

**EMPLOYEE**

**HANDBOOK**

# May 2017 M

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## WELCOME TO NORTH LANARKSHIRE LEISURE (NLL)

### Your relationship with NLL is governed by the policies and procedures in this Handbook and by the terms and conditions in your contract of employment. Please take time to read both documents. If there is a conflict between the two, your contract of employment prevails.

This Handbook is divided into three parts:

### SECTION 1 – GENERAL INFORMATION

Section 1 sets out NLL’s procedures and general information. To ensure that NLL is a safe, efficient and productive place to work it is very important that you comply with policy and always follow the set procedures.

### SECTION 2 – POLICIES

Section 2 sets out NLL’s policies for dealing with issues including discipline, absence, grievances, maternity and other family leave. These policies are in place to assist and guide you. Please familiarise yourself with them. NLL’s policies set out how we manage particular issues that may affect you. These may be changed from time to time to reflect statutory/legislative changes or developments following full consultation with the recognised Trade Unions and Employee Representative.

**SECTION 3 – EMPLOYEE BENEFITS**

Sections 3 sets out NLL’s employee benefits, which offer a way to attract and retain employees, contribute towards improving the wellbeing of our workforce and to enhance engagement.

If you are unsure about anything mentioned in either this Handbook or your contract of employment, please contact your Line Manager in the first instance or Human Resources Section who will be delighted to help you.

We are very pleased that you have chosen to work for NLL and we hope that your time with us will be long, fulfilling and rewarding.

**SECTION 1 – NORTH LANARKSHIRE LEISURE GENERAL INFORMATION**

1. **YOUR RESPONSIBILITIES**
   1. Whilst working for NLL your overriding responsibilities are:-
      1. To observe all safety rules and to act in a manner that ensures your own health and safety and the health and safety of others; and
      2. To act wholeheartedly in the best interests of NLL.
   2. Your general duties include the following:-
      1. To work hard, conscientiously, safely and loyally on behalf of NLL.
      2. Not to be involved in any work or activity which is in competition with NLL or which might adversely affect NLL’s best interests.
      3. To follow reasonable and lawful instructions of NLL and to be flexible in helping NLL achieve its objectives.
      4. To produce work of the best possible quality.
      5. To respect and care for NLL’s property.
      6. To strictly follow all Rules and Regulations relating to health and safety and report to your supervisor or line manager any hazards to safe working arrangements.
      7. To comply with NLL’s equal opportunities policy and to co-operate with it to ensure a working environment that is free from discrimination and prejudice and the fear of harassment, bullying or violence.
      8. Whilst working for NLL to devote all of your time and attention to your duties. You must not engage in any other business, activity or employment (either inside or outside your normal working hours) that interferes with this duty.
      9. To notify NLL at the earliest opportunity about any change in your personal circumstances such as your name, address or telephone number.
   3. Any conduct that either puts your own health and safety at risk or the health and safety of others at risk will normally be dealt with in accordance with NLL’s Discipline Policy and may potentially be treated as gross misconduct.
   4. Any conduct that is detrimental to the best interests of NLL or its relations with customers/clients, suppliers or the general public will normally be dealt with in accordance with NLL’s Discipline Policy and may potentially be treated as gross misconduct.

## CALCULATION OF SERVICE

## Continuous Service

## 2.1.1 Continuous service is all continuous local government/public body service as defined in The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (as amended), referred to as the Modification Order.

## For the purpose of the Employment Rights Act 1996, North Lanarkshire Leisure Ltd does not recognise service with any previous employer(s) as being continuous service with North Lanarkshire Leisure Ltd.

## The definition in 2.1.2 refers to continuous service required to qualify for statutory employment protection rights such as, unfair dismissal and written reasons for dismissal and for statutory entitlements and notice.

## Service that can be counted if an employee is dismissed on redundancy grounds is all continuous local government/public body service, as defined in the Modification Order (as amended).

