid for either one week or two consecutive weeks as chosen by the employee. The rate of SPP will be the same as the standard rate of Statutory Maternity Pay (SMP).

### **Occupational adoption leave and pay**

The College undertakes to make provisions for adoptive parents which are equitable with our Maternity Leave arrangements.

### **Parental leave**

Parental leave will be granted if you have completed one year's continuous service. The amount of parental leave granted is a maximum of 13 weeks per child (or 18 weeks if your child is disabled). This leave must be taken before your child reaches his or her 5th birthday (or 18th birthday if your child is disabled). A maximum of 4 weeks per year can be taken. If you adopt a child, you can also take advantage of this scheme. Adoptive parents must take the parental leave due to them by the fifth anniversary of the adoption or by the child's 18th birthday, whichever occurs sooner.

Parental leave is unpaid, and, where possible, the relevant salary deduction will be made in the month in which the leave is taken. If you wish to take leave you are required to give a minimum of 21 days' notice. Parental leave can only be taken in one-week blocks, up to a maximum of 4 weeks per year unless the child receives disability living allowance.

Where possible, applications for parental leave will be granted. However, there may be occasions where this could be impractical and have an adverse effect on the smooth running of the college. In these circumstances the College may postpone the leave for up to 6 months.

If you take parental leave you will be entitled to return to the same job.

### **Time off work to take care of dependants**

You may take a reasonable amount of time off during working hours in order to take action that is necessary:

- if a dependant falls ill or has been injured or assaulted
- when a dependant is having a baby
- to make long-term care arrangements for a dependant who is ill or injured
- to deal with the death of a dependant
- to deal with an unexpected disruption or breakdown of care arrangements for a dependant
- to deal with an unexpected incident involving your child during school hours

There is no general right to take time off for domestic incidents, only those which involve the need to care for a dependant. You must notify your Manager

as soon as is reasonably practicable of the circumstances giving rise to the leave.

Time off work to take care of dependant's leave is unpaid, and, where possible, the relevant salary deduction will be made in the month in which the leave is taken.

It is anticipated that this leave would be for one or two days in most cases.

### **The right to apply for flexible working**

Parents of children aged under six, or of disabled children aged under 18, have the right to apply to work flexibly. Employees must consider any effects it will have on the College's operations and how these might be accommodated, whilst employers have a statutory duty to consider their applications seriously. The legislation does not provide an automatic right to work flexibly but it does aim to facilitate discussion and encourage both the employee and the employer to find a solution that suits them both.

You have a responsibility to think carefully about your desired working pattern when making an application and the College is required to follow a specific procedure to ensure requests are considered flexibly.

In order to make a request under this, you will need to:

- have a child under six, or under 18 in the case of a disabled child
- have worked at the college continuously for 26 weeks at the date the application is made
- make the application no later than two weeks before the child's sixth birthday or 18th birthday in the case of a disabled child
- have or expect to have responsibility for the child's upbringing
- be making the application to enable them to care for the child
- not be an agency worker
- not have made another application to work flexibly under the right during the past 12 months

### **Fertility treatment**

The College will consider reasonable arrangements for time off if you are undergoing fertility treatment. You are advised to contact the Human Resources for guidance.

### **Time off in lieu**

Whilst the College does not wish to encourage overtime working, it is recognised that due to the nature of our work and during certain peak times it may be a necessity. In these circumstances you may claim 'time off in lieu'.

However, it is important to make the definition between employees who are required to work out of necessity and those who choose to work out of

convenience and will be at the discretion of the CEO.

## **Sabbatical leave**

The College has a scheme for sabbatical research leave - a period of paid leave so that a member of the Academic staff can carry out specific research free from all teaching and administrative duties.

## **Sickness Absence Procedures**

Please note that these procedures apply to **all staff of the College**, whether academic or support staff.

### **What to do if you are sick and unable to work**

If you are sick and unable to work, you should contact the College as soon as possible. If you work normal College hours (9.00 a.m. start), you should ring in no later than 9.00 a.m., or, if you work part-time, no later than half an hour after your normal starting time.

- ✓ You should contact your line manager, the Principal, the Registrar or the CEO. You should ring the College yourself unless the severity of your illness prevents this, in which case you must ask somebody else to do so, on your behalf.
- ✓ You should explain the nature of your illness and when you expect to return to work. You should keep in touch with the College daily throughout your period of absence unless your line manager agrees to vary this requirement.
- ✓ All absences of half a day or more must be reported, via your line manager, to Human Resources Administrator. The College is required by law to keep records of all employees' sickness absence in order to fulfil its obligations regarding Statutory Sick Pay.

*Please note that if you fail to report sickness absence or provide certificates according to the College sickness absence procedures, the College may withhold Statutory Sick Pay.*

*The College reserves the right to request a medical examination at any time and further medical evidence if a staff member reports they were fit to return to work during College closure periods.*

### **What to do if you are sick for longer than seven days (including weekends)**

If you are sick for more than seven days (including weekends), **you must obtain a doctor's medical certificate** or, if you are in hospital, a hospital certificate **and send this to your line manager**.

You should continue to keep your line manager informed of your progress and send in medical certificates throughout your absence. A further medical



certificate is required immediately the previous certificate expires.

### **What happens when you return to work**

When you return to work, your line manager will complete a sickness absence notification form. Check the details on the form, sign it and return it to your line manager who will counter sign and forward it to Human Resources Administrator.

### **What you must do if you are a line manager**

If you are a line manager, you must:

- ✓ ensure that all sickness absence relating to all the staff you manage is fully and accurately recorded and reported to Human Resources **by the current payroll deadline**;
- ✓ ensure that medical certificates are provided as required;
- ✓ manage sickness absence by keeping your own records and taking appropriate action if somebody's level of sickness absence gives cause for concern.

### **Doctor's, dentist's and hospital appointments**

These should take place outside working hours, or if this is impossible, either at the beginning or the end of the day. If an appointment means an absence of a half-day or more, it should be recorded as sickness absence in the normal way.

### **The sickness absence notification form**

The College's sickness absence notification form is an A4 sheet which can be obtained from reception.

### **Pay during periods of sickness absence**

You are entitled to **Statutory Sick Pay (SSP)** in accordance with current legislation.

The College's qualifying days are the five weekdays, Monday to Friday. SSP is payable from the fourth consecutive weekday of your sickness absence (a Period of Incapacity to Work or PIW) after a three weekday 'waiting period'. It is payable for a maximum period of 28 weeks at which point the employee may be eligible to apply for incapacity benefit.

	Full Pay	Half Pay
First 3 months' service	2 weeks	2 weeks
After 3 months' service	2 months	2 months
After 1 years' service	3 months	3 months
After 3 years' service	5 months	5 months
After 5 years' service	6 months	6 months

except that,

- any days of paid sickness absence in the 12 months immediately prior to the first day of the absence shall be deducted from the entitlement, and
- where an absence is separated from an earlier absence by eight weeks (that is, 56 days), or less, the two absences will link, and the entitlement will be calculated as at the first day of the first linked absence.

#### **When do you get Statutory Sick Pay?**

- You must have been sick and unable to work for at least four days in a row (including weekends and bank holidays). However, if you were getting SSP sometime in the last eight weeks, and go off sick again, the SSP will restart again from your first day off work.
- You must be earning £95 a week on average. (April 2009 level. The level usually changes each April.) This is before deductions such as tax and National Insurance.
- You can get SSP for up to 28 weeks in one sickness episode. A sickness episode may not be continuous. If you have two or more short periods of sickness within an eight-week period, the time off work is added together to count towards the 28 weeks. But once you have been back to work for more than eight weeks, the 28-week period starts being counted again for any future episodes of sick leave.
- If you are still sick at the end of 28 weeks, you may be able to transfer to Incapacity Benefit which is paid by the Department of Work and Pensions. It depends upon your National Insurance record, and you must be classed as unfit for any work.
- SSP also stops if your job is terminated whilst you are off sick.
- If you have more than one job you may be entitled to SSP from each employer.

#### **Who cannot get Statutory Sick Pay?**

You cannot get SSP if you:

- Are aged over 65 or under 16.
- Are unemployed.

- ✓ Are self-employed. (You may be able to claim Incapacity Benefit instead.)
- ✓ Are involved in, or affected by, a trade dispute at work.
- ✓ Are in legal custody.
- ✓ Have already had 28 weeks of SSP, gone back to work, but have gone sick again within eight weeks. (But you may qualify for other benefits.)
- ✓ Have been claiming Incapacity Benefit within the eight weeks before going sick.
- ✓ Are getting Maternity Allowance or Statutory Maternity Pay. If you had been getting SSP for a pregnancy-related illness you will be switched to Statutory Maternity Pay or Maternity Allowance four weeks before the baby is due. You cannot get SSP for 26 weeks after you start getting Maternity Allowance or Statutory Maternity Pay.

