

The Authority Handbook

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INTRODUCTION

The main purpose of the Authority Handbook is to provide the Coal Authority staff with a comprehensive reference to information of both a contractual and general nature relating to the terms and conditions of their employment.

The Handbook should be read in conjunction with your Letter of Appointment and the Statement of Terms and Conditions document issued to you on commencement of your employment. It is hoped that you will read the Handbook in its entirety with the table of contents offering ready reference to subjects of a particular interest.

The Coal Authority reserves the right to vary or amend the policies and procedures contained in the Handbook. Any such changes to either the Statement of Terms and Conditions or the Authority Handbook will be notified to you within one month of the changes taking place.

If you have any queries arising out of the information in this Handbook these should be directed to:

**The Human Resources Department
The Coal Authority
200 Lichfield Lane
Berry Hill
Mansfield
NG18 4RG**

The Human Resources Department will welcome any suggestions you may have to improve the Authority Handbook.

SECTION A – GENERAL EMPLOYMENT MATTERS

A1 *Engagement*

Upon commencing employment with the Coal Authority (The Authority) you will receive:-

A Statement of Terms and Conditions of Employment with the Authority (Contract of Employment)

A copy of the Authority Handbook

Emergency Procedures

These documents will form the basis of the contractual obligation and relationship between you and the Authority.

In addition, the HR Department will arrange an Induction Programme. You will visit each department within the Authority to gain an understanding of the work they do.

A2 *Grading Structure and Performance Management System*

The Authority operates a grading structure for staff, which determines terms and conditions of employment and levels of authority.

Job Evaluation

The Authority uses a Job Evaluation system to analyse each job under a series of factors. A panel of trained evaluators use their knowledge of the job and a detailed job description to reach a consensus view on the appropriate level of definition under each factor and by benchmarking against all previously evaluated jobs.

Grading

The results of the Job Evaluation obtained as outlined above have been analysed and jobs have been found to fall into “clusters” of positions of similar value. Boundary lines have been drawn between these groups of jobs to define the grades on which the Authority’s Grading Structure is now based. There are seven grades within the structure covering all jobs. The grades are referred to as CA1-CA7.

You will be informed of the grade of your job on commencement and will be notified of any changes of grading by your Line Manager.

Pay Structure

Each grade has a salary range determined for it (i.e. a Minimum and a Maximum level) by considering how much like-valued jobs to those in the grade are paid in other similar employing organisations – i.e. organisations of

a similar nature and size (employee numbers and financial/revenue). Account is also taken of regional influence on the labour market.

Setting Pay

Individual's pay is set by reference to the grade of their job and any previous experience they may have at that level.

Reviewing Pay

Individuals' salaries are reviewed taking into account the position of their current pay in the salary band of their particular job grade and performance.

Performance Review

Individual performance is appraised shortly before the annual review and an individual performance score will be awarded.

Performance Bonus

Depending on an individual's performance score, a non consolidated performance bonus may be paid in a one off lump sum. The amount of bonus payable will be directly related to the performance score.

Objectives

Around December each year, your Line Manager, in conjunction with staff within the team, will produce a Team objective plan. The plan will include Individual objectives for each Staff Member, which must support the team objectives. Objectives will be split into Projects and Core Tasks. Your performance will be assessed on the extent to which you achieve those Objectives.

A3 Probation

All new entrants who commence employment with the Authority and staff who are promoted at Grade CA6 and below are required to serve a probation period, usually three or six months. The main purpose of the probation period is to give staff an opportunity to establish their suitability for the job. During this time probationary staff will receive advice and guidance to help them become competent in performing the work they have been appointed to do.

Full details of the procedures during the probation period can be found in The Probation Guidance for Job Holders which will be handed to each new entrant whose employment is subject to a probation period on commencement of employment. Any queries should be taken up with either the Line Manager or the HR Department.

On satisfactory completion of the probation period, you will be set your first objectives under the Performance Management System which your Line Manager will discuss with you, and you will be informed as to when and how your performance will be reviewed.

A4 No Smoking Policy

Smoking is strictly forbidden within all Authority premises and grounds.

This policy exists to minimise the risk of fire, to safeguard the health and safety of employees and the general public and for reasons of hygiene and well-being.

A5 Pay

Method of Payment

Pay is paid monthly by credit transfer not later than the last day of the month into your nominated Bank or Building Society account.

Deduction from wages

The Authority shall be entitled to deduct any amounts owed to the Authority by you from your salary.

Payroll Administration

The Authority's payroll is administered by LogicaCMG. If you have any queries regarding the payroll you should in the first instance contact the Authority's HR Department.

Tax Queries

If you have any queries regarding your tax you should contact the Authority's tax office directly at HM Revenue & Customs, Public Department 2, Ty Glas, Llanishen, Cardiff, CF14 5XZ, telephone number 0845 300 3949. You will need to quote our tax reference, 948\T102, Cardiff, and your National Insurance number.

A6 Overtime/Travel Time/Public and Privilege Holidays

It should be noted that time spent in excess of normal hours of attendance on training courses is not eligible for overtime payment.

You should note that **all overtime** must be approved by your Line Manager prior to the extra time being worked. The daily conditioned hours must be worked before overtime payments are applicable and overtime may only be claimed if it is for **30 minutes** and above per occasion. Daily overtime hours must be rounded down to the nearest 15 minutes worked.

The appropriate overtime rate is set out in your contract of employment. **It should be noted that the NORMAL travel time to work must be deducted before any travel time can be claimed.**

Overtime Claim Procedure

Overtime should be claimed **at the end of every month** using the Authority's overtime form, which is available from the Line Managers or the Human Resources Department.

A7 Pension

Staff also benefit from being members of the Civil Service Pension Scheme, which is an important part of your remuneration package. From 30th July 2007 new entrants will automatically become a member of the Nuvos Pension Scheme unless you choose to opt out or join the Partnership Pension account. The Nuvos Scheme is an occupational pension scheme, which forms part of the total remuneration package with employee contributions at 3.5% of pay. The Partnership Pensions account is a stakeholder pension with a contribution from the Authority. How much we pay is based on your age. We pay this regardless of whether you choose to contribute anything. You do not have to contribute but, if you do you we will also match your contributions up to 3% of your pensionable earnings. The contributions are in addition to the age-related contribution mentioned above. You do not have to join the Civil Service pension arrangements; you may opt out and be covered instead by a personal pension or the State Second Pension Scheme (S2P).

In addition, members of the Civil Service Pension arrangements, or those who are ineligible for membership, may also contribute to a Stakeholder pension with Standard Life, subject to eligibility. As your employer will not make any contributions to this arrangement, but your contributions may be made through payroll. This arrangement is not available to staff who opt out of the Civil Service Pension arrangements.

Full information on the Pension arrangements will be provided in a Starter Pack, which will be sent to you by our distributors. However, if you want to find out more about the PCSPS, you should either contact BERR Pensions, Room 3.135, Companies House, Crown Way, Cardiff CF14 3UZ on Tel: 02920 380885 or visit the Civil Service Pensions Website at <http://www.civilservice-pensions.gov.uk/Menu.asp>.

A8 Notice

For appointments subject to a probation period, the notice required to be given by the Authority or by you during the probation period will be two weeks. At the end of the probation period, if an appointment has been confirmed, the periods of notice, which will apply, are as stated in your Contract of Employment.

For appointments not subject to a probation period the notice required to be given by the Authority or by you will be as stated in your Contract of Employment.

A9 Confidentiality

You should be aware of your responsibilities with regard to the confidential nature of the information that you may encounter in the course of your duties and are therefore reminded of the confidentiality clause contained in the Statement of Terms and Conditions.

A10 Code of Conduct

Section I contains a Code of Conduct for staff of executive non-departmental public bodies. As a member of staff of the Authority you should familiarise yourself with the contents of the Code and act in accordance with the principles set out in it.

The following code sets out the standards of personal conduct required of you in relation to your colleagues and superiors.

Honesty

You are expected to act honestly in connection with your employment with the Authority and your relationship with colleagues. Any acts of proven dishonesty may lead to summary dismissal of employment as outlined in the Authority's Disciplinary Procedures (please refer to Section F2 of this Handbook).

Personal Standards

You are expected to be courteous and polite towards your fellow employees and persons having dealings with the Authority. You are also expected to observe reasonable standards of dress.

Timekeeping

You must be punctual in keeping to your contractual hours of work and attending all internal meetings of the Authority. If you know you are going to be unavailable for any period of time you should inform your Line Manager. All personal appointments should be arranged, if possible, outside your contractual hours and, if this is not reasonably practicable, by arrangement with your Line Manager. You should also familiarise yourself with the Authority's leave provisions and procedures in the event of sickness absence (please refer to Sections B and C of this Handbook).

Co-operation

You must co-operate fully with the Authority in the performance of its statutory obligations and in the furtherance of its aims and objectives.

Discrimination

Discrimination on grounds of sex, race, disability, sexual orientation or religion or similar belief will not be tolerated by the Authority and any instances of potential discrimination must be reported to your Line Manager or the HR Department.

Private use of Telephones, Faxes, Internet and E-mail

Personal use of telephones, faxes, Internet or e-mail should not normally be made nor received during working hours. Where essential outgoing telephone calls (or other communication) need to be made, you should first obtain management permission. An urgent personal message or telephone call will be accepted and the message forwarded, if appropriate. Staff are expected to reimburse the Authority for their communications of a personal nature and you should contact the HR Department for guidance regarding such payment. You should refer to the Authority's policy on the use of computers, internet, and email in section F8 of this handbook.

A11 *Outside Employment*

You are required to seek permission from the Authority before accepting any outside employment which might affect your work, either directly or indirectly. In these circumstances permission must be sought from the Chief Executive (for members of staff Grade CA7) or a Department Director (for members of staff Grade CA6 and below). An approach should be made to the Chief Executive or Department Director either directly by you or through your Line Manager.

A12 *Declaration of Interests, Gifts and Hospitality*

If you have any private business interests, which could possibly conflict or give an appearance of conflict with your position within the Authority, you must report the interest to the HR Department, in writing, who maintain the Register of Interests. This includes any member of your family (including partner) who owns or is employed in an organisation that works with or is contracted to the Coal Authority. Please seek advice from the HR Department if you are in any doubt the nature of the interests that need to be registered.

You must not receive gifts, hospitality or benefits of any kind from a third party, which might be seen to compromise your personal judgement or integrity. You must adhere at all times to the Authority's rules and procedures on the acceptance of gifts and hospitality (please refer to Section H of this Handbook) and, in particular, must ensure that all offers of gifts and hospitality are declared and registered in the Authority's central register held in the HR Department.

A13 Data Protection Act 1998

Pursuant to the Data Protection Act 1998 as part of your employment with the Authority you agree that the Authority may retain and process data relevant to or connected with your employment with the Authority including but not limited to human resources and payroll information, personnel records, appraisals, attendance and disciplinary record and training record. Both parties acknowledge and agree that the processing of such information is necessary for the performance of your contract of employment with the Authority and is also necessary for the Authority's legitimate interests. You also agree that the Authority may, from time to time retain process what is termed, sensitive personal data, i.e., information relating to health and information for equal opportunities monitoring.

A14 Personal Records

In order that personal records are kept fully up to date you must notify the Authority's HR Department immediately of any changes of information such as name, address, telephone number, emergency contact, bank account, death benefit nominee, etc.

A15 Problems

Work-Related

In the event that you have a problem connected with your work, you should first discuss it with your Line Manager (see Section F3 – Grievance Procedures).

If you experience an occasion at work where you feel the Police need to be involved, you should inform your Line Manager **immediately**.

If at any time you suspect or have evidence of fraudulent activity within the Authority then you should report this immediately to your Line Manager or, if this is not possible, to the Authority's nominated official (see Section I – Code of Conduct for Staff of Executive Non-Departmental Public Bodies).