## 2.2 Reckonable Service

## Reckonable service is service with another local authority or public body as defined in the Modification Order, which occurred prior to 30 June 1999. Reckonable service need not be continuous, it can be broken service. An employee in post at 30 June 1999 with a Scottish Local Authority will retain reckonable service for as long as he/she remains in continuous service thereafter. Reckonable service counts towards annual leave; occupational sickness scheme; occupational maternity scheme; and occupational adoption scheme.

## 2.3 Maternity Break

## Where an employee returns to North Lanarkshire Leisure Ltd service following a break for maternity reasons she will be entitled to have previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no paid employment has intervened. For the purpose of the calculation of entitlement to annual leave the eight years’ time limit does not apply provided that no paid employment has intervened.

## ATTENDANCE AND TIMEKEEPING

* 1. NLL expects excellent attendance and timekeeping.
  2. Persistent lateness could be treated as misconduct.
  3. It is your responsibility to make sure that you are at work and ready to start work at your scheduled starting time.
  4. Any absence which does not comply with the provisions of your contract of employment relating to holidays or sickness or which has not been expressly authorised by NLL in advance shall be regarded as an unauthorised absence and may be treated as gross misconduct.
  5. If you are sick or injured and cannot attend work then you must comply with NLL’s Managing Absence Policy, which is set out at section 2 part 3 of this Handbook.
  6. If you arrive at work late you must immediately report to your supervisor or line manager.
  7. If you need to leave work before your scheduled finish time you must obtain the prior authority of your supervisor or line manager.
  8. You must comply with any absence/time recording procedures which may be introduced from time to time including any provisions required to ensure compliance with the Working Time Regulations 1998.

## SICKNESS, INJURY AND SICK PAY

* 1. You are expected to be available to work during your normal working hours. You must make every effort to attend work.
  2. If you cannot attend work you must comply with the following:

4.2.1 If you are unfit to work, due to ill health, during the first 7 days of any absence you **must notify your manager on each day of absence** within 1 hour of the normal starting time, or in the case of shift workers, within such other timescale which may be specified by their line manager and set out in the Operating Procedures for each facility.

4.2.2 You must always contact your manager **personally** at their workplace, providing the following information.  
 - Specific reason for absence (“sick” or “ill” is insufficient)  
 - Estimated date of return to work  
 - Diary or other commitments during the period of absence

4.2.3 If you have been absent for more than 7 days, you must notify your manager of the reason for your continued absence. The 7 days are calendar days, which includes weekends, public holidays and days when you do not work. Thereafter, you must personally maintain contact with your manager every 7 days unless unable to do so for health reasons.

4.2.4 For absence beyond 7 days, a Statement of Fitness for Work must be submitted to cover the absence. This statement allows you to advise whether you “are not fit for work” or you “may be fit for work taking into account a number of factors”, such as a phased return, altered hours, amended duties etc.

4.3 A Statement of Fitness for Work must be received by the company within two days of issue.

4.4 During absence caused by sickness or injury you will receive (subject to the above provisions and others detailed in NLL’s sick pay scheme) occupational sick pay. Duration of occupational sick pay depends on your length of service, and is outlined in the table below:

|  |  |  |
| --- | --- | --- |
| **CONTINUOUS SERVICE AT DATE ABSENCE BEGINS** | **FULL ALLOWANCE** | **HALF ALLOWANCE** |
| Less than 26 weeks service | Nil | Nil |
| 26 weeks or more but less than 1 year | 5 weeks | 5 weeks |
| 1 year but less than 2 years | 9 weeks | 9 weeks |
| 2 years but less than 3 years | 18 weeks | 18 weeks |
| 3 years but less than 5 years | 22 weeks | 22 weeks |
| 5 years and over | 26 weeks | 26 weeks |

4.5 The above allowances are paid in any rolling twelve month period and are deemed to be inclusive of any statutory sick pay to which you may be entitled.

4.6 When you have exhausted your entitlement to occupational sick pay, you will be paid statutory sick pay subject to qualification/ongoing entitlement.