### **Short-term absence due to sickness**

Staff with persistent short-term absence i.e. high frequency of short term absence, should be invited to attend a meeting. At the meeting

- ✓ Find out the reason for the staff absence
- ✓ Enquire about the nature and extent of any illness
- ✓ Agree that absence will be monitored over a specific period.

The College should consider whether the staff member could have a disability or whether there are any reasonable adjustments which can be made or alternative positions that will help the member of staff to overcome their health problems.

At the end of any agreed monitoring period the staff member's attendance should be reviewed. If the College believes that the matter needs further investigation, then it may seek medical advice.

The College may decide that a further period of review is necessary to be able to decide. The staff member should be advised what improvements to their attendance are expected during that period and warned that dismissal is an option if absence levels do not improve.

Before dismissing the staff member, the standard disciplinary procedure as set out in the Hand book must be followed.

The College will make reasonable adjustments to assist the staff member's working conditions if at all feasible prior to any dismissal.

### **Long-term absence (defined as a period of absence in excess of two weeks)**

As with short-term absence the College will arrange to meet the member of staff concerned. At the meeting the current medical situation will be reviewed, existing medical advice, the need for further medical evidence, and if applicable, a period of further review.

If the member of staff continues to be absent from work for ill-health, then a further review meeting will be held at a reasonable interval to discuss any new medical evidence and to outline the College proposals concerning the staff members' continuing employment.

It may be necessary to have more review meetings in order to explore all options and obtain up-to-date medical information before making any decisions.

If applicable, the member of staff should be advised that College may consider dismissing them on grounds of ill-health. Before dismissing, the College will look at alternative options such as redeployment and consider whether the employee is suffering from a disability and whether there are any reasonable adjustments that can be made.

Dismissal will be in accordance with the standard dismissal procedures such as a written statement; the hearing and the appeal.

## **Industrial Injury**

Absence from work caused by industrial injury will not be deducted from your sickness allowance. In the event of such absence, provided that medical certificates are produced, occupational and statutory sick pay will be continued for a period of up to thirteen weeks at full rate.

# Health & Safety

## A. Statement of general policy

1. It is the policy of the College recognising its statutory duty, to conduct its business without, as far as is reasonably practicable, harming its staff, students and visitors or the environment. The College aims to discharge this duty to the best of its ability within the resources available, having due regard to its other statutory obligations.

2. The Officer who will have overall responsibility for the discharge of that duty will be the Principal. He will be assisted, within their respective spheres of responsibility, by the other members of the Directorate. It is, however, a fundamental aspect of the College policy that health and safety responsibilities devolve on all employees.

3. In discharging its duty, the College will take all steps which are reasonably practicable to meet its health, safety and welfare responsibilities; in particular it will pay attention to the provision and maintenance of:

- \* Safe equipment and systems of work
- \* Safe arrangements for the use, handling, storage and transportation of articles and substances
- \* Enough information, instruction, training and supervision as are necessary to ensure the health and safety at work of all employees.
- \* The need to assess the risks that its activities present, to avoid or eliminate them, and if that is not possible to minimize and control them with the provision of the necessary resources
- \* Any place of work under the employer's control in a condition that is safe and without risk to health including means of access and egress.
- \* Adequate health and welfare facilities

4. Subject to any Regulations that may be made by the Secretary of State and to consideration of any Codes of Practice approved and issued by the Health and Safety Commission, the College will consult with its employees with a view to making and maintaining arrangements which will enable the College and its employees to co-operate effectively in preparing and developing measures to ensure the health and safety at work of the employees and in checking the effectiveness of such measures.

5. In addition to the individual's common law duty of care, the College reminds its employees of their own statutory duties and responsibilities under Sections 7 and 8 of the Health and Safety at Work Etc. Act 1974; these are:

- \* To take reasonable care for their own health and safety and that of other persons

\* To co-operate with the College so far as is reasonably practicable to enable it to carry out its own responsibilities successfully.

\* Not to interfere with or misuse equipment, materials or facilities provided in the interest of health, safety or welfare in pursuance of any legal obligations

6. The nature of the College business involves a wide range of activities conducted from these premises. Specific health and safety responsibilities and arrangements for implementing the general health and safety policy will be clearly defined by individual Departments.

7. The Statement of General Policy will be reviewed by the Health and Safety Committee at regular intervals. All departmental health and safety policy documents will be subject to regular review by Heads of Section. Any amendments will be brought to the notice of the staff and students concerned.

## **B) Health and safety policy**

### ***1. Introduction***

This document is intended to help all those who will be concerned in maintaining a high profile in respect of health and safety. It clearly defines individual responsibilities; gives detailed action to take in the case of emergencies and highlights areas which are particularly hazardous. Some sections will not be applicable to all staff.

### ***2. College safety policy***

It is essential that everyone in the College is aware of, and becomes familiar with, procedures for dealing with matters concerning health and safety, such as emergencies and the treatment of injured persons. This document will not itself produce a safe working environment; without the cooperation of all.

## **C) Organisation of safe working conditions in the College**

The College has delegated responsibilities to the Principal. The Principal accepts these responsibilities and insists that the following matters are dealt with on a continuing basis: -

### ***1. Safety inspection***

Action to ensure a safe and healthy working environment. This will be achieved by inspections of the working environment carried out regularly by the appropriate Head or their delegate. A record of each inspection will be kept, and remedial action taken.

### ***2. Personal protective equipment***

The wearing of Personal Protective Clothing is mandatory for all staff, students and visitors where the risk assessment has advised this to be the

course of action to reduce risk of harm. Clear guidelines will be given by the staff to students at the beginning of their course. A Personal Protective Clothing Register will be maintained by the Health and Safety Coordinator.

### **3. Fire notices**

These notices will be displayed in all classrooms, offices and on notice boards throughout the College. All students will have their attention drawn to the fire notices during induction week. Fire drills will take place at regular intervals with a minimum of one per term. A record of these drills is maintained in the Fire Log, located in the Health & Safety Coordinator's office. All new staff and students will be informed of what to do in the case of fire by their respective Programme Lead, their Course Manager or the College Health & Safety Coordinator. All staff must know how to use the fire equipment in their work area and must ensure that students know the fire procedures and can carry them out. At intervals, demonstrations in the use of firefighting equipment will be arranged for staff and students by the College Health & Safety Coordinator.

### **4. First aid**

Details of the College's first aid facilities will be displayed on notice boards. Rooms containing first aid boxes will have the white cross on a green background sign. A list of all those holding recognised First Aid Certificates is displayed. First aid can be administered only by those with appropriate qualifications

### **5. New Hazards**

Any new plant, products, equipment or premises will be risk assessed by the Programme Lead and the College Health & Safety Coordinator and the risk assessment implemented before the plant, products, equipment or premises are used.

## **D) Safety Reporting**

### **1. Health and safety representatives**

Each Department (as defined by the membership of the Health & Safety Committee) will nominate a Health & Safety Representative to attend the Health & Safety Committee. The functions of the Safety Representative are:

- 1) To communicate to the Committee any complaints by any employee he/she represents relating to that employee's health, safety or welfare at work.
- 2) To promote health and safety in the workplace.
- 3) To attend meetings of the Health & Safety Committee to which he/she has been appointed and to produce written reports to that committee as requested.

## ***2. Hazard reporting***

Any suspected hazard will be reported to the Programme Lead who, after investigation, will bring the matter to the notice of the Health and Safety Coordinator or, in their absence, the Principal, without delay. Any employee whose work involves a hazard is authorized to cease the activity concerned until the hazard has been reported and the Programme Lead confirms or rejects the action taken.

## ***3. Accidents***

It is the policy of the College to take all reasonably practicable steps to avoid accidents occurring. In the event of an accident, the first concern will be the care of the person or persons who have suffered injury. The accident will be reported to the persons detailed on the incident report form. The reporter shall ensure that adequate arrangements are made for the care of any injured persons. It will be policy to investigate all accidents, including those not involving injury, and arrangements for the investigation will be made by the Health & Safety Coordinator who will report the result of the investigation to the College Health & Safety Committee.

## ***4. Safety Rules / Codes of Practice***

Certain safety rules are essential to ensure the health and safety of the employees who work in the areas to which they relate. This particularly applies to the laboratories, workshops, kitchens and fire precautions. Such rules as are considered necessary will be drawn up in consultation with representatives of the employees and will be attached to this document as codes of practice.

## ***5. Contractors on site***

Separate procedures are laid down for contractors and visitors to site and are attached to the main Health and Safety Policy.

## ***6. Hazard identification***

All activities, processes, substances and workplaces must be risk assessed under the direction of the Managers identified within this policy.