Personal

In the case of a personal problem, you may prefer to talk, in full confidence, to the HR Manager and this facility will be made available to you.

A16 Financial Procedures

All staff will receive a copy of the Authority's financial procedures. You should refer to your Department Director for information regarding the Authority's Financial Regulations.

A17 Professional Subscriptions

The Authority will meet the cost of **one** annual professional subscription where membership is of value by reason of your official duties.

If you leave the Authority after your annual subscription has been paid, the Authority reserves the right to make a pro-rata deduction from final salary.

SECTION B – LEAVE

B1 *Holiday Entitlement*

Your annual leave entitlements are set out in your statement of terms and conditions.

B2 *Annual Leave Procedures*

Staff Members – Procedures for booking holidays

It is important to note that periods of annual leave will be granted in accordance with arrangements applying to each department, following application to the appropriate Line Manager and approval by him/her, such applications to be made at least two weeks before the proposed date of commencement of the period of leave. When a period of leave in excess of two weeks is required then at least three weeks' notice of this should be given to your Line Manager. The requirement to apply at least two weeks in advance may be waived at the discretion of the Line Manager if the application is not for more than three working days and is for urgent reasons.

Annual leave not taken during a leave year up to a limit of five days can be carried forward to the next leave year with the approval of the appropriate Line Manager.

Annual leave is requested via Ciph Net. In the Employee Options menu there is a **Time Off** option. This option shows a summary of the time off taken to date. A list showing episodes of time off with the reasons is also included.

To view additional details of a particular episode of time off, click on the date required, this will expand to show further details.

To record details of time off choose the **Insert a New Record** button from the summary menu.

Enter the *start date, end date, absence type* and if the absence is a *full or partial day* and choose **Continue**. A message will appear confirming the selection in addition to an Awaiting verification message. Choose Continue once again and you are returned to the summary menu with the newly entered time off request showing at the bottom of the screen.

CIPHR Net will automatically send an e mail to your line manager who will authorise the leave or send you a message to explain why the leave has not been authorised.

B3 Special Leave

Additional leave, with or without pay, may be granted in special circumstances at the discretion of the Department Director or Line Manager.

Attendance in Court as a Witness or Juror

If you are called upon in your official capacity either to:-

give evidence in criminal and civil proceedings and in Coroners' courts,

Or

to attend other outside bodies as a witness or in another capacity

You should be regarded as being on official duty. In addition to normal pay you are entitled to payment for travelling time, and to travelling and subsistence allowances. Any sums recovered from the outside sources should be handed to the Authority.

If you appear in court in a private capacity, including special constables, this will be subject to the following provisions:-

Line Managers may grant paid special leave to staff appearing either as witnesses for the prosecution or the defence in criminal proceedings, or appearing as witnesses in the Coroner's court, and to those necessarily absent for jury service. In these circumstances you may retain any travelling or subsistence allowance received from the court. You should not claim from the court, or accept any compensation for loss of earnings that have not in fact been lost.

Special leave without pay, or annual leave, may be granted if you appear as a witness in civil proceedings.

A staff member receiving a summons to serve on a jury must report the fact to his or her Line Manager as soon as possible, who will grant leave of absence unless exemption is obtained. Line Managers (CA6 or above) may seek excusal from jury service for their staff if the staff member's absence seriously affects the business of the Authority.

B4 Bereavement Leave

The following paid special leave will be granted to staff members for bereavement involving a near relative or dependant. Near relative covers spouse, civil partner, child, parent, foster parent, step parent and, in special circumstances, other relatives or non-relatives, subject to the approval of the Line Manager. Where the staff member is the executor or is fully responsible for the funeral and other bereavement-related arrangements – up to five days.

Where the staff member has no responsibility for the funeral and other related arrangements – normally one day to attend the funeral but account may be taken of travelling time.

B5 *Absence with or without Permission (other than Sickness or Leave)*

If you need to be absent from work (other than sickness or annual leave) you should obtain permission from your Line Manager.

If you are absent from work without permission you must report to your Line Manager giving the reasons for your unauthorised absence. You should note that absence without permission is a dismissible offence and, dependent upon the circumstances, may be dealt with under the Authority's Disciplinary Procedure (see Section F2).

B6 *Medical Leave Hospital, Medical and Dental Appointments*

Employees should endeavour to arrange such appointments outside their normal working hours but it is recognised that this is not always possible particularly when the need for urgent treatment arises.

When time off work is unavoidable for such appointments, reasonable paid time off will be granted to visit a Doctor, Dentist or Hospital.

Employees are required to produce proof of appointments, (eg the appropriate appointment card or other official confirmation), to their Line Manager before taking time off in these circumstances.

B7 *Family Friendly Provisions*

The Authority's family friendly policies are intended (unless otherwise stated) to reflect current legislation. If there is any conflict between the Authority's family friendly policies and the current legislation then the current legislation will prevail.

B8 *Maternity*

The Authority's maternity policy incorporates the statutory requirements relating to maternity. The policy covers:-

- Time off for ante-natal care
- Maternity pay
- Maternity leave and the right to return to work

If a staff member becomes pregnant she should inform the HR Manager who will supply guidance on the interpretation of the policy in the staff member's particular case.

B9 Paternity Leave

Male staff will be entitled to one week of paternity leave at full pay, inclusive of any Statutory Paternity Pay (SPP) and one week of paternity leave, paid at the current SPP rate on each relevant occasion provided that they satisfy the qualifying conditions. Further guidance can be sought from the HR department.

B10 Parental Leave and Time off for Dependants

Parents of disabled children and parents of children who were under five years old on 15th December 1999 and who have completed one year's service with the Authority are entitled to 13 weeks' unpaid parental leave to care for their child.

Parental leave can usually be taken up to five years from the date of the birth or, in cases of adoption, five years from the date of placement (or the child's 18th birthday, if that is sooner).

Parents of disabled children are entitled to 18 weeks' parental leave up to the child's 18th birthday, providing they have the qualifying length of service.

Time off for Dependants is the right to take off a reasonable amount of unpaid leave to deal with a specific set of incidents involving a dependant.

The Authority's Family Friendly Policy incorporates the statutory requirements relating to Parental Leave and Time off for Dependants. The Policy covers:

1. Types of Parental Leave
2. Definitions of Time off for Dependants
3. Entitlements to Parental Leave and Time off for Dependants
4. Procedures for applying for the above

If a staff member requires Parental Leave or Time off for Dependants then they should contact the HR Department who will provide help and guidance. The Family Friendly Policy is located in the HR Department.

B11 Flexible Working

From 6th April 2003, parents of children aged under six or of disabled children aged under 18 will have the right to apply to work flexibly and the Authority will consider these requests seriously.

In order to make such a request then the staff member should contact the HR Department who will provide assistance.

SECTION C – SICKNESS ABSENCE

C1 Absence Management

Introduction

A high level of attendance at work by all employees is a vital factor in the economic, efficient and effective delivery of the Authority's services. A low level of attendance produces negative effects resulting in poor service provision, dissatisfied customers, increased pressure on colleagues and low morale.

The approach of the Authority as the employer will be one of fairness and understanding in the application of this policy and all matters will be dealt with in confidence.

If you are absent through sickness or injury you must comply with the Authority's sickness absence procedure. Failure, without good cause, to comply with these arrangements may have the effect of disqualifying you from entitlement to occupational sick pay and may also render you liable to disciplinary action.

The Authority has the right to instruct any of its employees to attend for one or more medical examinations by a medical practitioner or consultant employed or nominated by the Authority. If you are so instructed you will be expected to authorise your own general practitioner to be consulted by the Authority's medical adviser or nominated adviser or consultant.

Where employees are referred, and found to be incapable of continuing with the duties of their current post on a permanent basis because of ill health, the Authority will endeavour to find suitable alternative employment. When all possible alternative options have been explored, including consideration for retraining and it has not been possible to find suitable alternative employment, termination of service on grounds of ill health or incapacity will be considered.

The Authority may pay occupational sick pay at its sole and absolute discretion but in accordance with the guidance below.

C2 Sickness Absence Entitlement and Sick Pay

All sickness absences, whether self-certificated or medically certificated, will count for the purposes of determining the sickness absence limits set out below. For the purposes of sickness absence, three months means 91 days, six months 182 days and 12 months 365 days.

You may receive occupational sick pay, minus any National Insurance Benefit received, for the following periods at the Authority's absolute sole discretion;

Full pay for a period of 182 days during any rolling 12-month period.
Thereafter half pay for a further period of 182 days.

When full or half pay has ceased it will not be restored during the same sickness absence, even if the restriction ceases to apply, because of the passage of time.

Sickness during Annual Leave

Annual leave may **not** be taken as an alternative to sickness absence. If you fall sick during annual leave, you must inform the Human Resources team as soon as you are aware that the incapacity will interrupt your leave. This must be done no later than the fourth day of illness. There must be four or more days of continuous illness to count as a serious interruption of annual leave and you must provide a doctor's medical certificate for the full period of illness if annual leave is to be reclaimed. Pay will then be at the appropriate salary/sick pay rate.

Non-Working Days Falling Within a Period of Sickness Absence

Non-working days (including Saturdays, Sundays and public holidays) which occur within a period of sickness absence are included as part of a sickness absence.

Sickness Absence of less than One Day

If you arrive late or cease work during the course of the day because of illness, you must complete a self-certificate for this time. This will be recorded as a sickness absence.

Unsatisfactory Attendance

If attendance is unsatisfactory because of frequent or continuous sickness, whether certified by a doctor or self-certified, the Authority may have to review your suitability for continued employment (see Section F1 – Capability Procedure).

Statutory Sick Pay

If you have received (or claimed but not received) Statutory Sick Pay from either the Department for Work and Pensions or a former employer during the period beginning 57 days before joining the Authority you are required to advise the Human Resources Department on your first day of employment.

Continuity for Sickness Absence Purposes

Any sickness absence which has been taken during any previous service with the Authority will be counted as reckonable when calculating the maximum limits of paid sickness absence set out above.

Infectious Illness and Other Diseases Involving Risk to Colleagues

You must report to the HR Manager any infectious illness and other diseases you are suffering from or have been in contact with which may involve risk to colleagues.

Sickness Absence as a Result of Dangerous Sports

The Authority may at its sole and absolute discretion withhold occupational sick pay if you are absent from work with injuries as a result of participating in a dangerous sport, including, but not limited to, skiing, rock climbing, hang gliding, bungee jumping.

C3 Sickness Absence Procedure

The Authority recognises that regular attendance for work is vital to the efficient running of the organisation and for the welfare and motivation of its staff. The Coal Authority is committed to employee health, safety, care, welfare and good employee relations. Regular attendance is encouraged and managed by:

- The operation of consistent and effective procedures which support the aim of full attendance.
- Providing health, safety, care and welfare advice to all employees
- Developing a positive culture where everyone works to achieve the highest attendance level
- Providing an Employee Assistance Programme and an annual medical to all employees.

It is the responsibility of employees to ensure their own maximum attendance. Managers are responsible for monitoring and managing as necessary. The HR team is responsible for facilitating and supporting the attendance management process.

The following procedures must, therefore, be followed in order to ensure that there is an accurate record of all absence, which will facilitate a fair, reasonable and consistent approach to work attendance.

Notification of Sickness Absence

If you are absent from work on account of sickness or injury, you must report this in the first instance to the HR team by telephoning the dedicated absence line, not later than 10.00 a.m. on the first working day on which the absence begins. You will be asked to confirm:

- The reason for absence
- The date on which the illness started
- Whether you intend to visit your doctor, and if so, when
- Your expected date of return to work
- Your contact details

If you are unable to speak to a member of the HR team in person you must leave your name and contact telephone number on the answering service and a member of the HR team will call you back to ascertain the above information. In exceptional circumstances only, a representative may contact the HR team on your behalf. However, you will be required to contact the HR Team in person as soon as reasonably practicable.