**Deductions**

4.7 As a term of your employment, North Lanarkshire Leisure Ltd reserves the right to make deductions from your salary:-

* + 1. Because of an overpayment of remuneration, expenses or other emolument to you, or any other payment to you in excess of your contractual entitlement, or in the case of expenses, the amount of reimbursement due to you.
    2. Because of damage caused to North Lanarkshire Leisure Ltd property under your control, whether by negligence or otherwise.
    3. In the event of the termination of your employment for any reason (including resignation or retirement) on a date during an annual leave year, where paid annual leave, taken by you prior to the date of termination, is in excess of the pro-rated entitlement for the proportion of the year worked. In such circumstances, an amount, equivalent to one day’s pay for each such day, will be deducted in the event of the termination of your employment for any reason (including resignation or retirement) where uniform/protective clothing is not returned to North Lanarkshire Leisure Ltd at the date of leaving. In such circumstances, an amount equivalent to the value of such items will be deducted.

4.8 This term of your employment is without prejudice to any deductions which may have to be made from your pay in accordance with a statutory requirement or court order, or which are made in consequence of a disciplinary decision against you, or which are in respect of any other contractual agreement authorised by you for the payment of sums to third parties, or in respect of any deductions because you took part in a strike or other industrial action. For the purpose of this term of your contract, “deductions” include amounts withheld from your pay and non-payment of pay.

1. **NOTICE PERIODS**

5.1 **By the Employee**

Normally the minimum period of notice you are required to give to terminate your employment is 4 weeks. In specific circumstances, due to the nature or seniority of your post, you may be required to provide 12 weeks’ notice. Your notice period is confirmed in your Contract of Employment.

5.2 **By North Lanarkshire Leisure Ltd**

The minimum period of notice to which you are entitled is as detailed in the Employment Rights Act 1996 namely:

**Service** **Period of Notice**

1 month or more but less than 2 years Not less than one week

2 years or more but less than 12 years Not less than one week for each year of employment

12 years or more Not less than 12 weeks

## DENTISTS, DOCTORS, OPTICIANS AND OTHER APPOINTMENTS

* 1. Whenever possible such appointments should be made out with normal working hours. There is no right to time off for non-emergency check-ups.
  2. Where it is absolutely essential that such appointments are arranged during your working day, disruption must be kept to a minimum, normally by arranging the appointment at the very start of the day or at the end of the day.

## ANNUAL LEAVE

* 1. Annual leave entitlement for full-time staff (37 hours which is based on a 7.4 hour working day) is as follows:

|  |  |  |
| --- | --- | --- |
|  | **Continuous Service** | **Annual Leave Entitlement** |
| **Employees** | Less than 5 years | 193 hours (26 days) |
|  | Over 5 years service | 237 hours (32 days) |

* 1. Annual leave entitlement is pro-rata for any employees working less than 37 hours.
  2. Annual leave must be arranged at the mutual convenience of both you and your manager. You must provide NLL with reasonable notice of your intention to take your annual leave.
  3. All applications for annual leave must be made using NLL’s annual leave card. Completed cards should be submitted to your line manager for approval. You are only allowed to take annual leave if your manager has approved them in advance.
  4. Your manager may reject annual leave requested on public holidays if it doesn’t suit the exigencies of the service. Annual leave requests will be granted at managers discretion.
  5. If you start or leave your employment during the annual leave year you shall be entitled to pro rata annual entitlement for each completed month of service in that holiday year.
  6. Upon termination of your employment you will be entitled to pay in lieu of any annual leave accrued in your last annual leave year but not taken. If you have taken annual leave in excess of your entitlement, NLL shall be entitled to deduct the excess pay from your final salary payment.
  7. NLL may require you to take (or not to take) any outstanding accrued annual leave entitlement during your notice period.

**8. PUBLIC HOLIDAYS**

8.1 In addition to the above entitlement, you will also be entitled to the following public holidays (again, on a pro-rata basis):

* + 1. 14.8 hours (2 days) at New Year
    2. 14.8 hours (2 days) at Easter
    3. 14.8 hours (2days) at Christmas

8.2 Entitlement for part-time employees shall be the same as that of full-time employees of North Lanarkshire Leisure Ltd, applied on a pro rata basis.