## ***7. COSHH assessment***

Attention is brought to the College-wide COSHH Assessment. Steps must be taken to conform to these Assessments. The central COSHH Assessment register is held by the College Health & Safety Coordinator. All activities involved with substances must be risk assessed.

## ***8. Housekeeping***

The College attaches importance to the need for good house-keeping



practices. It is policy to ensure that floors are kept free of anything that may cause slipping or tripping and that no waste materials which could cause injury if trodden on can remain where they fall. Items stored on shelves will be stored in such a way as to ensure that they do not cause injury to anyone working in the vicinity or to anyone passing by. Rubbish should not be allowed to accumulate in any working area and passageways should always be kept clear.

### ***9. Special hazards***

Portable electric mains operated equipment will be used only where this does not entail trailing power leads across walkways. Flammable liquids will not be permitted in any room in the College in quantities that are in excess of that required to meet immediate needs and no radiant heat source will be used in any circumstances in which such use could incur a risk of fire or explosion.

### ***10. Maintenance and inspection of machinery***

It is the policy of the College to ensure that all equipment and machinery used by the College should be maintained in accordance with the instructions issued by the manufacturer.

Where manufacturers' instructions are not available, the Programme Leader will seek advice from the Health & Safety Coordinator to obtain such advice as may be needed for preparing those instructions.

No maintenance will be carried out on any equipment or machinery while it is in use and it will be the responsibility of the operator to ensure that all power operated equipment is isolated from the source of power before maintenance work begins and that power is not restored until after the person who carries out the maintenance gives formal notification that the maintenance work has been completed. Appropriate records will be kept by the Main Office.

### ***11. Joint consultation***

It is college policy to ensure that there is full consultation with representatives of the employees on all matters concerning health and safety at work.

The Principal has established a Health & Safety Committee to facilitate joint consultation with representatives of the Staff if requested to do so in writing by at least two Representatives and will consult with them about the constitution for such a Committee. It is college policy to encourage every employee to seek to identify hazards within the work situation and to bring any hazards that are identified to the notice of the Principal without delay. To achieve this, he/she should report the hazard to his/her line manager, and to his/her Safety Representative.

### ***12. Health and Safety Coordinator***

The Health & Safety Coordinator will be the focal point for day to day references on safety and give advice or indicate sources of advice. They will act as a source for the retention and dissemination of safety information. The

Health & Safety Coordinator will consult with the Principal responsible for health and safety in organizing safety lectures to students and staff. He will organize and assess effectiveness of fire drills and liaise, in consultation with the Fire Authority, on all matters relating to fire precautions. The Health & Safety Coordinator will accompany the programme leads on some of their inspections.

***13. The following are expressly forbidden and are offences in law:***

- a) Any interference with the fire alarm installation or fire-fighting equipment
- b) Any alteration or interference with the electrical wiring of the College buildings without permission of the Principal or the College Health & Safety Coordinator.

**E) Individual responsibility**

***1. The Principal is responsible for:***

- a) Devising any amendments to the College Health & Safety Policy as may be necessary, and enforcing the requirements of this policy
  - ✓ allocating staff, funds and materials within the approved College budget or from central funds to meet the needs of the health and safety requirements of the College.
  - ✓ establishing and maintaining an effective policy for health and safety within the College.

***2. Heads of major risk assessment areas***

- ✓ will be designated, along with the areas they control for health and safety purposes, by the Principal and names and areas will be attached to the Health and Safety Policy and displayed on Notice Boards.
- ✓ will assist the Principal in establishing and maintaining an effective policy for health and safety at work within their designated areas.
- ✓ will be responsible for the risk assessment of all activities, processes, substances and workplaces within their designated area.

***3. Academic leaders are responsible to Principal who is responsible for the major risk assessment areas:***

- ✓ complying with all relevant legislation particularly that contained in "Management of Health and Safety at Work Regulations 1999".
- ✓ implementing the College's safety policies and procedures within their departments and work areas
- ✓ alerting the Health & Safety Committee of any item of safety equipment that may be required
- ✓ assisting in the investigation of accidents
- ✓ consulting regularly with the Health & Safety Coordinator, ensuring defects are rectified, and machinery and equipment adequately maintained

**4. College Health & Safety Coordinator is responsible to the Principal for:**

- ✓ monitoring College compliance with all relevant legislation particularly that contained in "Management of Health and Safety at Work Regulations 1999".
- ✓ monitoring the general safety program, the College health and safety performance and for preparing reports on the health and safety standards within the College
- ✓ communicating between the Health & Safety Committee, the Heads of the Major Risk Assessment Areas and Heads of Department.
- ✓ liaising with the local Health and Safety Executive Officers
- ✓ inspecting the College a minimum of once in three months and at more regular intervals at his discretion where inspection reveals items requiring attention
- ✓ organizing the checking of fire drill procedures and keeping a record, checking all fire warning, firefighting and emergency lighting equipment
- ✓ initiate first aid if appropriate

**5. Teaching staff are responsible through their Programme Leads for:-**

- ✓ Ensuring that the work of the College is carried out in accordance with the College Health & Safety Policy and its Codes of Practice
- ✓ the safety of students whilst they are in their charge, whether in or outside the College
- ✓ ensuring that clear safety instructions and warnings are given.
- ✓ personally, following safe working procedures and observing general safety regulations
- ✓ ensuring that the Management of Health and Safety at Work Regulations are adhered to.
- ✓ reporting accidents immediately using the College report form and completing the necessary and appropriate accident forms
- ✓ ensuring that, in the event of a serious accident, nothing is disturbed at the scene of the accident, except as might be necessary for the removal of a casualty
- ✓ initiate first aid as appropriate

**6. Technicians, Ancillary, Administrative, Manual Staff and all other staff not specifically identified in this policy statement are responsible for:**

- ✓ ensuring that the work of the College is carried out in accordance with the College Health & Safety Policy and its Codes of Practice
- ✓ personally, following safe working procedures and observing College and other safety regulations
- ✓ ensuring that they take the necessary safety precautions in the use of all equipment, premises and materials
- ✓ recording accidents immediately in the College Accident Book and completing the necessary and appropriate accident forms
- ✓ ensuring that in the event of a serious accident nothing is disturbed at the scene of the accident, except as might be necessary for the

- removal of a casualty.
- reporting defects to an immediate supervisor

## **7. Particular Hazards**

- (1) Children will not be permitted to play in areas of buildings and other College departmental buildings or surrounding areas which are considered hazardous. Children visiting specific sections of the College must always be accompanied by an adult.
- (2)
  - (i) Any chemicals will be stored in accordance with relevant legislation and risk assessment requirements.
  - (ii) Protective clothing will be similarly stored

## **F) Accidents to students and staff**

1. If the accident is relatively minor and the casualty is moveable, the person in charge should arrange for the casualty to be attended by the relevant First Aid person. If the injury is more serious:
  - (1) Assess nature of injury and treat injury if appropriate, either
    - (i) Arrange for casualty to be conveyed either to St Marys' Hospital, or
    - (ii) Call an ambulance
  - (2) In the event that an accident occurs where there are no telephone facilities. Stop the class, stay with the injured person, and send another student to Reception. The Receptionist will call the emergency service. A report will be completed by the Receptionist; this will be taken back to the scene of the accident as proof of the call being made
3. First aid boxes are available on all relevant floors on the Campus as displayed on the campus.
4. First Aiders' List is posted on Notice Boards and amended as necessary.
5. First aid should only be administered by a qualified first aid person and or appointed person.
6. All accidents must be reported to the Health and Safety Coordinator as soon as possible with information of action taken and treatment given.
7. Inform the Principal and Health & Safety Officer. The Principal will notify the parents (for minors) and any other relevant authorities if necessary.
8. It is the responsibility of the person in charge when an accident occurs to fill in the Accident Report Book and Forms as soon as possible after the accident.

## **G) Health and safety training**

Steps will be taken to ensure the staff and students are up to date regarding health and safety. Training will be managed by the Principal and coordinated by the College safety officer.

## **No Smoking Policy**

Please note that due to the current legislation, smoking is forbidden in all College buildings, external public areas are excepted.

For the purposes of this policy 'smoking' will include the smoking of cigarettes, pipes, cigars and vaping.

You are responsible for ensuring that you and other members of staff adhere to this policy.

Disregarding this policy and agreements may be treated as gross misconduct under the disciplinary procedure.

## **Stress Management**

There is a difference between stress and pressure. We all experience pressure on a daily basis and need it to motivate us and enable us to perform at our best. It is when we experience too much pressure without the opportunity to recover that we start to experience stress. The Health and Safety Executive (HSE) definition of stress is "the adverse reaction a person has to excessive pressure or other types of demand placed upon them".

We can all feel stressed at times when we feel as though everything becomes too much, when things get on top of us, or when we feel as though we are unable to cope. It affects us in different ways at different times and is often the result of a combination of factors in our personal and working lives.