A member of the HR team will report your absence to your Line Manager, or, in their absence a senior member of the team. A Self Certification Form/, Return to Work Form and a report detailing your sickness absence to date will be sent to your Line Manager by HR Team.

On the fourth day of any absence, employees must again notify the HR team of their continuing ill health.

If the absence exceeds, or is likely to exceed, seven days, a Medical Certificate must be provided to cover the whole period. Certificates should be passed to the HR team as soon as reasonably practicable. If further certificates are required, these must be submitted promptly. If more than one medical certificate is provided, the dates on the certificates must be continuous.

Any absence due to an injury sustained at work must be recorded as such on the Self Certification form.

Failure without good cause to comply with the Absence Notification Procedures may have the effect of disqualifying you from entitlement to Occupational Sick Pay and may also result in Disciplinary action.

Home Visits

The need to maintain contact during long-term absence is vital and a home visit is often necessary. The purpose of a home visit is to;

- Enquire as to the employee's health and whether any assistance is required
- Ascertain the nature and progress of the illness
- Reflect the genuine concern of the Authority
- Advise if a referral to the Occupational Health Advisor is necessary

Visits will be arranged via the HR team at a mutually convenient time for both parties. Where possible the visit should be carried out by the Line Manager and the HR Manager.

Returning to work:

When an employee is fit to return to work and has submitted certificates for a period of 14 days or more, a signing off note must also be obtained to show that they are fit for work.

Return to Work Interview

Your Line Manager will arrange a Return to Work Interview with you on your first day back, or as soon as possible thereafter. Alternatively, if you feel it inappropriate to discuss your absence with your Line Manager, at your request, a meeting can be arranged with a member of the HR team.

The meeting will be held in a confidential and sensitive manner and the purpose is to:

Give your Line Manager an opportunity to check that you are fit to return to work

Enable your Line Manager to express a proper interest in your welfare

Provide you and your Line Manager with the opportunity to discuss any concerns you may have, and to identify any domestic, welfare or work related problems in an appropriate forum

Raise the option of seeking further advice from the Occupational Health Advisor

If appropriate, make arrangements for the Authority's Safety, Health and Environment Advisor to carry out a risk assessment to make any reasonable adjustments to your post which are appropriate

Reassure you that you have been missed and update you on events that have occurred during your absence

At the end of the interview, you and your Line Manager will complete a Return to Work Form. The form will be confidential and will be kept on your personal file and lodged in the EDRMS. You should also complete a Self Certification form.

Sickness Absence Monitoring

The Authority is required to monitor the sickness absence of its staff and to take the appropriate action when a sickness absence record gives cause for concern.

Normally, sickness absence becomes unacceptable when the following levels are reached, but the Authority will consider cases individually and reserves the right, at its sole and absolute discretion, to take appropriate action outside the following levels:-

- Self-certified and certified absence of 5 days or more in any rolling period of 12 months,
- Three separate occasions of absence in a rolling 6-month period.

Should individual absence reach the above levels the HR team will notify the appropriate Line Manager. In the first instance the Line Manager will hold an informal Sickness Absence Review meeting with the employee concerned to raise the issue of unacceptable absence. The line manager should investigate any underlying trends and reasons for the absence and also how the Authority may be able to assist the employee to improve attendance.

Should absence levels continue to be unacceptable the Authority may invoke the Capability Procedure and/or the Disciplinary Procedure.

If, after a period of satisfactory improvement, sickness absence levels deteriorate again within the following year, it may be deemed inappropriate to repeat a Sickness Absence Review meeting. In such circumstances the Capability Procedure and/or the Disciplinary procedure may be invoked.

C4 Occupational Health

The Authority is a member of an Occupational Health Scheme. The scheme is used to carry out recruitment health screening, sickness absence referrals and generally to promote health and safety at work in the Authority. If you have a health or safety problem you wish to discuss, you should contact your Line Manager, the HR Manager or the SHE Advisor for advice in the first instance.

C5 *Managing Stress*

The Authority has a duty to protect the physical and mental health of all its employees at work.

The Authority is therefore committed to:

- The introduction and development of stress procedures;
- A confidential Employee Assistance Programme service;
- Training for all managers and staff to understand and recognise the nature and causes of stress and to take positive measures to manage stress effectively.

Where to go for help

If you believe, you are suffering from symptoms of stress please talk to your Line Manager in the first instance. Your Line Manager and/or the HR Manager will work with you to draw up an action plan to address and resolve the issues.

The HR Manager is available to answer questions about stress problems in general and, where appropriate, can refer you for expert medical advice from the Authority's Occupational Health Department, the Capita Health Solutions , Business Healthcare or an alternative Medical Consultant.

You can also seek advice from the Authority's Employee Assistance Programme, which is provided through the First Assist on **0800 716 017**. This service gives employees access to;

- A confidential telephone counselling service, which is provided 24 hours a day 7 days a week.
- Face to face counselling services where deemed appropriate by the counsellor
- Legal advice and debt counselling

Further information about the EAP can be found at www.talking2us.co.uk

A booklet on 'All you need to know about Stress' is available from the HR team or on the Authority's Intranet site.

C6 Alcohol and Drugs Dependency

Policy Statement

It is the policy of the Authority to treat alcohol and drug dependence/misuse as health problems, and to offer support during treatment and rehabilitation. The policy prohibits alcohol consumption on the premises without the express permission of the Chief Executive. As a responsible employer, the Authority seeks to ensure the wellbeing of its staff and expects staff to act responsibly in the interests of their own health and safety. Consequently, staff are expected to adhere to legal limits on alcohol consumption where they need to drive to/from work and in the course of their normal duties.

Procedure

Employees who have an alcohol or drug dependency should be encouraged by their Line Manager to seek treatment. An initial consultation with the Authority's Occupational Health Service should be made as early as possible. Please contact the HR team who will assist in this process.

The employee's right to confidentiality will be respected unless legal or Health and Safety considerations affect this right. Otherwise, disclosure of information should occur only after discussion with the employee, and with their consent.

Employees with the appropriate entitlement will receive Occupational Sick Pay during a prescribed course of consultation/treatment subject to the appropriate time limits for such payments.

After successful treatment, employees would normally resume their job. If this is not possible, or inadvisable, every effort will be made to find suitable alternative employment.

If a person refuses treatment and fails to complete a course of treatment, or relapses after treatment, and there is consequential poor work performance, attendance or behaviour, the Disciplinary/Capability Procedure will be followed.

In cases of intoxication at work through alcohol or drugs where the person is unable to perform their normal duties to the standard required by their Line Manager, they will be suspended while an investigation is carried out, and the Disciplinary Procedure will then be followed.

Unlawful dealing of drugs on Authority premises is gross misconduct and the Authority Disciplinary Procedure will apply. All cases will be referred to the Police.

SECTION D – TRAINING AND DEVELOPMENT

D1 Policy Statement

The Authority recognises that training is fundamental to it meeting its business objectives, to its continuing efficiency and effectiveness and that responsibility for training lies with all managers in their respective departments.

To help achieve this objective and at the same time fulfil its duties to employees, the Authority will develop its human resources by a systematic approach to its training requirements.

The specific aims of the Authority's training and development policy which embraces all levels of employees are:-

To provide appropriate induction training for new entrants to the Authority or those transferred to a new department.

To ensure that training is available to enable individuals to reach a pre-determined level of performance in their jobs and meet their continuing professional development requirements.

To ensure that training is available to encourage the development of the individual to their full potential.

To provide the training necessary for those selected for promotion or being considered for promotion to take advantage of any opportunities which may occur.

To provide suitable training to enable staff to meet the challenge of the introduction of new technology into the Authority.

To provide training for any manager who wishes to improve their managerial effectiveness through the use of internal training programmes.

To ensure an up to date training guide is available and circulated for the use of every member of staff within the Authority.

To provide bespoke courses for specific identified training needs throughout the Authority.

To ensure all training will be supervised or conducted by experienced/qualified trainers.

To provide career counselling to any employee of the Authority.

Details of training and development opportunities are available in the Authority Training Guide and from the Human Resources Department.

D2 PMS

At the PMS interim review in June, Line Managers will assess their staff's training and development requirements for the next financial year.

This is six months prior to setting the staff's objectives for that year. It will provide the Line Manager with information for compiling the year's training budget plan.

The manager's comments are recorded on Ciphre Net and form the staff's individual career and development plan. This plan will be updated at the final appraisal stage in December.

The plan will emphasise all-round development and, besides identifying formal training courses, will consider the following:-

- one-to-one coaching
- mentoring
- distance learning
- on-the-job training
- shadowing
- secondment

D3 Training Criteria

The agreed criteria for the Authority to support training are as follows:-

The training must be of benefit to the business objectives of the Authority or related to their current work.

Individual development training will be considered. However, staff members may be required to pay part of the cost of that training depending upon the level of benefits to the Authority.

In the majority of cases, operational objectives must be the main focus when considering any training/development activity.

The Authority's financial support will be given by paying fees, books, study material, etc. (The Authority will pay course fees at the start of a term but require evidence of exam success or levels of achievement before further funding is granted).

Funding will be recommended if a member of staff has failed to pass an exam/course and then funded themselves for re-sits.

Day release is a separate issue, which requires discussion with the Director concerned.

If a staff member leaves the Authority's employment within two years of training programmes taking place, the Authority reserves the right to make a pro-rata deduction from the final salary.

SECTION E – TRAVEL AND SUBSISTENCE

The Authority adopts a robust approach to expenses and expects the highest standard of probity to be applied by staff in relation to claims.

THESE ARRANGEMENTS ARE NON-CONTRACTUAL

E1 General Scope and Content of Travel and Subsistence Rules

This section deals with the payment of **necessary extra expenses** incurred by personnel who travel on Authority business, or who are posted away from their normal place of work. It applies to movements within the United Kingdom and is broken down as follows:-

General matters
Business travel
Subsistence and other allowances

All claims for reimbursement of expenses must follow the official procedures, including approval by Line Management and completion of the appropriate claim forms.

General Principles of Reimbursement

The common feature of the rules is that they provide for the reimbursement of **extra expenses wholly and necessarily incurred in carrying out Authority business**.

Need for Economy (the Minimum Expenses Rule)

When travelling on Authority business you must take advantage of any cheap facilities, which may be available (e.g. special offers, day returns or season tickets) wherever practicable. Management and staff should keep total expenses to a minimum, consistent with efficiency.

On promotion you are entitled to allowances on the scale appropriate to your new grade, with effect from the date on which you commence your new duties. Current scales are held on the Intranet.

Changes in Entitlement

You will be notified of any changes in the rates of allowances and any new rates will apply to travel undertaken after the operative date of the change.

Payment from Outside Sources

You must fully account to the Authority for any payments made from outside sources as a direct or indirect result of your employment with the Authority and these must be passed on to the Authority. This procedure applies only when you are on official business.

Fee Paid or Contract Activities

These rules apply to all staff. The fact that the cost of travel and subsistence may be recovered from fees or other charges should not be taken into account when considering the need for economy, nor can it be regarded as a reason for departing or deviating from the normal rules.

Court Attendance

If you attend Court or other outside bodies as part of your official duty, either as a witness or in another capacity, you will be paid your usual travel and subsistence allowances.

E2 Business Travel

This part of the Handbook sets out the rules governing business travel within the United Kingdom. The necessary costs of travel on official business are borne by the Authority. Except where explicit provision is made in this section to the contrary, you may be reimbursed only for those expenses which are **actually** and **necessarily** incurred in the course of business travel.