8.3 Where an employee is receiving sick pay under the Scheme, sick pay will continue if a public holiday or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday will be given. Where an employee has exhausted sickness allowance entitlement, no payment should be made in respect of a public holiday occurring during the period of absence.

8.4 An employee scheduled to work on a general or public holiday will, in addition to the normal pay for the day, be paid at plain time for all time worked within normal working hours and given a day in lieu or paid double time.

8.5 Work on a general or public holiday outwith normal working hours shall be paid for as overtime at an employees’ basic hourly rate.

8.6 Where a public holiday coincides with a rest day or free day the day shall be treated as a public holiday with pay and in addition a substitute rest day or free day may be given by arrangement.

* 1. Part Time/Part Week Employees

8.7.1 Employees Working Full Time (35/37hrs)

Full Time Employees will be entitled to either (42/45hrs) public holidays in a Leave Year.

Those working five days over seven will, of course, receive substitute days for any public holidays which coincide with rest/free days to ensure that they receive the full 42/45hrs.

* + 1. Employees Working Less Than 35/37hrs

The entitlement will be based on a pro rata share of the annual entitlement, as follows:

|  |  |
| --- | --- |
| Number of hrs worked per week | Pro rata public holiday entitlement, based on full time of 35/37hrs |
| 17.5 | 21 |
| 21 | 26 |
| 28 | 34 |
| 32 | 39 |

8.8 An employee’s working pattern will, where necessary, be temporarily adjusted to ensure equity.

8.9 For broken service in a leave year any public holidays due are taken as they accrue. However, as with annual leave, any additional leave arising from the calculation will be pro rata.

1. **OVERTIME**

9.1 **General**

Work in excess of 35/37 hours per week should be discouraged and all overtime must be authorised by a Manager or his/her appointed representative.

* 1. **Overtime Payments**
     1. Extra time of less than half an hour in any one day will not count as overtime. All overtime of half an hour or more on any one day will be aggregated for each week and only completed half hours will be paid.
     2. An employee contracted to work longer than the standard hours shall be entitled to overtime payments for the additional hours unless these additional hours are recognised by some other payments or arrangements.
     3. All overtime will be paid at an employees’ basic hourly rate.

9.3 **Calculation of a Day’s Pay**

Calculation of a day’s pay shall be on the basis of contracted hours multiplied by hourly rate.

## ACCIDENTS

* 1. Absences resulting from accidents at work are treated as sickness absence and NLL's normal rules will apply to such absences (see Section 1, Part 4).
  2. All accidents and incidents must be reported to the appropriate line manager/supervisor to ensure that the cause can be ascertained, the control measures re-evaluated and action taken to prevent recurrence.
  3. All accidents and incidents, no matter how minor, must be recorded using the incident reporting forms.
  4. It is your responsibility to provide complete and accurate information to enable management to establish what went wrong, learn lessons and take action to prevent or reduce such accidents/incidents in the future.

## SMOKING

### Purpose

* 1. A ‘No Smoking in NLL Premises Policy’ has been developed to protect all employees, service users, and visitors from exposure to ‘passive smoking’ or ‘second-hand smoke’ and to achieve absolute compliance with the Smoking, Health and Social Care (Scotland) Act 2005 and supporting provisions contained within The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006.

### Policy

* 1. The purpose of this policy is to protect NLL employees from harmful effects of tobacco smoke during the course of their employment and also to comply with the law. Members of the public and visitors to NL Leisure premises must also conform to this Policy and refrain from smoking in NL Leisure premises.
  2. In line with the No Smoking Policy, staff are only permitted to smoke outside the building but not at any customer entrance or access route and only on an official break. Customers are not allowed under any circumstance to smoke within the centre.
  3. All employees, non-employees, such as contractors, partners and visitors to NLL facilities will be covered by the policy. For clarity the policy will include single occupied rooms or vehicles with passengers, whether or not the employee is a smoker or non-smoker.
  4. Smoking will not be permitted in any NLL vehicle, either by employees or by any non-employees being transported.
  5. NLL will not set aside any separate smoking rooms.