However, in most cases, work-related stress can only be effectively tackled by working with your manager to identify issues at source and agreeing realistic and workable ways to tackle these.

To help do this, the HSE has produced a leaflet entitled 'Working together to reduce stress at work' - A guide for employees has been produced the International Stress Management Association UK, and backed by the HSE and ACAS, explains what these are, and what you can do to help your manager to help you.

The HSE has identified standards that look at the six key areas of work that, if properly managed, can help to reduce work-related stress:

**Demands** - includes issues like workload, work patterns and the work environment

**Control** - how much say the person has in the way they do their work

Support - includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues

Relationships - includes promoting positive working to avoid conflict and dealing with unacceptable behaviour

Role - whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles

Change - how organisational change (large or small) is managed and communicated in the organisation.

The College has a counselling service that is available to staff through the Human Resources Department.

## **Counselling**

The College has an arrangement with an external, confidential counselling service for both our students and our employees. If you feel that you would benefit from using this facility, please contact the Head of Human Resources who will put you in touch with this service.

## **Drug, alcohol and substance abuse**

The College seeks to ensure the safe running of the college by operating a drug, alcohol and substance abuse policy. Use, sale or purchase of illegal drugs and abuse of alcohol or substances is a disciplinary offence and can lead to dismissal.

### **Drug abuse**

If you are found to be indulging in drug or substance abuse/misuse using illegal/legally obtainable substances, you will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will render yourself liable to dismissal under the College's disciplinary procedure. This is also applicable if you enter the premises under the influence of such intoxicants. Any employee believed to be buying or selling drugs or in the possession of illegal drugs is also liable to be dismissed.

### **Alcohol abuse**

You should at all times be capable of fulfilling your duties without impairment due to the consumption of alcohol. Where an individual is suspected of being unable to adequately perform his or her duties fully, then the opinion of a member of Directorate or the Head of Human Resources will be final. The individual may be requested to leave the workplace and/or refrain from College duties.

You must remember that whilst you are engaged on College business you may be called upon to make decisions or communicate with other staff, students and third parties and it is essential that you are able to do so without

putting others at risk or exposing the College to potential claims or embarrassment.

Failure to adhere to these guidelines may result in disciplinary action being taken that may result in dismissal.

## **Substance abuse**

If you are found using some other substance that could potentially endanger you or your work colleagues, you will be deemed to be committing an act of gross misconduct. You will render yourself liable to dismissal without warning.

If you suspect anyone of being under the influence of substances, you should advise your Manager immediately. The situation will be handled with utmost discretion.

## **Employer assistance**

The College recognises that employees suffering from an alcohol, drug or substance problem may require advice and or medical treatment. The College will investigate such abuse and deal with each case in a manner deemed appropriate.

The College will assist with the rehabilitation of employees who voluntarily seek help for alcohol or drug related problems.

Advice and guidance will be sought in confidence from the Head of Human Resources where an individual has a developing problem that is not yet affecting their work or health. Where the problem has become more serious, the Human Resources will encourage the person to seek further advice and to follow any prescribed treatment.

Help will be provided on the basis that:

- should the employee need to be absent from work this will be treated as normal sickness
- during long term/continuous absence, the employee sees a physician nominated by the college as frequently as the college deems necessary.

The employee's manager will need to be aware of the situation and where the employee is absent for any length of time from work the manager will maintain regular contact and encourage the individual to return to his or her job after treatment. The College will make every effort to find alternative employment for employees who would be unable, for health reasons, to return to their previous duties.

The College has clear disciplinary rules concerning poor work performance, attendance and behaviour. Employees with drug or alcohol related problems will be subject to disciplinary action if they have not requested medical assistance; have refused treatment; have failed to complete treatment or have relapsed after treatment.

## **Review, training and development**

### ***Appraisal scheme***

The appraisal scheme is designed to provide a systematic framework for regular discussion about work performance, agreeing objectives for the months ahead and identifying the training you require to meet your own and the College's operational needs. The responsibility for making sure that performance is reviewed is shared equally between you and your line manager.

A new employee's performance is reviewed throughout their probationary period. Interim reviews of each employee's performance against objectives set at the formal Performance Appraisal scheme should also take place. As well as providing feedback on performance, these reviews should re-visit objectives to ensure continued relevance to business objectives.

The Appraisal Scheme includes the following:

- review of employees' key responsibilities
- performance assessment against objectives/set criteria for the previous year
- performance objectives agreed for the forthcoming year development plan
- employee's comments
- reviewing manager's comments

The process is vital to ensure that employees know what is expected of them and how they are doing. The discussions help to identify training and development needs as well as assisting in career planning.

## **Training and development**

The College aims to develop the competence of each member of staff to meet the individual's own career plans in a way that is consistent with the needs of the college. Training is a key component of this policy.

The aims of staff development are:

- encourage the process of learning in the pursuit of the college's aims and objectives
- as far as reasonably possible to enable any college or project need for employee vacancies to be filled from within
- to equip individuals for continually changing and/or challenging roles that benefit the college directly or indirectly

Staff development within the College comprises formal courses, using informal methods and on-the-job coaching.

You are encouraged to consider an individual self-development programme,



of which formal training may be a part. This programme may be linked to an externally recognised professional development scheme where relevant.

All staff attending training courses/conferences/seminars relevant to their role are expected to complete an evaluation form to their manager, copied to Human Resources, outlining how they and the College have benefited. A copy will be kept on the individual's personnel file.

The appraisal process should identify formal training and will be considered as part of the overall planning of training and training budget implications.

## **Academic bids for research**

Requests are accepted from individual academic staff for activities with a maximum length of one year in the first instance. Bids for a two year or three-year cycle may be acceptable if there is sufficient justification (for example, higher degrees or long-term research).

There is a criterion by which all academic staff requests for development support will be judged.

Detailed guidance is provided in the link provided below but requests may be made under the following general categories:

- teaching and learning
- academic management
- academic administration
- work related to curriculum development
- scholarship
- conference papers/publication
- research (including school-based)
- academic visits

Requests will be evaluated in relation to the benefit to the institution, and/or to the professional and personal development of individuals.

## **Continuing professional development**

It is the College's policy to assist staff for continued professional development where the course is considered appropriate for the individual and relevant to their work and career in the college and leads to a recognised educational or professional qualification. Agreement for employees to study for qualifications and attend courses and seminars is subject to availability of funding.

You should ensure that discussions with your line manager on the appropriateness of the qualification take place well in advance of planning your studies. Your manager in conjunction with the Head of Human Resources will decide the relevance of a particular course and the level of

financial or other assistance that can be given. Attendance on any course must have prior approval.

Where financial assistance is provided a 'claw back' agreement may be issued in order for us to claim back the cost of the course and associated fees. This repayment provision would be on a sliding scale in accordance with the Training Scheme Agreement and invoked should you voluntarily leave the college within the specified timescale, or leave the course prior to the end for reasons other than those that are deemed by the college as being out of your control.

## **Professional subscriptions**

The College will pay the initial cost of employees' membership for the Higher Education Academy (HEA). The College will also pay the cost of any professional membership subscriptions which are a requirement of an employee's job description (e.g. CIMA or ACCA or AAT for Head of Finance and Finance Officer).

Such claims must be agreed in advance and are to be made through the usual expense claim process supported by appropriate invoices/receipts from the professional body concerned.

## **Diversity and Equality**

### ***General***

"The College values the diversity of people and promotes equal opportunities"

The College is committed to encouraging and achieving a working environment that is underpinned by fairness to all individuals, where diversity is recognised, encouraged and valued, and the concept of individual responsibility is accepted by all.

It is recognised that whilst much can be achieved by legislative measures, real progress in improving equality of opportunity in employment can only be achieved with a continuing commitment, in all disciplines and at all levels, and through training that reflects and supports equal opportunities throughout the organisation.

The College policy is to treat all applicants and employees equally, regardless of their race, age, colour, nationality, ethnic or natural origin, disability, sex or marital status, sexual orientation, religion or belief. This policy is in accordance with the Equal Pay Act 1970 and now the Equality Act 2010 that has enhanced and subsumed all of the previous acts relating to Equality and Human rights issues. The Equality Act 2010 as a single enactment, covers and extends the following aspects of discrimination: -

Age  
Disability  
Race  
Sex  
Gender reassignment and/or transgender  
Religion and belief  
Sexual orientation  
Marriage or civil partnership

Managers are responsible for knowing whether or not unacceptable behaviour is taking place in their particular areas of responsibility and must take preventative measures to ensure it does not occur.