Definitions

Business travel relates to journeys which employees have to make in the performance of their duties. It does not cover 'private travel' or 'ordinary commuting'.

In general terms 'ordinary commuting' is travel between your home, or any other place you attend for personal reasons such as the home of a friend or relative, and your permanent workplace. 'Private travel' is any travel when its purpose is private rather than business.

'Permanent workplace' is the workplace you attend or expect to attend regularly to perform your duties for a period of more than 24 months or less if it is expected to be the whole period of your employment. For the majority of Authority employees the permanent workplace is the Berry Hill Office, the only exceptions being 'homeworkers' who under their employment contracts are required to work from home and have been allocated specific geographic areas as their permanent workplaces.

A 'temporary workplace' is a place where an employee attends to perform a task of limited duration or for a temporary purpose. A workplace is not temporary if the employee attends it in the course of a period of continuous work, which lasts or is likely to last more than 24 months.

'Continuous duty' is a spell of duty of two or more consecutive working days at a place of work other than your permanent place of work.

Means of Travel

The normal means of travel within the United Kingdom are:-

Public transport, i.e. rail, coach and bus, aircraft, ferries and hovercraft;

Authority provided transport, i.e. hire cars and pool cars.

Privately owned motor vehicles, i.e. employees own cars, vans, motorcycles or bicycles.

The most efficient and economic means of travel must be used, taking account not only of the cost of travel but also subsistence costs and savings in official time. The rules for reimbursement of travel costs by these means are set out in the following paragraphs.

Use of Taxis

Taxi fares may be reimbursed but only in the following circumstances:-

For journeys for which there is no other suitable method of transport; or

When heavy luggage has to be transported to or from stations; or

Where a real saving of official time is important and can be demonstrated.

All claims for taxi fares must, therefore, state clearly the reason for the use of taxis and should be supported by **receipts**.

Rail Travel

The class of rail travel to which you are entitled is as follows:-

Grades CA5 and above	First Class
Grades CA4 and below	Standard Class

You must include the actual ticket or obtain a **receipt** from the station where you purchased your ticket, when claiming a rail fare.

Staff entitled to standard class travel **may** be allowed to travel first class in the following circumstances:-

If you are travelling with an Authority employee entitled to travel first class, or a non-Authority employee travelling first class; or

When you certify, in writing, that a seat could not be found in a standard class compartment (except on suburban lines).

If justified, the additional costs of seat reservation may be paid.

Sleeping Berths

All staff travelling overnight on official business may occupy single sleeping berths.

Air Travel

You should use Economy Class air travel when there is a cost advantage, because of savings of subsistence allowances and/or official time, or if the urgency of the journey justifies the extra cost. Claims for reimbursement of air fares must be supported by the stub of an airline ticket and/or the **receipt** from the travel agent used.

Sea Travel

If you travel by sea on official business you are entitled to travel first class regardless of subsistence category. If you are required to travel overnight on official business you are entitled to a sleeping berth at the Authority's expense, the actual cost of breakfast and 24 hour flat rate.

Hovercraft

Travel by hovercraft is permissible where this is the most efficient and economic method of travel.

Tips

Tips or gratuities cannot be reimbursed.

Privately Owned Motor Vehicles

For the purpose of payment of approved mileage allowances under the rules set out in this section, the following may be regarded as your private vehicle:-

A vehicle owned or being bought on credit and which is registered in your name;

A vehicle hired by you;

A vehicle registered in your wife/husband/partner's name provided that:-

The normal insurance requirements are fulfilled and insurance policies specifically cover the use of the vehicle by you on Authority business; **and**

If the vehicle is available for use by you on official business, and to carry official passengers.

Rules for the use of Private Vehicles

The rules for the purpose of payment of approved mileage allowances apply, similarly, in the following circumstances:

when you travel on official business in a vehicle which you own but which, on that occasion, is being driven by another person;

when your vehicle is being used on official business but is being driven by another person because you are not present (e.g. when the vehicle is used to take staff to or from an airport).

You are deemed to be “in the course of your duty” for the purpose of the injury benefit provisions of the Principal Civil Service Pension Scheme, as framed under Section 2(1) of the Superannuation Act 1972, when using a private motor vehicle on official business, or when travelling as an official passenger in another staff member’s car. You are also covered by the Social Security Act 1975, subject to the decision of the Statutory Authorities in a particular case. In other respects, provision for injury or death due to accident while you are using your private motor vehicle on official business is your own responsibility.

Approved Mileage Allowance Payments (AMAP)

The Approved Mileage Allowance Payments by the Authority are in accordance with Inland Revenue. Claims can be made at 40 pence per mile, regardless of your car engine size, up to 10,000 miles in the tax year. On each additional mile over 10,000 miles claims can be made at 25 pence per mile.

With effect from 1st January 2006 all claims for fuel purchases and mileage allowances must be evidenced by a VAT invoice from a fuel supplier. The receipt must contain the following information: Name, address and VAT registration number of the fuel supplier. Date of supply. A description which identifies the supply and the total amount payable, including VAT charge and the VAT rate charged. A claim cannot be supported by a VAT invoice which is dated after the date covered by the claim. Please be aware that failure to provide a receipt **will not** result in non payment of your mileage allowance or fuel purchase

In addition to the above the CA will pay a passenger rate of 5p per mile for each passenger carried, which is the maximum allowable under the scheme (though the passenger is required to be an employee also travelling on business).

Details of the Authority’s current rates of mileage allowances including those for vans, motorcycles and bicycles are located on the Authority’s Intranet.

The approved mileage allowance is payable to staff who:-

Are driving their own private motor vehicles as defined above;

Fulfil the insurance requirements as set out in Paragraphs 14 and 15 below;
and

are using the vehicle for a journey, which the Authority recognises as appropriate for business travel by private motor vehicle (see section E2 Paragraph 1 “Definitions” above).

Where any of the following conditions apply or are likely to apply, your Line Manager should give prior agreement when suitable officially provided transport is readily available or, it is known before a particular journey is started, that an employee could travel as a passenger in another vehicle

(private or official) to be used at about the same time for an official journey over approximately the same route.

Prior Approval for Car Use

Approval for authorised journeys under Paragraph 12 above will be based on all items of expenditure, including travel and subsistence allowances, and the cost of official time. Approval may be refused on grounds of cost alone and will only be given when it is clear that:-

the journey will not involve the Authority in more expense than would have been incurred if the journey had been made by other means, e.g. public transport or self-drive hire car;

other advantages outweigh the extra cost of travel in the particular instance.

Insurance for Vehicles

When using your private vehicle (see Paragraph 12 you must satisfy certain insurance conditions. It is your personal responsibility to ensure that you fulfil these conditions. When you use your vehicle on official business you must declare on the Travel and Subsistence Claim Form (FD002M) that you know and understand the insurance requirements, and that you are covered accordingly, stating whether you have Third Party or Fully Comprehensive Insurance Cover.

Declaration of Insurance

Prior to using your private vehicle on Authority business you must complete Form FD014 Part I and have Part II approved by your Line Manager.

Cash and Equipment

If you are required to carry official cash or equipment in your own private motor vehicle, you should ensure that your insurance cover will not be affected, if necessary, by notifying the insurance company. It is not intended that you should arrange special insurance cover in respect of risks to the cash or equipment itself.

Calculation of Mileage Entitlement

Employees cannot claim mileage for ordinary commuting as defined in E2.1 (Home to Office). Sometimes an employee may travel to a temporary workplace without that journey being significantly different from his or her ordinary commuting journey e.g. visiting a site, customer or supplier en route to work.

In these circumstances mileage can only be claimed if the journey to the temporary workplace is at least 10 miles longer in each direction than the ordinary commuting journey. However, where a journey to a temporary workplace takes an employee in a completely different direction from the ordinary commuting journey then the total mileage can be claimed.

Examples

Claire travels to a permanent office base four miles from her home. One day she travels two miles along her normal commuting route to a client and then on to the office location. No claim can be made for the journey from home to the client as the journey is substantially ordinary commuting.

Debbie travels to a permanent office base eight miles from her home. One day she travels to a client which is 11 miles beyond the office. Debbie drives 19 miles to the client. Claim can be made for the full journey from home to client (and back to the office/home) as the journey is not substantially ordinary commuting. The extra distance involved is more than ten miles.

Home to Office Journeys

As stated above the cost of daily travel between your home and your permanent place of work is your own responsibility. Only exceptionally can you be paid mileage allowances when you use your private motor vehicle for this journey. The principal exceptions are:-

when you are required to make an additional attendance outside normal working hours;

when you foresee that you will be required to stay **exceptionally** late at the office, until public transport has stopped running, or when the service is severely restricted;

when you are travelling under emergency arrangements operated by the Authority, when public transport is disrupted.

Claims made under this category are a taxable benefit, therefore in the event that additional eligible journeys are made, staff should submit a claim on a separate blue claim form (obtainable from Finance) and obtain the line manager's authorisation in the normal way at the end of each month. The line manager in approving the claim is also confirming that the attendance was pre-authorised by the appropriate Director.

Disabled Drivers

If you are disabled and cannot use public transport and you have to travel by car in all circumstances, you may be reimbursed at the approved rate (assuming that the normal insurance conditions are met) for all business travel.

Garage Expenses, Tolls and Ferries, etc.

If you use a private motor vehicle on business travel you may be reimbursed the cost of garaging and parking fees, tolls and ferry charges. Full cost may be reimbursed subject to certain limitations. Receipts must normally be produced, but parking meter charges may be reimbursed without receipts where your Line Manager is satisfied that such charges were necessarily incurred. Charges for overnight parking cannot be reimbursed **unless** you are being paid night subsistence for the night in question.

Pedal Cycles

When using pedal cycles for official journeys you may claim a pedal cycle allowance.

Use of Self-Drive Hire Cars

Where business travel would be in excess of a 150 miles round-trip, the Line Manager may, at his/her discretion, approve the use of a short term self-drive hire car and either:-

Authorise the reimbursement of all the hiring and running costs incurred (prior approval must be obtained from an authorising officer who would be a CA5 grade or above); or

A self-drive hire car will be arranged and paid for by the Authority.

Applicable to both options, no mileage allowance is payable, although actual receipted petrol costs will be reimbursed.

In an emergency (e.g. where your private vehicle breaks down while on business travel), any expenses necessarily incurred by you in hiring a vehicle to complete the business travel may be met, at Line Management discretion, even where you were unable to obtain prior approval. The insurance on the vehicle must, however, specifically cover the use of the vehicle on Authority business.

If you propose to hire self-drive hire cars you must ensure that you have essential insurance cover. However, extra cover beyond the standard cover offered by the hire company (e.g. personal accident cover, full damage cover) should not be taken out. In the event of an accident, Line Managers have discretion to authorise the payment of any collision excess, which becomes payable.

In exceptional circumstances, with the approval in advance of your Line Manager, you may use your own vehicle instead of a self-drive hire car. However, the amount of travel subsistence claimed must not be more than the standard car hire rate which would have been applicable had you used a self-drive hire car. The standard car hire rates include an amount for petrol, and current rates can be obtained from the Facilities Management Department.

Pool Cars

Staff who use Authority pool cars should note that:-

Drivers of pool cars are responsible for ensuring that they are properly immobilised before being left unattended;

Pool cars may not normally be garaged at a member of staff's home overnight for their own convenience;

Staff may however garage a pool car at their homes overnight, if

Line Management considers it necessary in the performance of the employee's duties, for them to garage the vehicle there overnight.

Travel Expenses for In-Service and External Training Courses

Attendance at external training courses constitutes official duty. Hence, travel expenses arising out of attendance at such courses may be paid in accordance with the normal rules governing travel to a temporary workplace.