### Non-compliance

* 1. Following the introduction of the ‘No Smoking in NLL Premises Policy’ any deliberate failure to abide by the Policy will be regarded as a breach of the NL Leisure’s conditions and treated in accordance with the appropriate procedures.

## FIRE

* 1. In general, you should seek to ensure good standards of housekeeping at all times. A clean and tidy workplace is less likely to be a source of fire. Any act or omission which you believe may constitute a fire risk should be immediately notified to your line manager or supervisor, who will take the appropriate action.
  2. All potential fire hazards will be identified and the risks assessed and reduced to an acceptable level.
  3. Firefighting equipment will be provided and emergency lighting and fire alarm points fitted as appropriate, following a fire risk assessment. The fire alarm will be tested periodically by activating an alarm point in rotation, such as to test every alarm point over a set period of time.
  4. Fire marshalling areas will be identified and located in areas beyond any danger from fire. You will be made aware of where you have to report in case of fire. Fire alarms will be activated periodically, without prior notice to you.
  5. Details of NLL’s fire/emergency procedures and exit and assembly points, are displayed on notice boards around NLL’s premises. You must familiarise yourself with NLL’s emergency procedures to minimise the dangers caused by fire.
  6. You must ensure that you are aware of the nearest fire exit, and its alternative, for emergency use.
  7. You must ensure that you are aware of the nearest fire extinguisher to your work location, its type and know how to operate it.
  8. Regular fire drills will be held to ensure NLL’s fire procedures are effective and to ensure you are familiar with them. These drills are important and must be taken seriously.
  9. **Remember:**
     1. On discovering a fire:
        1. Operate the nearest fire alarm;
        2. Alert other people within your immediate vicinity;
        3. Do not attempt to tackle the fire unless you have been trained or you feel competent to do so
     2. On hearing the fire alarm
        1. Do not delay - evacuate the premises immediately;
        2. Do not stop to collect personal possessions;
        3. Remain calm and proceed in an orderly manner;
        4. Do not re-enter the premises or site until the Fire Brigade is satisfied that the premises and site are safe to re-enter.
        5. 11.9.2.1 – 11.9.2.4 is applicable to all office based, non-operational staff. All operational staff must familiarise themselves with their roles and responsibilities with their venues Emergency Action Plan and carry out those designated actions as calmly and efficiently as possible. All office staff who are designated as Fire Wardens must also familiarise themselves with their roles during an evacuation and must carry out those duties upon the sounding of the alarm.
     3. Under no circumstances must you put yourself or others at risk in a fire situation.

## INTERNET AND EMAIL

13.1 North Lanarkshire Leisure’s computer resources are provided for ‘Users’ day-to-day business requirements however, limited personal use of email and the internet is acceptable.

For definition, email includes any and all systems/technologies designed to transmit messages containing text, images or attached files to named individuals or groups either within or external to the company where those messages can be stored, retained or forwarded to other persons.

13.2 As with all other business correspondence, emails may be disclosed in the course of legal proceedings if they are relevant to the issues raised in those proceedings.

13.3 ‘Users’ must ensure that the content of emails will pass, if necessary, the highest scrutiny at a future date; if in doubt consult your line manager.

* 1. When using North Lanarkshire Leisure Internet and email services, the following are strictly prohibited:
     1. Dissemination of copyright materials (including articles and software)
     2. Sending, receiving, printing or otherwise disseminating personal data, proprietary information, trade secrets or other confidential information without appropriate authorisation.
     3. Accessing, sending, receiving printing or otherwise disseminating offensive or harassing statements or language, including, but not limited to: disparagement of others based on their race, national origins, sex, sexual orientation, age, disability, religious or political beliefs.
     4. Accessing, sending, receiving, printing or otherwise disseminating or soliciting defamatory, obscene, pornographic, sexually orientated or otherwise distasteful material.
     5. Participating in internet chat rooms, blogs, newsgroups, mailing lists or social networking sites where the subject matter may bring the company into disrepute.
     6. Creating a business, or soliciting money for personal gain.
     7. Sending credit and debit card numbers, or passports details in unencrypted form at anytime.
     8. Actions inappropriate for business purposes including, but not limited to:

13.4.8.1 Storing, attaching or sending movies, sound or media files, except where business role and functions requires and authorises such activities.