### ***Employee responsibility***

You have responsibility in the area of equal opportunity and are required to adopt the following:

- co-operate with any measures introduced to develop or monitor equal opportunity
- refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy
- not to harass, abuse, bully or intimidate other employees on account of their race, sex, disability or other reason
- not to place pressure on other employees to act in a discriminatory manner
- resist pressure to discriminate which is placed upon you by other employees
- co-operate with investigations into acts or conduct which may amount to unfair or unlawful discrimination including the provision of evidence from which discrimination may be inferred and disciplinary action taken

### ***Enforcement and redress***

If you unfairly or unlawfully discriminate against another employee, induce others to practice unfair or unlawful discrimination or fail to co-operate with measures designed to promote equal opportunity you will be subject to disciplinary action.

If you consider you have been unlawfully or unfairly discriminated against you have recourse to the grievance procedure.

### ***Harassment in the workplace***

The College is committed to providing a work environment for its employees that is free from embarrassment, intimidation, threats, discrimination or harassment. No form of harassment against any person or group of people will be tolerated under any circumstances. The College will do all that is

reasonably possible to prevent harassment occurring and will take all necessary steps to ensure this policy is implemented effectively.

It is the duty of all employees, and in particular managers, to ensure that the College's policy on such harassment is carried out as quickly and thoroughly as possible.

The College recognises that harassment can have the effect of humiliating, frightening, offending and demeaning the employee against whom it is aimed. As a result, the effectiveness and efficiency of the College may be damaged.

We also consider harassment to amount to gross misconduct, which will be dealt with under the disciplinary policy and will lead to instant dismissal for a first offence. Less serious infringements may result in other penalties being imposed, if appropriate.

Any complaints of harassment should be made to your line manager. The matter will be dealt with in a discreet and confidential manner and appropriate action taken.

### ***Racial, religion or belief-based harassment***

Racial, religious and belief-based harassment can take on many forms. It is generally considered to be behaviour that is offensive, embarrassing, insulting or intimidating to the victim. It may include any unwanted non-verbal, verbal or physical abuse that is racially derogatory and potentially offensive. Examples of racial harassment include offensive and insensitive quips and jokes which are related to a person's race, religion or ethnic origin; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures.

### **Sexual harassment**

Sexual harassment consists of unwanted conduct of a sexual nature. It will include verbal, non-verbal or physical conduct of a sexual nature, which the harasser knew or should have known, would cause offence to the victim. Such conduct may include (although this is by no means an exhaustive list), unwanted physical conduct of a sexual nature; inappropriate, suggestive or uninvited comments; displays of sexual or sexually aggressive literature and pictures; unwelcome sexual propositions or repeated unwelcome invitations; lewd comments or insensitive jokes.

### **Sexual Orientation**

Sexual harassment can also take on many forms and includes harassment based on both real and perceived ideas about someone's sexual orientation. It may include any intentional or unintentional behaviour displaying non-verbal, verbal or physical abuse that is derogatory and potentially offensive.

Examples of sexually orientated harassment include offensive and insensitive

quips and jokes which are related to a person's actual or perceived sexual orientation, or that of any of their associates; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures.

## **Bullying**

Bullying can range from seemingly trivial acts to outright abuse against a person. It is often difficult to detect and therefore it is the responsibility of every employee to ensure that bullying does not occur and to report any incidents immediately as and when they arise.

Any complaints of bullying will be dealt with in a discrete and confidential manner and appropriate action taken.

The College will take all reasonable steps to ensure that employees are protected against victimisation or retaliation for bringing a complaint of bullying. It will be regarded as a disciplinary offence to victimise or retaliate against an employee for bringing a complaint in accordance with this policy.

## **Action if you are being harassed**

The first step is to make it clear to the person who is harassing you that such behaviour is unacceptable and that you want it to stop. Person-to-person discussion at an early stage will often be sufficient to stop the harassment without involving third parties.

Alternatively, you could seek the help of a trusted colleague and ask them to approach the person causing offence on your behalf.

If the behaviour continues you should consult your manager and/or the Head of Human Resources, who will be able to advise you on the next step - this may be to make a formal complaint.

If your manager is harassing you, you should seek advice from his or her superior. If you wish to seek help from someone outside your immediate workplace you can contact the Head of Human Resources.

It is important to keep a written record of such incidents so that you can accurately report what has happened, noting for example the date, time and nature of incidents and the names of any witnesses. If you believe a colleague is being harassed, by the same person they should be asked to keep records too.

Once you register a complaint it will be fully investigated and where appropriate disciplinary action will be taken.

## **Disability Discrimination**

The College will do all that is reasonably practicable to ensure that employees

are not discriminated against because of disability. Furthermore, all job applicants as well as employees will be treated fairly which may mean different treatment or assistance to help people with a disability.

The College will monitor the composition of our workforce through data supplied voluntarily by our employees.

If you are disabled or become disabled in the course of your employment you should inform the Head of Human Resources. You should also advise the Head of Human Resources and College Facilities Manager of any "reasonable adjustments" to your employment or working conditions, which you consider to be necessary, or which you consider would assist you in the performance of your duties.

The College will make every effort to comply with requests. However, there may be circumstances where it may not be reasonable or reasonably practicable for us to accommodate requests. The Head of Human Resources and / or the College Facilities Manager will discuss these circumstances with you if the occasion should arise to try and find a suitable solution.

Under the Disability Discrimination Act 1995 (DDA), now The Equality Act 2010 a person has a disability if he/she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities:

- physical impairment includes, for instance, a weakening of part of the body (such as eyes, ears, limbs, internal organs) caused through illness, by accident or congenitally
- a mental impairment includes a clinically recognised mental illness and what is commonly known as a learning disability
- long term, means the effect of the impairment has to have lasted, or be likely to last, overall for at least 12 months, and the effect must be a detrimental one or is likely to last for the rest of the person's life

The person must be affected in at least one of the respects listed in the Act:

- manual dexterity
- physical co-ordination
- continence
- mobility
- ability to lift, carry or otherwise move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand

Any disability which does not have a substantial and long-term effect on one or more of them is not considered to be a disability.

The DDA gives disabled people protection from discrimination in employment and requires employers not to discriminate against applicants or employees. An employer must not discriminate against a disabled person in relation to:

- recruitment
- promotion, transfer or training
- receiving any other benefits or refusing to afford, or deliberately not affording any such opportunity
- terms and conditions of employment
- treatment at work
- dismissal or other detrimental treatment

## **SENDA**

The Special Educational Needs and Disability Act (SENDA) 2001 came into force in September 2002, incorporating amendments to part 4 of the Disability Discrimination Act (DDA), which deals with education. This legislation places new duties on the providers of post-16 education (and related services) to disabled people.

## **Employee relations**

### ***Personal relationships***

We recognise that sometimes close personal relationships may develop between staff, staff and students and between staff and other users. In order to ensure that potential conflicts of interest are avoided, members of staff who are in that position are strongly recommended to advise the Principal.

Any such information will be treated in the strictest confidence. We fully acknowledge the right of the employees to privacy in their personal matters, but experience has shown that in such conditions conflicts of interest may arise which may cause us to lose confidence in the individuals' integrity and reliability.

### ***Grievance procedure***

The College recognises that from time to time employees may wish to seek redress for grievances relating to their employment. Our policy is to encourage free communication between staff and their managers to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.

The Grievance procedure should be adopted where you have a grievance arising from your employment, except where the matter constitutes an appeal against a disciplinary decision which should be taken up in accordance with the Disciplinary Appeals procedure

Where appropriate, if the subject of the grievance (complaint) is your Line manager, it may be necessary to 'skip' a stage of the procedure.

It may be necessary for the person dealing with the grievance to make further investigations prior to or following the meeting with the employee. In these circumstances the time scales set out in the procedure may have to be

extended to ensure that the matter has been fully considered.

### **Disciplinary and dismissal procedure**

It is the policy of the College to ensure that fair and effective arrangements exist for dealing with disciplinary matters. The aim of the disciplinary procedure is to provide a solution for those occasions when standards of conduct or performance are unacceptable and to inform employees of shortcomings to enable the problem to be corrected if possible (Appendix 1).

## **Leaving the College**

### **Notice periods**

If you decide to leave the college, the standard notice periods are given as specified on your contract of employment. Your notice period will begin from the date of this notification or the date specified in the letter and your manager will discuss your last day of active service with you after consulting the relevant parties.

An individual's desire to work out their notice period will be considered against the business context, taking into account factors such as access to confidential or commercially sensitive information or trade secrets.

If it becomes necessary for the college to terminate your contract, then the notice period will be dependent upon the reasons for the termination or as stipulated in your Contract of Employment, in cases of gross misconduct and dismissal, no notice period will apply, and no payment made.

If you give insufficient notice of termination of your employment, the college may, at its discretion, treat the shortfall as holiday and set off the appropriate number of days against any outstanding holiday entitlement.