E3 Subsistence and Other Allowances

Introduction

This part of the Handbook sets out the rules for payment of subsistence and other similar allowances. They are designed to meet the **extra** cost incurred by you whilst away from your normal place of work on official duty. The circumstances governing the payment of subsistence include those occasions covered in the definition of business travel (see Section E2, Paragraph 1). Current rates of subsistence allowances and examples of claim forms are available on the Intranet.

Because these rules deal with payments for expenses incurred on official duty, it follows that (unless explicit provision is made to the contrary) entitlement ceases when an employee dies, retires, resigns or is dismissed. Payments do not reckon as pay for purposes of superannuation benefit.

In making claims for night subsistence allowances, you should note the following points:-

Claims for bed and breakfast should refer to **actual** expenses incurred and must be supported by receipts. The 24 hour flat rate does not require a detailed breakdown of expenditure.

Claims should be supported by full details of expenses incurred and give information such as the route taken, places visited, times of arrival and departure – this will avoid the need for additional enquiries.

All claims for day subsistence allowances (i.e. 5 hours+ or 10 hours+) for actual overnight expenses and travelling expenses should be made on Form FD002M. This should bear the signature of a countersigning officer, who should certify that the visits and periods of absence from your normal place of work were necessary for the proper discharge of official business and that the business journeys were arranged to incur a **minimum** expense.

Incomplete claim forms which do not include full details of the claim, i.e. period of absence for subsistence allowance purposes, will be returned to the claimant by the Finance Department and will not be authorised for payment until fully completed.

Claims likely to be Refused

The Authority may refuse to meet claims (in whole or in part) for:-

unreasonable expenses; those expenses, which could have been avoided, had the journey been better planned.

If you are promoted you are entitled to certain public travel expenses on a scale appropriate to your new grade with effect from the date on which you take up your duties. Changes in the rates of subsistence allowances and classification apply only to travel undertaken **after** the announcement of the change.

Definitions

The following is a definition of the term used in this section:-

‘Period of Absence’

the actual time of absence if the journey starts and ends at your place of work;
or

if you travel direct from home or return there directly, the actual time of absence or, if shorter, the time you would have been absent, had the journey started and ended at your place of work.

Levels of Subsistence Classification

These can be obtained from the Intranet.

Types of Subsistence Allowances

Night Subsistence

Night subsistence is divided into two parts:-

Bed and full breakfast, paid on the basis of actual expenditure, supported by a **receipt**, and within indicative rates as published from time to time.

A 24 hour flat rate for lunch, dinner and travel between hotel and temporary workplace. (See the Intranet for current rate).

When you are staying away from home you can claim up to £5 per night to cover the cost of personal incidental expenses, i.e. telephone calls home, newspapers, etc. There will be no income tax liability for amounts up to £5 per night.

Day Subsistence Allowance (subject to Paragraph 6 below)

You may claim when you are absent from your normal place of work and if you necessarily incur additional expenditure for meal(s). The rates vary according to the length of absence. A detailed breakdown of expenditure will

not be required for appropriate flat rate claims. (See Intranet for current rates).

Meals on board Trains

When a main meal, i.e. a full breakfast, lunch or dinner is taken on board and during a period qualifying for Day Subsistence Allowance, the cost of the meal (including VAT, but excluding alcoholic beverages) may be reimbursed in full, subject to the production of **vouchers/receipts**.

The number of such meals, which you may be paid for, and the effect on subsistence allowance payable for the period is shown below:-

for absence of more than five hours but no more than 10 hours – one main meal on board in lieu of payment of the five-hour rate;

for absence of over 10 hours – either one main meal on board, plus the normal 5-10 hour Day Subsistence Allowance, or two main meals on board in lieu of payment of the 10 hours+ rate.

Day Subsistence not Allowable

It should be noted that Day Subsistence Allowance is not payable in any of the following circumstances:-

concurrently with night subsistence;

if you are provided with all appropriate meals during a visit;

Overnight Stay with Friends/Relatives

A flat rate allowance of £25 to cover a 24 hour period is payable to staff who stay with friends or relatives whilst on official business. In addition, £5 per night personal incidental expenses can be paid. Please see the current travel and subsistence allowances on the Intranet.

Cancellation, Postponement and Staff Recalled from Annual Leave

Full details of the above policy are held in the H R Department and any queries concerning cancellation, postponement and staff recalled from annual leave should be referred to the HR Manager.

Travel and Subsistence of Spouses and Partners of Senior Management

It is a general rule that, when staff attend an official function accompanied by their spouse/partner, expenses cannot be reimbursed by the Authority. However, this rule may be waived in certain circumstances. If an invitation to a function includes a spouse/partner, their expenses may be reimbursed if:-

prior approval has been obtained from your Department Director (if the staff member is a Grade CA7, permission should be sought from the Chief Executive); and

You are attending the function in a strictly representational capacity; or

It is expected that the majority of other guests will also be accompanied; or

It would cause offence or embarrassment if the invitation were to be refused;
or

It would be unreasonable, because of the frequency of such invitations, to expect you to meet your spouse/partner's expenses.

This dispensation is generally intended to apply to Grade CA7 and above but it may also be applied exceptionally to Grade CA6, provided that the necessary criteria are met. It is for the appropriate level of senior management to decide if the interest of the Authority would be best served by the use of this dispensation.

Examples of functions, which might qualify, are receptions/invitations from industry and trade associations. A spouse/partner's expenses are reimbursable at the level appropriate to the member of staff. Where an overnight stay is necessary, actual expenses may be reimbursed, as may meals and incidental expenses up to a maximum of one-third each of the appropriate night subsistence allowance.

Claims made under this category are a taxable benefit so should be submitted on a separate claim form.

Hire of Formal Wear for Official Functions

When attending official functions which require formal wear you may be reimbursed the actual hire charges, provided you do not already possess your own. If you attend official functions on a frequent basis, you may purchase a formal outfit and claim the equivalent hire charge on each occasion it is used until paid for.

Claims made under this category are a taxable benefit so should be submitted on a separate claim form.

E4 Relocation Expenses

The Authority will offer relocation assistance when:-

the mobility obligation is enforced; or

New recruits are appointed in "shortage posts", i.e. a post that, without the use of this flexibility, would otherwise be difficult to attract suitable candidates.

Full details are held in the HR Department and any queries concerning relocation should be referred to the HR Manager.

E5 Entertaining

Business Entertaining

Directors and employees (subject to prior authorisation of the Department Director/Head) will be reimbursed reasonable actual expenses incurred provided that the Director/employee is required for genuine business reasons to entertain customers, suppliers or other business connections in the course of performing the duties of the employment. When the entertaining expenses incurred are reimbursable no restriction is made for the cost of the employee's own meal.

Expenses in entertaining other employees of the Authority only (i.e. without third parties as detailed are not reimbursable.

Staff Entertainment

As stated above, expenses incurred in entertaining the Authority's own employees are not reimburseable except in exceptional circumstances approved by the Chief Executive. Under Inland Revenue rules the liability for tax arises on the employee who receives the benefit, but the Authority will account for tax and National Insurance through a PAYE Settlement Agreement with the Revenue. The following examples are subject to tax and should therefore be pre-authorised by the Chief Executive:-

- social entertaining of staff
- staff award meals
- departmental staff events
- meals for joiners/leavers
- retirement dinners

Claims for reimbursement should be made on a separate expense claim form and submitted to the Chief Executive for approval. Similarly invoices from hotels, restaurants, transport etc payable directly by the Authority must be approved by the Chief Executive and HR department informed for inclusion in the annual return to the Inland Revenue.

There is an Inland Revenue concession for staff events that are open to all employees on the same basis (e.g. annual dinner/ dance), subject to the total cost per head not exceeding a limit set by the Revenue.

Working Lunches

Working lunches which involve no customers or third parties are taxable in the same way as any other staff entertaining.

Home Working

The Authority operates a Home Working policy for staff whose conditions of contract require them to be home based.

Full details are held in the HR Department and any queries concerning home working should be referred to the HR Manager.

SECTION F – POLICY AND PROCEDURAL MATTERS

F1 Capability Procedure

Introduction

The Authority recognises the importance of the contribution of its employees to meeting its objectives. This policy is designed to promote best practice and is primarily an enabling process intended for all staff to identify and manage issues of work related performance.

This policy is not to be used when dealing with issues of misconduct. In such circumstances, the Authority's disciplinary procedure should be applied.

Occasionally it may be necessary to activate the Sickness Absence t Procedure alongside the Capability Procedure.

The main aim of the procedure is to encourage and help employees to improve their standard of work.

Scope

The policy applies to all employees of the Authority with the exception of those who are serving a probationary period.

Principles

It is the duty of all employees to conduct themselves appropriately and to undertake their work to the required standards of performance. Every employee will receive a job description to ensure that they are aware of the core duties to be carried out in their role.

Line Managers should ensure that employees fully understand the standards of performance expected by the Authority.

The Authority will ensure that all employees are trained and competent to undertake their duties.

Where an employee's ability to perform the duties of their post gives rise to a concern the situation will be investigated in accordance with the terms of this procedure.

The employee will have the right to be accompanied by a work colleague or Trade Union Representative at any formal interview

Procedure

Informal Stage

Any concerns regarding the performance of an employee should initially be drawn to the employee's attention informally through the normal line management process, with an opportunity for the employee to explain their opinion of their performance. Any underlying reasons for the performance should be discussed. The line manager should agree an action plan with the employee to ensure that improvements are made.

Any additional training needs should be identified at this stage. The Authority will support employees to ensure they reach the required standard.

The line manager should make a note of this discussion and any actions that have been agreed.

Formal Stage

Stage 1

Where the employee fails to achieve a satisfactory standard of work following informal action, Human Resources will write to the employee inviting them to attend a formal interview. This letter will summarise the nature of the employee's incapability with details of any supporting evidence.

The interview will be conducted by the employee's line manager and a member of the HR team.

At the interview the line manager will explain why the employee's standard of work is unsatisfactory, outlining the gap between actual performance and required performance.

The employee will be given an opportunity to explain any underlying reasons for the unsatisfactory performance.

The line manager and the employee should agree an action plan the purpose of which should be to;

- Agree the required standard of performance
- Set a timescale, within which the required standard is to be achieved
- Identify necessary and reasonable development required
- Set up dates for review meetings
- Monitoring progress

The employee will be advised that failure to meet the required standards may result in further action which could ultimately result in their dismissal.

Where at any stage, the employee's performance improves to an acceptable level they will be notified of this in writing.

Stage 2

If the employee's standard of work is still unsatisfactory at the end of the review period, a second formal interview will be held. The line manager will explain why the standard of work is still not acceptable and the employee will be given an opportunity to provide reasons why the required standard has not been met.

If reasons given by the employee are not acceptable one of the following actions may be taken;

- The period for improvement may be extended
- An alternative action plan may be implemented

At this stage the employee will be given final written notification that failure to meet the required standard of work within the timescale may result in their dismissal.

Appropriate supervision, coaching, encouragement, and monitoring will continue and line managers must keep notes of all actions taken along with their outcomes.

Where at any stage the employee's performance improves to an acceptable level they will be notified of this in writing.

Stage 3

Where the employee's standard of work is still unsatisfactory after a final written warning and where in the opinion of the managers involved in the process, an appropriate amount of time has been given in which to improve, the employee will be invited to attend a further formal interview. The interview will be conducted by the Director of the employee's department and the Human Resources Manager.

The Line Manager will also be present to provide evidence of the process followed to date. They will discuss the gap between the employee's actual standard of work and the required standard and the measures taken to assist the employee to achieve a satisfactory standard of work.

The employee will be given the opportunity to explain their unsatisfactory standard of work and why their performance has not improved given the support and time they have received.