13.4.8.2 Re-sending the same email message to one or more recipients (“letter bombing”) except where justified for business reasons.

13.4.8.3 Propagating destructive virus or malicious programs.

13.4.8.4 Sending unsolicited commercial email (‘spam’).

13.4.8.5 Gaining or attempting to gain unauthorised access to another workstation or computer on the corporate network.

13.4.8.6 Using private email accounts (Hotmail, Yahoo, etc.) for business purposes.

13.4.8.7 Using non-approved Instant Messaging.

13.4.8.8 Using Peer-to-Peer software, i.e. Pirate Bay, Bit-Torrent, Kodi or other illegal file sharing   
 tools.

13.4.8.9 Using unauthorised cloud based technologies.

13.4.8.10 Any other activity likely to bring North Lanarkshire Leisure into disrepute.

## ADVERSE WEATHER CONDITIONS

* 1. It must be clearly understood by all employees that the onus for attendance at work rests with the individual.
  2. In the event of being prevented from attending for work due to adverse weather, employees must contact their line manager to advise of the reasons for non-attendance. Such notification must be made as early as possible in the working day and thereafter on a daily basis if the situation continues.
  3. Having been contacted by an employee who is unable to attend for work due to adverse weather, the line manager, having satisfied him/herself (as far as is reasonably practicable) of the legitimacy of the reason, will note the employee’s circumstances and where appropriate advise the employee to report to the nearest accessible workplace.
  4. Where an employee has pre-arranged to take annual leave this will not be cancelled, even though had they not been on annual leave they would have been prevented from attending for work because of adverse weather conditions.
  5. Where it is agreed that an employee has been prevented from attending work, the following will apply: -
     1. The day may be designated as annual leave.
     2. The employee may be able to undertake work at home under the direction of the Line Manager. Where it is agreed this can be achieved, the employee should be credited with the hours worked at home. If the time worked falls short of normal daily hours, you can agree with your line manager to work additional hours to make up the time lost within a reasonable time period.
     3. Exceptionally, where none of the above arrangements are appropriate, the time lost may be granted as paid leave.
     4. If you are on holiday and unable to return home due to travel disruption the employee would normally be expected to take annual or flexi leave (if applicable) or to agree alternative arrangements with your line manager to make up the time lost.
  6. Where adverse weather conditions arise during the working day employees should be released only when there is evidence that they will personally encounter difficulty in reaching their own home at a reasonable time. This necessarily means that those employees who will not encounter difficulties, and any other essential staff, should remain at work until normal finishing time in order to maintain services.
  7. Where an employee is required by management to remain at work when other staff have been released early and is subsequently unable to return home after normal finishing time, because of adverse weather conditions, they should immediately contact their line manager.
  8. It is the duty of the Senior Management Team to ensure that all staff are aware, and understand the contents of this Guidance Note. Each line manager will therefore be required to sign that they comply with this.
  9. All employees directly impacted by either “adverse weather conditions” or personal situations will have this information recorded for further review when appropriate.

## TELEPHONES (OFFICE AND MOBILE)

* 1. Telephone calls of a personal nature should be accepted or made only in cases of emergency.
  2. Your personal mobile telephone must be on ‘silent’ mode during working hours. You should normally restrict personal mobile telephone calls and text messages to your rest breaks.
  3. You may be provided with a mobile telephone in order to assist with the proper performance of your duties. The mobile telephone remains the property of NLL. NLL may withdraw its use, and it must be returned to on the termination of your employment. The mobile telephone is your responsibility and if it is lost you will be responsible for the replacement cost.
  4. You are permitted to make and receive personal telephone calls/texts on any mobile telephone issued to you but this must be kept to a minimum. If NLL considers that there has been improper use of the mobile telephone, you may be required to meet the cost of any calls that are not business related and such costs may be deducted from your remuneration.