### **Equipment and documents**

If you leave our employment, you must return all college property within your possession or control.

### **Exit interviews**

The College values exit interviews as providing valuable information for future development of the institution. We actively encourage all employees who leave to share their experiences and perceptions with us. If you leave voluntarily, you will be invited to participate in an exit interview.

### **Garden leave**

The College may, at its own discretion, require you not to attend your place of work for the duration of your notice period and may, at its discretion, relieve you of some or all of your contractual duties during this time. Garden Leave



may be particularly relevant for roles involving confidentiality or intellectual property. All contractual entitlements and benefits, including remuneration will continue as normal throughout the Garden Leave period.

## **Retirement**

It is the College's policy that all staff shall retire by their 65th birthday. However, where staff express a wish to continue to work after their 65th birthday, the board of directors (or, if the request comes from a directorate member, the governing body) will consider the request. In doing so, they will consider overall staffing and organisational needs and the fitness to work of the individual.

### **Statutory retirement**

Currently, women born before 6th April 1950 have the right to retire at 60 and receive their State Pension at that time. Women born on or after 6th April 1950 must retire at 65 years although those approaching retirement between 2010 and 2020 will have their retirement phased in over the period. The details of the phasing-in process have been provided by government and lay out the “phasing in” process.

## **Data, Library and Knowledge**

### **IT systems acceptable use policy**

#### **Copying software**

All staff members are expected to take reasonable steps to ensure that any software they use is properly licensed and to refrain from copying or distributing software unless it is clearly permitted under the terms of the licence.

If you are in doubt about the legality of copying any software, then you must consult the Information Systems Manager. Please be vigilant of introducing virus contamination into the software system.

#### **Interception, monitoring and recording of emails and phone calls**

The College may at any time monitor, intercept and record communications without the consent of the sender, recipient, or caller, in the circumstances set out in the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000. These regulations include the following purposes:

- to establish the existence of facts relevant to the business
- to ascertain compliance with regulatory or self-regulatory rules or guidance
- to ascertain or demonstrate standards which are or ought to be achieved by persons using the telecommunications system in the course of their duties
- to prevent or detect crime
- to investigate or detect the unauthorised use of College systems - for example, to ensure that employees do not breach College rules on the use of the system
- to ensure the effective operation of the system - for example, monitoring for viruses

In addition, monitoring, but not recording, without consent may be carried out for the purposes of determining whether or not the communications are relevant to college business. Any breach of College policy or procedure discovered in this way may result in disciplinary action being taken including dismissal.

#### **Disciplinary Action**

Failure to comply with the above directions relating to email, internet and general PC use, either where discovered by the College directly or reported to the College, will result in appropriate disciplinary action being taken against the individual(s) concerned. This could in some cases be deemed gross misconduct, and result in dismissal.

## **The Campus library**

All college staff, academic and non-academic, are entitled to make use of the campus library. During term-time the Library is open Monday-Friday 9.00am to 6.00 pm. additionally assistance can be provided for the use of the public libraries.

Loans may be renewed provided they have not been reserved by another user. Please note that fines are charged for the late return of all loan materials.

Library pages of the College website also provides access to a selection of electronic resources.

The Library staff are trained to offer support and advice on all aspects of information retrieval. If they are unable to answer your enquiry, they will do their best to find someone who can.

## **Virtual Learning Environment**

A Virtual Learning Environment (VLE) is designed to facilitate communication between staff and students and to make available materials and resources to support teaching and learning, both on and off campus. The College currently uses a VLE product called 'Moodle', a non-commercially produced piece of software used in a number of higher education establishments. It is very much hoped that this will prove to be a useful addition to the tools at your disposal. However, Moodle is being replaced by a fully integrated VLE and student tracking system known as Klaspad that will provide a more robust system of monitoring and control.

## **Campus and security**

The College Premises Manager is responsible for building and security matters.

### **Building access**

Security staff are on duty from 8.00 am to 8.00 pm Monday to Friday when the building is open.

### **Out of hours working**

Access to rooms/buildings is permitted out of normal working hours, providing staff notify the security staff on duty of their arrival and leaving time and if necessary, sign out relevant keys.

## **Employees' property**

The College is not responsible for any loss or damage to any property, such as personal goods and effects, which may be brought by employees upon college premises.

In particular, the College will in no circumstances accept responsibility for the loss of cash by employees.

## **Insurance**

The College has insurance for College premises in respect of the following:

- buildings insurance
- damage, theft or loss of the physical contents, including computers, located within the building and various other sites and portable PCs whilst in transit
- loss of securities on the College's premises or in transit up to various specified amount
- professional indemnity insurance and insurance covering certain fraudulent actions of employees
- employers' liability

If you do have any queries regarding the levels of cover or require further details as to what is covered, please contact the Finance Department in the first instance.

If you are aware of any matter which you believe may become the subject of a claim under the insurance, then please notify the Finance Department as soon as possible and in any event within two days of becoming aware of the potential claim.

## **Loss and damage**

Any loss of College property (calculators, etc), or damage to College property should be reported to your manager. Please also contact your manager if you find any items of property.

Any incidents of theft of college property should be reported to your manager.

## **Removal of College property**

Should you need to remove college property from the building in the course of your duties, you should ask permission from your manager in writing.

Large or expensive items (other than those on issue) should also be authorised in advance in writing.

It should be noted that unauthorised removal of college property from the premises may be treated as theft and subject to disciplinary action.

## **Right of search**

The College reserves the right to search all employees entering or leaving its premises and to inspect the contents of any handbag, briefcase, suitcase, parcel, package and/or vehicle. All such searches will be conducted as discreetly and tactfully as possible. An employee subject to the exercise of this right of search has the right to:

- be searched by a member of the same sex
- have an independent representative present on their behalf during the search

If you are requested to take items belonging to the College out of the premises for work purposes or deliver them elsewhere you should ensure that your manager provides you with a note which may be produced if you are subject to a search request.

You will be asked to sign a permission to search form prior to a search taking place.

Failure to comply with a search request may be treated as gross misconduct and will be subject to appropriate sanctions.

## **Repairs and maintenance**

Any problems concerning the building or office facilities should be reported to Operations on the appropriate form. These can be found at Main Reception.

White forms should be completed for general maintenance items and red forms for matters relating to health and safety. Requests for replacement light bulbs should be made in the relevant book which is also located at Main Reception.

If appropriate, your line manager will carry out a workstation risk assessment and report any problems associated with this to the Health and Safety Officer. Please report any symptoms of ill health which you feel have been brought on by your day to day work activities, immediately to your line manager.

General concerns should always be brought to the attention of your Manager.

Please refer to the Health and Safety Section of this Handbook if you have any further enquiries.

## **Recycling**

We are continually trying to reduce our residual waste and make the campus more environmentally friendly and you are therefore requested to help with recycling.

Please ask at main Reception how you can recycle articles.

## **Booking rooms**

Please help us to provide an effective central room booking service by observing the following rules and practices. Please let the College Facilities Manager know if there is anything further that we can do to facilitate the smooth running of this process.

### **Procedure for booking rooms**

- all college rooms during normal working hours are timetabled, but any changes should be booked through the Main Reception, or if it is to be an ongoing arrangement, the timetable will need to be changed to ensure biometric data integrity.
- Computer and IT rooms that have not been booked must not just be used, even if they are empty - always check with Main Reception. The room may have been booked in preparation for a lecture, workshop or meeting later in the day
- if you do not require the use of a room that you have booked, you must cancel the booking with the Timetable Administrator as soon as possible, as rooms are always in demand
- rooms are allocated according to size and activity of group
- rooms booked are subject to alteration and these changes are made in consultation with the departments or tutors concerned

### **Travel policy**

All travel on college business must be undertaken in accordance with college policy.

For business use of a car, reimbursement will be made on submission of receipts and mileage rates as laid down from time to time by HMRC (currently 45p per mile for 2019)

Claim forms are available from the Bursar.

The College will not normally reimburse employees for routine commuting costs between home and work.

Persons using their own vehicles on college business shall take the precaution of obtaining confirmation from their own insurance company that their motor policy covers the following:

- use by the individual in person on the business of the college but excluding commercial travelling and soliciting orders
- that the policy includes the carriage of trade goods
- an indemnity is provided to the College in respect of third-party claims whilst the vehicle is so used
- the receipt of a mileage allowance by the individual for use of his vehicle on company business does not invalidate the insurance

## **Travel booking**

Special arrangements can be made for staff travelling for business on behalf of the College. Details of these may be obtained from the Human Resources department.

## **Subsistence**

Staff who are scheduled to be out of the office for a full working day are entitled to be reimbursed the costs of lunch, tea and dinner unless this has been included in the cost of the seminar. All claims should be supported by receipts.