The Director will make a decision on the action to be taken having heard all the evidence.

If the Director is satisfied that the employee's standard of work is still below the required standard and that sufficient measures have been taken to help the employee. He/She may consider the following options;

- The extension of the period for improvement
- The modification of targets
- Dismissal on the grounds of incapability, with the appropriate contractual notice. As an alternative to dismissal the Director may wish to seek

alternative employment for the employee within the Authority. This could be a post in a different area or post on a lower grade. There is no right to salary protection if a person accepts a post on a lower grade, as a result of the Capability process nor does the employee have an automatic right to be re-deployed. If redeployment or demotion is considered it is important that this It will depend upon whether there is a suitable vacancy available and the employee's ability to perform the duties. All offers of redeployment will be made in writing specifying a trial period in which performance will be assessed. The implications of non acceptance or an unsuccessful trial period should also be made clear to the employee. The new manager will determine the trial period in consultation with HR but in any case the trial will not exceed 6 months

Right of Appeal

The employee will have the right of appeal against any formal warning taken under this procedure.

Appeals will be heard by an appropriate panel of two independent Authority employees who have not previously been involved in considering the matter. One member of the panel should be the Chief Executive.

All letters of appeal should clearly set out the grounds upon which the appeal is made.

The employee will be notified in writing of the arrangements for the appeal hearing, including their right to be accompanied by a work colleague or trade union representative, at the earliest opportunity. No less than seven days notice will however be given of the date of the appeal hearing. If the Trade Union representative or work colleague are not available on the proposed date, an alternative date will be offered in the period up to seven days after the original date.

Following the appeal hearing one of the following decisions may be taken;

- Appeal rejected
- Appeal upheld – the action taken is withdrawn and any written reference removed from the employee's file
- Sanction altered – the action taken may be substituted with an alternative sanction.

At the completion of the appeal the decision will be given as soon as possible.

No further right of appeal will be available.

F2 *Disciplinary Procedure*

Introduction

It is recognised by the Authority that discipline is necessary for the efficient operation of the organisation and for the health and safety at work of all staff. In order to provide a fair and effective procedure for dealing with disciplinary

matters, the following procedure will be applied in all instances where disciplinary action is considered necessary, other than where an informal reprimand is given for some relatively minor act of misconduct. Minor disciplinary offences will be dealt with on the spot by Line Management by informal or oral warning. It should be noted that where the behaviour complained of concerns an apparent failure of performance rather than of conduct, the Capability Procedures will be appropriate (see Section F1).

The procedure applies to all members of staff of the Authority.

The procedure does not apply to:-

Termination of a fixed term contract of employment where the term of that contract expires without being renewed;

Termination of a temporary appointment where the reason for termination is that the requirement for the staff member's service has ceased or diminished, or is expected to cease or diminish;

Termination during or at the end of a probationary period of service, whether or not extended beyond its originally specified duration;

Termination of employment by reason of redundancy;

Resignation by the staff member, or other termination by mutual consent;

Incompetence, capability or other poor performance at work which is considered not to be attributable to a wilful disinclination by the staff member to carry out his or her duties efficiently or effectively, but which is thought to be attributable to a lack of skill or aptitude, or to health or any other physical or mental quality. The Capability Procedure exists for trying to resolve such problems.

The time limits referred to in the following procedure may be varied by agreement.

When considering a disciplinary case the Authority will also take into account all relevant personal, domestic or social circumstances brought to its attention by the staff member concerned or by others, such as a member of staff acting as a counsellor.

Principles

No disciplinary action will be taken against you until the case has been fully investigated.

At every stage in the procedure you will be advised of the nature of the complaint against you and will be given the opportunity to state your case before any decision is made.

At all stages you will have the right to be accompanied during the disciplinary interview by a work colleague or trade union representative.

No member of staff will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.

A decision to dismiss will normally be taken by the Chief Executive or a Department Director and never by a member of staff less than Grade CA7. For staff at Director level, a decision to dismiss will normally be taken by the Remuneration Committee.

You have the right to appeal against any disciplinary penalty imposed.

The procedure may be implemented at any stage if your alleged misconduct warrants such action.

The Procedure

Minor faults will be dealt with informally but where the matter is more serious the following procedure will be used.

Stage 1 – Oral Warning

If conduct does not meet acceptable standards you will normally be given a formal **Oral Warning** by your Line Manager. You will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of your right of appeal. A brief note of the oral warning will be kept but it will be spent after six months, subject to satisfactory conduct and performance.

Stage 2 – Written Warning

If the offence is a serious one, or if a further offence occurs, a **Written Warning** will be given to you by your Line Manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on your personal file and by your Line Manager but it will be disregarded for disciplinary purposes after nine months, subject to satisfactory conduct.

Stage 3 – Final Written Warning or Disciplinary Suspension

If there is still a failure to improve and conduct is still unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal (in effect both first and final written warning), a **Final Written Warning** will normally be given to you. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of your right of appeal. A copy of this final written warning will be kept on your personal record and by your Line Manager but it will be spent after 12 months (in exceptional cases the period may be longer), subject to satisfactory conduct.

In addition, consideration may be given to imposing a penalty of a disciplinary suspension without pay for up to a maximum of five working days.

Stage 4 – Dismissal

If conduct is still unsatisfactory and you still fail to reach the prescribed standards, **Dismissal** will normally result. Only the appropriate senior manager or the Remuneration Committee (see Paragraph 5 above) can take the decision to dismiss. You will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which employment will terminate and your right of appeal.

Gross Misconduct

Gross misconduct is regarded as misconduct of such a nature that it fundamentally breaches the contractual relationship between the employee and the employer and justifies management in no longer accepting the continued presence of the employee at the place of work.

The following list provides examples of offences, which are normally regarded as gross misconduct. However, this should not be regarded as an exclusive or exhaustive list; acts of misconduct not falling within one or more of the rules may also give rise to disciplinary action:-

- Theft, dishonesty fraud, deliberate falsification of records;
- Assault, insulting behaviour or violence, including threats of violence, of any kind towards another person within working hours;
- Deliberate damage to the Authority's property or equipment;
- Alcohol, drug or substance abuse;
- Serious negligence which causes or might cause unacceptable loss, damage or injury;
- Gross insubordination and/or continuing refusal to carry out reasonably instructions;
- Unauthorised entry to computer records;
- Absence without authority;
- Breach of the Authority's non harassment policy (includes harassment of colleagues or others on the grounds of sex, race, disability, sexual orientation and religious belief);
- Unauthorised use or disclosure of confidential information;
- Breaches of health and safety rules which endanger health and safety of others;
- Serious or persistent breach of Authority rules.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the Authority investigates the alleged offence. During this time, for security reasons, the Authority may decide that it is necessary to restrict your access to the building and computer network. This action is without prejudice to the individual's right of appeal. If, on completion of the investigation and the full disciplinary procedure, the Authority is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

Appeals

Staff up to Director level

If you wish to appeal against a disciplinary decision you should inform your Department Director within five working days. [The Chief Executive will hear all appeals and his decision is final.] At the appeal any disciplinary penalty imposed will be reviewed but it cannot be increased.

Staff at Director level

If you wish to appeal against a disciplinary decision you should inform the Remuneration Committee within five working days. The Remuneration Committee will hear the appeal and its decision will be final. At the appeal any disciplinary penalty imposed will be reviewed but it cannot be increased.

F3 Grievance Procedure

The purpose of this Grievance Procedure is to enable staff to air any concerns that they may have about practices, policies or treatment from other individuals at work, and to produce a speedy resolution where genuine problems exist.

Although it may not be possible to solve all problems to everyone's complete satisfaction, this policy forms an undertaking by the Authority that it will deal objectively and constructively with all employee grievances, and that anyone who decided to use the procedure may do so with the confidence that their problem will be dealt with fairly.

This grievance procedure is not a substitute for good day to day communication in the Authority where we encourage employees to discuss and resolve daily working issues in a supportive atmosphere. Many problems can be solved on an informal basis if all employees are prepared to keep the channels of communication between themselves open and working well. This procedure is designed to deal with those issues, which need to be approached on a more formal basis so that every route to a satisfactory solution can be explored, and so that any decisions reached are binding.

Employees are reminded that this procedure is independent of any appeals procedure which exists within our formal disciplinary procedure. This procedure does not affect any statutory rights.

You are reminded that a trade union representative or colleague of your choice may accompany you at any stage in this procedure. Your companion may address the meeting and confer with you during it, but may not answer questions on your behalf. Every effort will be made to convene meetings at a time which is convenient for you and your companion to attend. If this means that the meeting cannot be held within a reasonable period, (usually within five working days of the original date set) we ask that you make arrangements with another companion who is available to attend.

All records of meetings and decisions made will be made available to representatives if requested.

Informal Procedure

In the first instance, if any matter concerning policy, procedure or your dealings with other individuals, causes you concern, you should approach your immediate manager, who should normally arrange a meeting with you within two working days of your request to see them.

In certain circumstances, where your immediate manager is a part of the problem, you should approach the next level of management or the Human Resources department who will approach that level on your behalf.

The first meeting will be an exploratory discussion and you may decide that your problem can be addressed very simply at this point. Alternatively, you may wish to make your grievance formal.

A written record of this meeting will be made and you will receive a copy of this record, including any note of any decision reached, within five working days of the date the meeting was held.

Formal Procedure

If the matter cannot be resolved to your satisfaction at the informal stage, you should raise the matter in writing with the Human Resource Department. This request must be made within five working days of the written record of the initial meeting and any decision reached.

A meeting will be arranged within five working days of receipt of your written request and every effort to resolve the issue will be made at this point.

Appeal

If as a result of the investigation you are still dissatisfied, you may appeal to the Chief Executive of the Authority. The Chief Executive will consider the matter put to him/her and in doing so may seek advice from third parties. The Chief Executive will be expected to reply within a further seven working days, if reasonably practicable. This shall be the final stage of the procedure.

F4 Equal Opportunities

Policy Statement

The Authority is committed to providing equal opportunities for all its staff irrespective of sex, sexual orientation, marital status, religion, colour, race, ethnic origin, disability or age. This commitment extends to recruitment, training, career development, promotions and performance appraisals.

It is also the Authority's policy to provide equal opportunities to disabled persons, taking into account their disability only to the extent to which it would affect their ability to perform the job, and any health and safety considerations.

In implementing this policy the Authority will apply recruitment, selection, performance and promotion standards in line with the needs of the business.

Every employee is instructed that:

- There should be no discrimination on account of disability, race, colour, religion or similar philosophical belief, ethnic origin, sexual orientation or marital status.
- The Authority will appoint, train, develop and promote on the basis of merit and ability only.
- All employees have personal responsibility of the practical application of the Authority's equal opportunity policy which extends to treatment of employees and customers.
- Special responsibility for the practical application of the Authority's equal opportunity policy falls upon managers and supervisors involved in the recruitment, selection, promotion and training of employees.
- The Authority's grievance procedure is available to any employee who believes that he or she may have been unfairly discriminated against.
- Disciplinary action should be taken against any employee who is found to have committed an act of unlawful discrimination or harassment. Discrimination and conduct including sexual or racial harassment will be treated as gross misconduct.

In the case of any doubt or concern about the application of the policy in any particular incident, any member of staff should consult the Authority's grievance procedure.

F5 Harassment at Work

The Authority is committed to the prevention and elimination of harassment at the workplace because of the problems it causes and the serious effects it can have on the lives of employees.

Harassment can take many forms and can be aimed at an individual or a group. People can be subjected to harassment on grounds such as their :-

Race, ethnic origin, nationality or skin colour;
Sex or sexual orientation;
Religious or political convictions;
Willingness to challenge harassment, leading to victimisation;
Membership, or non-membership, of a trade union;
Disabilities, sensory impairments or learning difficulties;
Status as ex-offenders;
Age (or youth);
Real or suspected infection with AIDS/HIV;
Bullying in the workplace.

Unwelcome or unreciprocated behaviour in connection with any of these examples, which if found by you to be unacceptable, objectionable, offensive or intimidating, can constitute harassment.

Management will undertake all reasonable steps to ensure that there is no harassment within the Authority and to inform all employees of this policy.

Harassment will be treated as a disciplinary offence and appropriate disciplinary action, which may include dismissal, will be taken against the offender.

If you believe that you are a victim of harassment at work and wish to seek advice please contact your Line Manager or HR Manager.

F6 Fraud Response Plan

Reporting Fraud or Suspicion of Fraud

Any fraud, or suspicion of fraud, should be raised through the management line, or else the Solicitor & Secretary of the Authority approached in confidence, who is entrusted with the duty of investigating staff concerns about illegal, improper or unethical behaviour. Staff should also draw attention to cases where there is evidence of criminal or unlawful activity by others and should also report cases where they believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved, or if they are required to act in a way, for them, which raises a fundamental issue of conscience.

Where a member of staff has reported a matter covered in Paragraph 1 above and believes that the response does not represent a reasonable response to the grounds of his or her concern, he or she may report the matter in writing to

The Director General, Resources & Services, 1 Victoria Street, London, SW1 0ET, who is a nominated official of the Department of Trade & Industry who will investigate the matter further.

Where a member of staff believes that they are being required to act in a way which:-

- Is illegal, improper or unethical;
- Is in breach of a professional code;
- May involve possible maladministration, fraud or misuse of public funds;
- is otherwise inconsistent with this Code;
- they should raise the matter in the manner described in paragraph 1.1, above.

The Authority has adopted a Whistleblowing Policy with the aim of encouraging employees not to turn a blind eye to malpractice in the workplace, to voice their concerns and to facilitate a more open and honest working environment. Staff who speak out about genuine concerns, which meet the criteria of a “qualifying disclosure” under the Public Interest Disclosure Act 1998, will have statutory protection against dismissal and victimisation.

Investigating Fraud Reports

The Line Manager to whom the incident has been reported should establish the facts quickly.

Any threat of further frauds or losses should be removed immediately by the line manager, for example by changing procedures or suspending payments. Such actions should be reported immediately to the Solicitor & Secretary.

The Solicitor & Secretary, in conjunction with the Executive Committee, should decide how the Authority should investigate the fraud. If relatively minor in nature, an internal investigation, instigated by the line manager, reporting to the Solicitor & Secretary and appropriate Executive Director will be adequate. Frauds more serious in nature, and involving significant financial loss (more than £2,500), should be investigated by the Authority’s contract Internal Audit Team, instructed by either the Solicitor & Secretary, or the Director of Finance (or the Chief Executive/ Accounting Officer in the event of either the Solicitor & Secretary’s or Director of Finance’s departments being subject to the investigation).

Securing Evidence in a Legally Admissible Form

Upon receipt of information about a suspected or actual fraud, no person implicated may remove any item from the office or access any Authority system without permission in writing from the Chief Executive, or in his absence a member of the Executive Committee in order to preserve potential evidence. Where there is a genuine belief that a fraud may have been

perpetrated, an employee under suspicion must comply with any request for production of potentially relevant documents.

Contacting Police: When and How

The Solicitor & Secretary, in conjunction with the Executive Committee, shall decide whether, in all the circumstances, it is appropriate to inform the Police where there is a suspicion of fraud.

Where there is prima facie evidence of fraud the Police must be informed.

A decision not to refer the matter to the Police is not final and may be reviewed at any time.

Initiating Recovery Action

On ascertaining facts of the fraud, including an evaluation of any losses, the Executive Committee must consider initiating recovery action.

Where losses are small in financial terms (less than £2,500 in respect of contractors/consultants/suppliers, less than final salary payment in respect of employees) recovery may be possible via deductions from final contractual payments. Where losses are higher in value, the Finance Department should investigate the financial position of the offender to establish the likely success of recovery action. Recovery action will be undertaken by the Solicitor & Secretary, using external legal advice where necessary.

Other Contacts

Advice may be sought from the Authority's Solicitor & Secretary, legal advisors, consultants or the Police as necessary and in accordance with the guidance above. BERR should be informed where financial losses are in excess of the write-off's limit set out within "Government Accounting" (currently £500 per individual case, £5,000 cumulatively in any one year).

BERR/HM Treasury should also be contacted for guidance and advice in the event of any major fraud.

Disseminating Lessons Learned

Cases of fraud should be publicised within the organisation to ensure that any risk of re-occurrence is minimised. Internal Audit should be invited to review control mechanisms and report on correcting any weaknesses.

Major frauds reported to BERR/HM Treasury may feature in the HM Treasury periodical report of frauds, published to all Government Departments and Agencies.

F7 Public Interest Disclosure Act 1998 ("PIDA) Whistle Blowing Policy

Aim

The Coal Authority is committed to providing an ethical and moral working environment, free from malpractice, harassment, bullying, discrimination and breaches of Health and Safety. This Policy aims to encourage employees not to turn a blind eye to malpractice in the work place, to voice their concerns and to facilitate a more open and honest working environment.

Application

This Policy applies to all Authority employees.

Legal Background

The Public Interest Disclosure Act came into force on 2 July 1999 and introduces increased employment rights to the Employment Rights Act 1996. In summary the statute introduces statutory protection against dismissal and victimisation for all workers who speak out about genuine concerns in the workplace, "qualifying disclosures".

Scope of the Policy

A "qualifying disclosure" will only exist if, in the reasonable belief of the employee making the disclosure, the concern raised tends to show any of the following offences have been, are being, or are likely to be, committed:

- criminal offence(s);
- failure to comply with legal obligation
- Health and Safety endangered
- the environment is likely to be damaged (NB. The employer does not have to be acting illegally)
- miscarriage of justice
- information tending to show that any of the above matters is or is likely to be concealed

If an employee has made a "qualifying disclosure" then they must follow the procedure set out below in order to gain the protection of the PIDA.

Reporting Procedure

An employee should raise their concern with their immediate line manager. If for any reason they feel unable to do this they should contact the H R Department.

Once a disclosure has been made it will be investigated regardless of the wishes of the discloser to determine whether it raises a matter of public interest.

Employees who have raised an issue and who still have concerns and/or are unhappy about the outcome of any investigations should raise the matter further in writing with the Chairman of the Audit Committee. The Chairman of the Audit Committee will report the fact of the referral and the resultant response to the Audit Committee who in turn may refer the matter to the Board.

Anonymity

In certain situations employees may opt to remain anonymous. As far as is reasonably practicable the Authority will ensure an employee's anonymity is preserved, but this cannot be guaranteed, as for example, a court or tribunal may order disclosure.

Investigating Procedure

On receipt of a reported incident or occurrence, the Authority commits to carry out a prompt and thorough investigation into the concern raised.

The outcome of any investigation carried out will be communicated to the employee who reported the incident or concern.

The Solicitor and Secretary will be responsible for ensuring that a full and thorough investigation is carried out and depending on the nature of the complaint, will be responsible for co-ordinating investigations with the appropriate departments.

Protection Against Victimisation, Harassment Or Dismissal

The Authority seeks to encourage employees to report any concerns or malpractice internally. Employees reporting a concern will be protected from harassment, victimisation, dismissal or any other reprisal as a result of reporting their concern.

Any employee found to be victimising, harassing or subjecting any other employee to any reprisal may be subject to disciplinary action. Depending on the seriousness of the case, an act of reprisal may be viewed as an act of gross misconduct warranting summary dismissal.

Deterring Disclosures

Deterring any employee from reporting a legitimate concern is viewed as a serious offence. Any employee found to be deterring another employee would be subject to disciplinary action, which could result in dismissal.

False Allegations

The reporting of false or malicious allegations is deemed to be a serious disciplinary offence. Any employee found to have made a malicious or deliberately false allegation may be subject to disciplinary action, which could result in dismissal.

Communication of the Policy

This policy is communicated to all employees via Executive management briefings initially and its inclusion in the Staff Handbook.

Interface with Other Policies And Procedures

The Whistleblowing policy is not designed to replace the Authority Grievance Procedure but evidence gathered may lead to other procedures such as the disciplinary procedure and audit procedure being invoked.

Review of The Policy

The Authority commits to monitor and review the operation of the Whistleblowing policy on a bi-annual basis.

F8 Use of Computers, Internet and E-mail

The use of IT services within the Authority is governed by the IT user policy which all staff have received and signed as acceptance. Please refer to the IT policy which can be accessed in the Authority's intranet.

SECTION G – HEALTH AND SAFETY

G1 Introduction

With the introduction of the Health and Safety at Work Act it has been a requirement that organisations employing more than five people should produce a Health and Safety Policy. It is also necessary to review and revise the policy to reflect the changing safety needs of the organisation.

For the specific organisation and arrangements relating to the Authority's obligations regarding Health and Safety refer to the Health and Safety Policy located with your Line Manager or the Safety Representative. You are required to familiarise yourself with the Policy, arrangements and standards.

This policy and arrangements deal with all aspects of potential Health and Safety liability. It is hoped that it gives a true reflection of the determination and attitude toward safety standards within the Authority, an organisation which by its very nature demands the highest standards in all aspects of its work.

The maintenance of standards also includes exercising a duty of care as an organisation, individually and one to another, irrespective of status.

The Health and Safety Policy sets out the commitment to general Health and Safety of the Authority. However, it is under constant review and consequently the Authority may from time to time make changes or implement new requirements and procedures. You will be advised of the changes accordingly.

G2 Policy Statement

The Coal Authority is committed to carrying out its business in a manner that protects and maintains the health, safety and welfare of its employees and others that may be affected by its activities.

It is the Coal Authority's policy to carry out all operations in an appropriate and reasonable manner in accordance with the requirements of the Health and Safety at Work Act 1974 and all other applicable legislation.

The Coal Authority will aim to achieve continuous improvement in health and safety performance through establishing and maintaining systems that ensure:

All risks arising from our activities are identified, evaluated and appropriately controlled and safe working practices are implemented, maintained and reviewed.

- Employees are provided with the resources, information, instruction, training and supervision as necessary to allow them to perform their allocated tasks competently and safely.

- Effective controls are in place for the design, maintenance and use of premises, plant, substances and equipment that minimise risks to employees, contractors and the public.
- Only competent Contractors and Consultants are appointed who can demonstrate high standards of health and safety performance whilst carrying out their activities.
- Effective proactive and reactive monitoring and review arrangements are in place that measure the Coal Authority's performance and identify if further actions need to be taken.

The Coal Authority recognises that to achieve improvements, commitment towards health and safety is essential from all employees and arrangements are in place to consult and communicate on health and safety policy and procedures with staff on a regular basis.

The main responsibility for implementing this policy lies with the Chief Executive, Directors, Managers and Line Manager who have a duty to provide a healthy and safe environment for their employees. The Director of Mining Projects and Property has been given the accountability for monitoring and reporting on our health and safety performance and providing advice as necessary to maintain and improve our performance.

All employees have the authority to take immediate action in the interests of public safety and the Authority will support the employee's decision not to commence work or to stop work where in their opinion high levels of risk cannot be effectively controlled. Employees have a responsibility to themselves and others for maintaining health and safety standards and preventing ill health at work. By bringing this policy statement to the attention of all employees and others who may be affected by our activities and working together to promote a safe and healthy working environment improvements will be achieved.

G3 Premises

In all the Authority premises at Berry Hill, the environment, welfare facilities and other related factors within those premises, shall be maintained to a standard not less than required by the current relevant legislation. Particular attention should be given to the general fabric of buildings, cleanliness, overcrowding, temperature, ventilation, lighting and sanitary conveniences.