## **Accommodation**

Accommodation should be booked in advance and, wherever possible, the college networks should be used. They may have vacant rooms or may be able to advise on accommodation available in the area.

## **Travel Insurance**

Travel insurance has been arranged for employees travelling on college business provided advance approval has been obtained. It should be noted that staff & students will not be covered by our public liability insurance for any off-campus activities unless formally authorised by the CEO.

## **Telephone Expenses**

Business telephone calls made from your home or a personal mobile phone will only be reimbursed if supported by a telephone invoice from the relevant supplier showing itemised calls, destination and cost.

## **Contact Information**

Should you wish to discuss any issues concerning your employment please speak to your line manager in the first instance. However, there may be times when it is more suitable to speak to someone else direct. Should this be the case, please speak with Personnel.

## **College Disciplinary Procedures (Appendix 1)**

1. The purpose of this procedure is:
  - ✓ To ensure consistent and fair treatment of disciplinary and performance issues for all employees
  - ✓ To help and encourage employees to achieve and maintain appropriate standards of conduct and performance

*Performance related issues may be assessed in different ways depending on individual circumstances.*

2. The aim of this procedure is to bring about improvements in work and conduct. It is not designed simply to dismiss employees, although in some cases this may be the outcome of the procedure.
3. Absence control will be dealt with via the College Absence Management Procedures

### **General Principles**

The purpose of this document is to set out the College's current procedures and rules for the handling of disciplinary matters. It does not confer any contractual rights.

Management reserve the right to deal with minor instances of misconduct.

New employees who deliver unsatisfactory levels of performance may be dealt with informally by way of guidance, instruction or by informally cautioning the employee.

(If the problem persists or the Management judges it to be sufficiently serious, then the College Disciplinary Procedure will be instigated)

The College will not dismiss any employee for a first offence, unless the offence amounts to Gross Misconduct, in which case the employee will be dismissed without notice or pay in lieu.

Details of Gross Misconduct are detailed further within this procedure.

The College will not instigate any formal disciplinary action under this Procedure without:

- ✓ having carried out a thorough investigation.



- ✓ Informing the employee whether any such meeting he/she is asked to attend is investigatory or disciplinary.
- ✓ Giving or sending the employee a letter setting out the complaint made against him/her and the possible outcomes of the disciplinary hearing. The letter will detail that the employee is to attend a disciplinary hearing to discuss the matter and will also confirm the date, the time and location of that meeting.
- ✓ Explaining the Company's case at the meeting and giving the employee an opportunity to put his /her case in respect of allegations made.

Employees have the right to appeal against any formal action taken against them under this procedure.

Depending on the seriousness of the misconduct, initial procedures may be omitted.

It may be necessary, depending on the circumstances, to suspend the employee from work to enable the investigation to take place. Such a suspension may be on full pay or no pay which remains at the discretion of the management.

The College has other policies which are relevant to the disciplinary matters such as Dignity at Work, Sickness Policy and Alcohol and Drugs Policy. This procedure should be read as incorporating provisions relating to discipline in any College policies.

Each stage of the procedure will be carried out without unreasonable delay.

The College will keep records of any action taken under these disciplinary procedures, although they will be treated as confidential.

## **Gross misconduct**

The following are examples of conduct falling within the definition of gross misconduct and which entitle the Company to dismiss without notice or payment in lieu:

- ✓ Refusal to accept and act on reasonable instructions from an employee's line manager or a member of management
- ✓ Serious negligence that could or does result in unacceptable loss, damage or injury
- ✓ Fighting, assault or threatening or bullying behaviour
- ✓ Sexual or racial harassment
- ✓ Theft, fraud falsification of College records or dishonestly involving the College, its employees, students or authorised visitors or attempts to commit such offences
- ✓ Deliberate or reckless damage to the property of the College, its employees, students or authorised visitors

- ✓ Being unfit for work through alcohol or illegal substances
- ✓ Unauthorised disclosure of confidential information
- ✓ Any action likely to endanger seriously the health and safety of the employee or any other person
- ✓ Acceptance of gratuities in relation to duties
- ✓ Persistent lateness and unauthorised absence

This list is not exhaustive. Other types of misdemeanours may be treated as gross misconduct depending on the seriousness of the particular facts.

In the case of an employee being charged with a criminal offence and being remanded on bail, (i.e. who has either been working normally pending hearing of his/her case or has been suspended with/without loss of pay pending hearing of their case) is found guilty of a criminal offence, the question of his/her continued employment will be decided a panel. The College will have regard to the nature of the offence in relation to the responsibilities and characteristics of the employee's job and to whether they are able to fulfil the contract of employment.

Where an employee charged with a criminal offence is remanded in custody and consequently unable to fulfil their contract of employment, this contract will be deemed to be terminated.

In the event of such an employee being found not guilty, he/she may apply to College for re-instatement in his/her position and a disciplinary panel will review the case. (If reinstatement is agreed then, at the discretion of the disciplinary panel, the period of absence may be treated as a period of continuous employment.

## **Other misconduct or poor performance**

In other cases, coming within the arena of this procedure, there will be no dismissal for a first offence. Instead, the College may issue a formal warning to an employee. This may be a verbal warning or final warning as appropriate.

## **Conduct of meetings under the procedure, including appeals**

All disciplinary meetings, including any appeal, will be held at a reasonable time and place. An employee who has been invited to attend a disciplinary hearing must take all reasonable steps to attend the meeting.

In any disciplinary proceedings under the procedure, including appeals, an employee has the statutory right, reasonably, to request to be accompanied by a colleague of his choice.

The colleague may address the hearing to put the employee's case, sum up his/her case or respond on the employee's behalf to any view expressed at the hearing. He/she may confer with the employee during the hearing, but does not have the right:

- ✓ to answer questions on his behalf
- ✓ address the hearing if the employee does not want him to; or
- ✓ prevent anyone, including the employee from making his/her contribution to the hearing

The appropriate level of management, together with another management colleague will conduct meetings. At the meeting, the College will then explain its case, the role of all those attending on its behalf i.e. if one of those is an observer only.

The College will then explain its case against the employee and will give the employee the opportunity to respond in full.

At appeal meetings, the employee will present his/her reasons for appealing the decision and the College will consider these.

If matters come to light during a disciplinary meeting which require further investigation, the Company may at its discretion, adjourn any disciplinary meeting to enable further investigation to be carried out.

## **Possible outcomes of a disciplinary hearing**

### **Initial warning**

The College may issue an initial warning if the employee's conduct or performance does not meet the College's standards.

(Performance/capability issues may be addressed via retraining over a specified period of time and under Capability Procedures)

An initial warning may be issued normally by the employee's immediate manager or a nominated deputy. Where, at the conclusion of the disciplinary hearing, the manager decides to issue such a warning, he/she will inform the employee of the following:

- ✓ The reason for the warning
- ✓ That this is the first stage of the College's disciplinary procedure
- ✓ The action or improvement (if any) which he/she requires of the employee
- ✓ If appropriate, the timescale for implementing any such action
- ✓ The consequences for the employee of not implementing required action or of further misconduct
- ✓ When the warning will cease to have effect, subject to satisfactory conduct, or performance. This will normally be after 6 months but a longer may be stated in exceptional cases;
- ✓ The right of appeal

All of these matters will be confirmed to the employee in writing.

## **Level 2 warning**

The College may issue a level 2 warning if:

- ✓ The required improvement is not achieved within any timescale stated in the initial warning; or
- ✓ Further misconduct or poor performance takes place during the currency of an initial warning, whether or not involving a repetition of the conduct or poor performance which was the subject of an initial warning; or
- ✓ The seriousness of the misconduct or poor performance merits it, regardless of whether an initial warning has already been issued.

A Level 2 warning may be issued by the employee's immediate manager (or a nominated deputy). Where, at the conclusion of the disciplinary meeting, the manager decides to issue a Level 2 warning he/she will inform the employee:

- ✓ the reason for the warning, including any prior warning(s) taken into account
- ✓ that it is the second stage of the College's disciplinary procedure;
- ✓ the action or improvement, if any, which he/she requires of the employee;
- ✓ if appropriate, the timescale for implementing any such action;
- ✓ the consequences for the employee of not implementing the required action or of further misconduct; which could be final warning;
- ✓ when the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after 6 months, but a longer period may be stated in exceptional cases;
- ✓ the right of appeal

All of these matters will be confirmed to the employee in writing.

## **Final Warning**

The College may issue a final warning if:

- ✓ the required improvement is not achieved within any timescale stated in a second warning; or
- ✓ further misconduct or poor performance takes place during the currency of a Level 2 warning, whether or not involving a repetition of conduct or poor performance which was the subject of a previous warning; or
- ✓ the seriousness of the misconduct or poor performance merits it regardless of whether it has issued any previous warning.