G4 Safe Systems at Work

All reasonably practicable measures will be adopted to identify, eliminate or otherwise control hazardous conditions, which present a risk to health and safety. Safe systems of work must be adhered to for any work activity or process.

Any system should take into consideration the best practical means of doing the work, and all necessary safeguards to complete the work safely. Necessary safeguards will be dependent upon the work activity but will normally include: materials/substances to be used; guarding requirements; personal protection; working space; means and security of access and existing from work area; adequate lighting and heating; and warning/mandatory signs indicating a specific hazard.

G5 *Health and Safety Audits*

The Authority is committed to carrying out Fire Safety Audits and Health and Safety Audits on an annual basis or if a Line Manager determines that a change has taken place, which affects the previous Audit.

G6 *Records to be Kept*

RIDDOR Accident Report Form
Accident Book
Fire Precautions Log Book
Training Records
Hazard Data Sheets (COSHH)
Risk Assessments
Health and Safety Inspections/Audits

SECTION H – GIFTS AND HOSPITALITY

H1 Introduction

The following guidance on the acceptance of gifts and hospitality is designed to protect the interests of staff and of the Authority as a whole.

H2 The Legal Framework

The Prevention of Corruption Acts of 1906 and 1916 make it an offence for employees corruptly to accept gifts or consideration as an inducement or reward for:-

doing or refraining from doing anything in their official capacity; or

showing favour or disfavour to any person in their official capacity.

Any money, gift or consideration received by an employee in public service from a person or organisation holding or seeking to obtain a contract will be deemed to have been received corruptly unless the employee can prove to the contrary.

H3 The Principles of Propriety

All members of the Authority's staff are expected to observe the highest standards of integrity and personal conduct. You must not misuse your position for personal advantage. You must have in mind at all times the need to avoid any suspicion that in your capacity as an employee of the Authority you may be influenced by any gift or consideration to show favour or disfavour to any individual or organisation.

The practice of an individual or an organisation offering a gift or some form of hospitality is increasingly common in the business world, as an accepted means of helping to maintain useful contacts and working relationships. You, however, must not accept such offers without considering very carefully propriety or possible conflict of interest.

The guiding principles governing the acceptance of gifts and hospitality are:-

- That the conduct of individual staff members should not foster the suspicion of any conflict between their official duty and their private interest;
- That the actions of staff acting in an official capacity should not give the impression to any member of the public, to any organisation with whom they deal, or to their colleagues, that they have been or may have been influenced by a gift or consideration to show favour or disfavour to any person or organisation;

- That if the individual staff member is in doubt about the propriety of accepting a gift or an item of hospitality, then it should be refused.

In practice, the principles listed above mean that neither you nor any member of your family should accept a gift or hospitality which would, or might appear to, place you under any obligation to the donor, compromise your impartiality or otherwise be improper. These principles are of course to be applied with common sense. They are not intended, for example, to outlaw the isolated gift of a trivial character, or an inexpensive Christmas gift such as a diary or calendar, nor the occasional working lunch during the course of an official visit. However, no offer of a more substantial gift or hospitality should be accepted.

The primary responsibility for deciding whether to accept such an offer, or an unsolicited gift, lies with you, in consultation with your Line Manager. In deciding how to respond you should act in accordance with the principles set out above, with the following guidance and with any supplementary guidance issued by the Authority. If there is any doubt, the only safe course is to decline. Your Department Director should be consulted if it is felt that there are circumstances surrounding a particular gift or occasion which are not covered by the principles stated or the following advice and which merit special consideration.

H4 Registration of Gifts and Hospitality

Any offers of gifts or hospitality which are not of a trivial nature must be made in writing by the donor to you. You must obtain written agreement of your line manager before you can accept such offer of gifts and /or hospitality. Your line manager is required to copy a letter of agreement contemporaneously to the HR Department who will record details of the gifts and/or hospitality in the Central Gifts and Hospitality Register which is maintained in that section.

H5 Gifts

If you decide that it would not be proper to accept the offer of a particular gift, reward or benefit then it should be politely refused with the explanation that Authority staff are not permitted to receive or retain gifts (other than gifts of trivial value). Unsolicited gifts, which are received, should normally be returned with a suitable letter of refusal, which explains the Authority's policy. Only where the refusal will clearly cause misunderstanding or offence to the donor or intending donor (especially if an overseas government or government agency) should consideration be given to accepting the offer or retaining the unsolicited gift. An action appropriate in some circumstances would be to let the donor know that a gift has been accepted on behalf of the Authority and that it has (for example) been put on display in your office or passed on to a higher authority. Thus, it would be clear to the donor, and anyone else, that you were gaining no personal advantage from the gift. If there is any doubt whatsoever, the matter must be discussed with your Department Director, whose decision should be put in writing.

When it is decided that the right course of action is to accept a gift, you must consider carefully with propriety in mind what should be done with it. You must be particularly circumspect if the gift is from a commercial organisation (including a trade association), and even more so if it is from a body with whom you have just been, or will soon be, involved in business with financial and/or contractual implications. Any gift from a firm or individual, the retail value of which is £25 or more, should be surrendered to your Line Manager.

If you are given a gift while abroad, you need to consider whether or not it should be declared to HM Customs and Excise. Purely private gifts come under the normal rules for travellers. That is, they need not be declared unless their value (together with any other gifts acquired abroad) exceeds the normal allowances. However, there are special arrangements for international goodwill gifts received by officials in their representative capacity. Any queries should be addressed to the HR Department.

If you receive a gift imported from abroad, HM Customs and Excise (International Customs Division C, telephone number 0207 620 1313) must be consulted about liability to duty and VAT. If, having been relieved of duty and tax at the time of importation, the gift is disposed of within two years, the HR Department should be consulted.

H6 Hospitality

Hospitality, sometimes on a quite lavish scale, is common in the private sector. Authority staff who come into contact with organisations who offer such hospitality must behave differently and with more care. The first consideration, when considering offers of hospitality from individuals or organisations with whom you have official contact, should always be that the normal place for conducting official business is your office or the place of business of the individual or organisation in question. Only when it is considered necessary in the legitimate interest of the conduct of the Authority's business, or for furtherance of its aims, should offers of hospitality elsewhere be accepted. If there is any doubt, you should consult senior management of at least Grade CA6 level.

Before deciding to accept an offer of hospitality you should be satisfied that it is conventional hospitality, normal and reasonable in the circumstances. In considering what is normal and reasonable, regard should be given:-

To the legitimate reason for the contact

You should consider whether there is a clear and sufficient reason, of benefit to the Authority, for the contact in connection with which hospitality is being offered, and whether personal participation is necessary.

To the frequency

Acceptance of frequent, regular, annual or seasonal invitations, particularly from the same source would breach the required standards of conduct. There would, however, be no objection to the acceptance of, for example, an invitation to the annual dinner of a large trade association or similar body with

whom the Authority has close day-to-day contact. Occasional, but not regular, acceptance of invitations to public sporting, cultural or social events should only be accepted with the prior approval of your Line Manager, where it can be justified on the basis of furthering public business relationships.

To the nature of the relationship

Contacts which are promotional, representational or information-gathering are less likely to create obligation or embarrassment than those which are regulatory or which involve or could lead to a contractual relationship between the Authority and the contact.

To the cost of the hospitality

The greater the cost, relative to the associated business to be transacted, the more caution should be exercised in accepting. In the case of expensive events, particularly where the opportunities for discussion are likely to be limited (opera, Wimbledon, etc.), you should normally diplomatically decline the invitation. If you consider your attendance is justified in terms of the Authority's work, you should seek the prior agreement of your Department Director, whose decision should be put in writing.

To the body concerned

It may be known to be under investigation by, or has been publicly criticised by, a Government Department, Government-appointed inspectors or some other public body. If acceptance of hospitality might be seen as mitigating such criticism, or affecting in some way the investigation, then it should be declined. If in doubt, you should consult your Department Director.

H7 Awards and Prizes

Staff who have distinguished themselves in a particular field of activity connected with their official duties are sometimes offered awards by external organisations. If you are approached by an outside organisation about the offer of an award or prize in any way connected with official duty you should consult your Department Director. Retention of the award or prize will normally be allowed, having due regard to considerations of propriety and risk of public criticism, provided the award or prize is:-

Offered in recognition of special personal merit or achievement;

Not in the nature of, or such that it would be construed as, a gift, an inducement or payment for a publication or invention to which other rules in this section apply.

SECTION I – CODE OF CONDUCT FOR STAFF OF EXECUTIVE NON-DEPARTMENTAL PUBLIC BODIES

11 Introduction

This document sets out a Code of Conduct for staff of the Coal Authority (the Authority), an executive non-departmental public body (NDPB).

12 Duties and Responsibilities

Staff should familiarise themselves with the contents of the Code and act in accordance with the principles set out in it.

Staff have a duty:-

- To discharge public functions reasonably and according to the law; and
- To recognise ethical standards governing particular professions.

The Chief Executive Officer has overall responsibility working under the Board for propriety in a broad sense, including conduct and discipline.

13 Accountability

- Staff should be aware:-
- Of their accountability to the Authority;
- Of the respective roles of the Department of Trade and Industry (the sponsor department) and the Authority as set out in the Authority's Management Statement;
- That the Minister responsible for the Authority is ultimately accountable to Parliament for its independence, effectiveness and efficiency.
- The Authority has responsibilities as an employer. These are set out in their own Code of Practice.
- Staff should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Authority, the sponsor department, Ministers, Parliament or the public.
- Staff should abide by the rules adopted by the Authority in relation to private interest and possible conflict with public duty, the disclosure of official information and political activities. They should not misuse their official position or information acquired in their official duties to further their private interests or those of others. Key members of staff such as the Chief Executive, Department Directors, and those engaged in letting or managing of large contracts, and staff working on contracts,

should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them.

- Any member of staff who knows that he or she, his or her spouse or partner, or a member of their immediate family has an interest which could be affected by any decision or other action of the Authority which he or she is in a position to influence should immediately make written disclosure of that interest to the Executive Director concerned (in the case of an Executive Director, to the Chief Executive). That member of staff should take no part in the Authority's decision in relation to that matter, nor attempt to influence in any way any other member of staff who might influence that decision. The test should be whether the member of staff concerned might reasonably appear to be in a position to influence the decision, and not whether he or she actually did so. The rule should be "if in any doubt, disclose".

14 Integrity

Staff of the Authority should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party, which might reasonably be seen to compromise their personal judgement and integrity. Under the Prevention of Corruption Act 1916, employees of public bodies may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt.

15 Relations with the Public

Staff of the Authority who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration. They should offer the public the highest standards of conduct and service.

16 Use of Resources

Staff of the Authority should endeavour to ensure the proper, economical, effective and efficient use of resources.

17 Official Information

Staff of public bodies owe a general duty of confidentiality to their employer at common law. They are therefore required to protect official information held in confidence. Nothing in the Code should be taken as overriding existing statutory or common law obligations to keep confidential, or in appropriate cases to disclose, certain information. Subject to this proviso staff of the Authority should act in accordance with the Code of Practice on Access to Government Information.

18 *Staff Concerns about Improper Conduct*

This section has been superseded by the Whistle Blowing Policy, which can be found in section F7 of this handbook.

19 *After Leaving Employment*

Staff should continue to observe their duties of confidentiality (see Paragraph 17 above) after they have left the employment of the Authority.

Staff must not publish or broadcast personal memoirs reflecting their experience in the Coal Authority, or enter into commitments to do so, whilst in Crown employment. The permission of the Head of their Department and the Head of the Coal Directorate of BERR must be sought before entering into commitments to publish such memoirs after leaving the service.