A final warning may be issued by the employee's manager, or a nominated deputy. As with initial and Level 2 warnings, where, at the conclusion of the disciplinary meeting, the immediate manager decides to issue a final warning, he/she will inform the employee of:

- ✓ the reason of the final warning
- ✓ the action or improvement, if any which is required of the employee;
- ✓ If appropriate the timescale for implementing any such action;
- ✓ the fact that this is a final warning and that the next stage is dismissal and;
  - ✓ if relevant, when the warning will cease to have effect, subject to satisfactory conduct or performance. This will normally be after 12 months, but a longer period may be stated in exceptional cases.
- ✓ there is the right of appeal

All of these matters will be confirmed to the employee in writing.

## **Dismissal**

The College may dismiss an employee where:

- ✓ the requirement improvement is not achieved within any timescale stated in a final warning; or
- ✓ further misconduct or poor performance, takes place during the currency of a final warning – whether or not repetition of conduct or poor performance which was the subject of a previous warning; or
- ✓ it is reasonably believed that he/she has committed an act of gross misconduct.

Unless the dismissal is for gross misconduct, the employee will be dismissed with notice.

Only a designated Manager or disciplinary panel may dismiss an employee. An employee will only be dismissed after he/she has received a written invitation to a disciplinary hearing and that hearing has been held. Where a decision is taken to dismiss the employee, they will be advised of the reason, whether with immediate effect, or the date on which the dismissal effect and be informed of his/her right to appeal as soon as possible after the hearing. (Given the nature of the job this may not always be possible).

These matters will be confirmed in writing.

In very exceptional circumstances, the Company may seek the employee's agreement to demotion or suspension without pay or other penalty as an alternative to dismissal.

## **Appeals**

Any employee who is dissatisfied with a disciplinary decision taken in respect of him/her may appeal against that decision.

Appeals should be in writing, setting out the reasons for the appeal, and should be delivered to the Principal within 10 working days of the disciplinary decision.

The College will then invite the employee to an appeal meeting which will normally take place within ten working days.

The appeal meeting will only take place after the disciplinary decision has taken effect.

Where an employee has been dismissed, the appeal will be heard by the Principal or a nominated deputy. In other cases, the appeal will normally be heard by an alternative Manager to the one that made the original disciplinary decision.

Wherever possible, the decision on the appeal will be communicated to the employee orally and in writing within 5 working days of the hearing.

The decision is final.

## **Prevent Policy**

Preventing violent and non-violent extremism and radicalisation.

The Government's Counterterrorism and Security Act (2015) contains a duty on specified authorities, including schools, colleges and universities, to take appropriate measures to prevent people from being drawn into terrorism or extremism and to support those who might be susceptible to radicalisation.

The College recognises its statutory and moral duty to safeguard the welfare of its students and staff. Protection from the risk of terrorism or involvement in terrorist activity forms part of this safeguarding duty. The College has produced a Prevent Strategy setting out how it will exercise its responsibilities in providing this protection. The Strategy complies with Government's Prevent duty on FE/HE institutions and is approved and monitored by OfS. The latest is a supplementary note published by OfS during September 2018 and other related documents.

The College has also carried out a wide-ranging risk assessment to determine its capacity to prevent the possible risks of radicalization or involvement in extremist activity. A Prevent Action Plan has been produced to secure further improvements in mitigating this risk. The Prevent Strategy and Action Plan will be kept under continuous review, as high priorities for the College. The full college prevent Policy is published as a separate document which is available on the College website.

When programmes have external speakers arranged to come to the College, there is documentation relating to Prevent that must be completed and approved prior to the event, otherwise, it is likely that there will be a refusal and the embarrassment that this may cause.

Staff are requested to carry out an on-line prevent test and having successfully completed a copy of the certificate should be sent to the Principal as evidence for OfS. Many staff have completed this and sent copies of the certificate through for our records. We do not require additional copies.

The College has to track compliance with the Prevent legislation and make an annual return to OfS.

# Appendix

## Policy on Relations between Staff and Students

### Code of professional conduct on-Campus and off-Campus

#### 1. Policy Aim

The College promotes itself as a community where people work and/or study together. It seeks to promote harmonious relations between all members of that community, including between members of staff (both Teachers & Administrative) and students. At the same time the College regards relationships between members of staff and a student – for whom they have, or are likely to have some specific academic, professional, management or pastoral responsibility – as an important professional issue, particularly where relationships are close, intimate/or exclusive. This code provides guidance for those in close/intimate exclusive relationships, seeks to protect the integrity of all students and staff from allegations of actual or perceived conflicts of interest and to avoid behaviours that give rise to complaints

#### 2. Scope

This policy covers close, intimate and/or exclusive relationships, between staff and students of the College. It covers all areas where such relationships raise questions about conflict of interest, trust and/or confidentiality, which may occur on the outset, during or on the termination on a close, intimate and/or exclusive relationship. It covers conflict, which may arise in the following areas: -

- ✓ Management and supervision
- ✓ All aspects of teaching and learning
- ✓ Pastoral care
- ✓ Assignment work and facilities to students

#### 3. Relationships between staff and students

The College considers that close, intimate and/or exclusive relationships between staff and the students whom they teach, assess or are otherwise responsible for, raise serious questions of conflict of interest, trust and confidence and dependency in working relationships and of equal treatment in teaching, learning, selection, assessment and research.

There is a danger that such relationships exploit the relationship of authority and trust that is inherent in the relationship between members of staff and students.



For the protection of staff and students the boundaries and moral obligations of the professional role of staff must be fully recognised and respected. Staff should recognise their professional and ethical responsibilities to protect the interests of students, to respect the trust involved in the staff/student relationship and to accept the obligations inherent in that responsibility. While the College recognises that it has no right to regulate the private lives of its staff, it would strongly advise staff not to enter into a close, intimate and/or exclusive relationship with a student for whom they have responsibility.

To embark on a close, intimate and/or exclusive relationship with a student will always involve serious risks and may involve difficulties rooted in the unequal power, and hence choice, of the parties concerned, as well as real problems in maintaining the boundaries of professional and personal life. Such relationships can also disrupt the teaching and learning environment for other students and colleagues.

In the event of involvement in a relationship with a student, particularly where it is a close, intimate and/or exclusive one, the member of staff must inform their Head of Department/Unit or Personnel Department so that the College can facilitate the re-organisation of duties to minimise contact and ensure the member of staff is not supervising, assessing, providing pastoral care or tutoring the student involved. This will ensure fair and equitable treatment and protect both staff and students from any perceptions of favouritism, which could lead to dissent amongst the student body and loss of faith in the academic process. Any declaration of this kind will be treated in the strictest of confidence.

#### 4. Practice/Procedure

When the College have been informed of a relationship covered by policy it will consider appropriate action in a manner that protects the integrity of all parties. Such action is likely to involve re-organisation of duties to minimise contact between the staff and student member. This will ensure fair and equitable treatment and protect both staff and students from any perceptions of favouritism, which could lead to dissent amongst the student body and loss of faith in the academic process. The member of staff/student will be consulted with and expected to comply with reasonable action. The College will ensure these matters are dealt with confidentially and as sensitively as possible.

Appropriate action may include:

Making alternative arrangements to ensure the member of staff does not have the sole responsibility for the student's work or making decision effecting the student e.g. academic assessment, project supervision, counselling etc.

Ensuring the appropriate action is taken to minimise the potential effect for the relationship on other students and staff.

To protect the interests of all parties a record of the action taken e.g. relocation of professional/pastoral responsibility for particular activities may be made. Failure of a member of staff to declare a close/intimate or exclusive relationship which leads to a conflict of interest which results in the academic, administrative or institutional processes been brought into question, will be investigated and may lead to disciplinary action being taken which may lead to immediate dismissal. Likewise, any member of staff who finds him or herself the subject of a complaint may, following investigation, face disciplinary action which may lead to immediate dismissal. However, any complaint found to be made in malice could lead to disciplinary action against the complainant which could lead to immediate dismissal.

## 5. Advice and Guidance

Staff who are uncertain about what action should be taken can seek advice from the Personnel Department in confidence at: [personnel@lcuck.ac.uk](mailto:personnel@lcuck.ac.uk) or on ext. 6064. Students should contact Student Support Unit at: [ssu@lcuck.ac.uk](mailto:ssu@lcuck.ac.uk) or on ext. 2060.

Experience has shown that cases of alleged serious sexual harassment have emerged where a colleague has failed either to maintain a professional distance from students or to alert colleagues to a significant personal interest in a student. In particular the structurally unbalanced power of a relationship between staff in an academic or professional role, means that they are especially vulnerable to accusations of sexual harassment if they engage in sexual relationships with students.

Students or staff alike who find themselves in receipt of unwanted/inappropriate behaviours or involved in a relationship that they do