## CODE OF CONDUCT

16.1 North Lanarkshire Leisure Ltd has adopted a Code of Conduct which sets out the minimum standards expected of all employees. It is a condition of employment that you comply with the Code, however should you have any difficulties in meeting the standards Code, you should approach your line manager, a member of the HR section or Trade Union Official for advice and assistance.

## SECTION 2 - POLICIES

1. **DISCIPLINARY POLICY**

### Purpose and scope

1.1 This policy is designed to ensure that there will be a fair and systematic approach to the application of standards of conduct affecting its employees. The purpose of North Lanarkshire Leisure Ltd.’s disciplinary policy, therefore, is to ensure the consistent application of a disciplinary procedure, and the fair treatment of individual employees.

### Principles

* 1. Informal action will be considered, where appropriate, to resolve problems.
  2. No disciplinary action will be taken against an employee until a reasonable investigation of the allegations has been undertaken.
  3. 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 a disciplinary meeting.
  4. You will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting. Witness statements may be, in appropriate circumstances, anonymised.
  5. At all meetings that may result in a disciplinary sanction being imposed, you will have the right to be accompanied by a trade union representative or work colleague.
  6. You will have the right to appeal against any disciplinary action.
  7. The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

### Disciplinary Action

*Following a properly convened disciplinary hearing, the following action may result:-*

***Verbal warning***

* 1. Where an employee’s conduct or performance in his or her job is such as to warrant admonition, a verbal warning may be issued. It is expected this will arise as a response to minor breaches of conduct, performance etc. The Disciplining Officer must clearly state that an official verbal warning has been issued. The Officer must ensure that the employee clearly understands the reason for the warning and the potential consequences of repetition. The appeal procedure should also be confirmed. A copy of this verbal warning will be kept on your Human Resources file but will be disregarded for disciplinary purposes after 6 months.

***Written warning***

* 1. If the disciplinary matter is of a serious nature, but does not constitute gross misconduct then a written warning, which may be a final written warning, may be issued. The written decision should outline the grounds relied upon for the action and the consequences of a recurrence or commission of subsequent, different acts of misconduct. Written warnings will remain “live” on the employee’s file for a period of 9 months. Final written warnings will remain “live” on the employee’s record for 12 months.

***Dismissal or other sanction***

* 1. If there is still further misconduct the final step in the procedure may be dismissal or, in appropriate cases, some other action short of dismissal such as demotion, deduction of pay or transfer. Dismissal decisions can only be taken by the appropriate manager, and you will be provided in writing an outline of the reasons for dismissal, the date on which the employment will terminate, and the right of appeal.
  2. If some sanction short of dismissal is imposed, you will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement in the future, and will be advised of the right of appeal.

### Gross misconduct

* 1. The following list provides some examples of offences which are normally regarded as gross misconduct:
     1. Assault, including physical assault, verbal assault or sexual harassment
     2. Dishonesty including falsification and fraud
     3. Malicious damage to North Lanarkshire Leisure Ltd property
     4. Disclosure of confidential information
     5. Refusal to obey a lawful and reasonable instruction
     6. Flagrant breach of established North Lanarkshire Leisure Ltd practices

The above list is not categorised definitively. North Lanarkshire Leisure Ltd has the right to detail specific rules which it considers if broken would justify summary dismissal.

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

### Appeals

* 1. If you wish to appeal against a disciplinary decision you must do so within 14 days of notification of the initial appeal decision. The Appeals Sub-Committee of the Board of Directors will hear the appeal and their decision is final.

## EMPLOYEE PERFORMANCE MANAGEMENT POLICY

### Aims of the policy

* 1. NLL wants to make sure that all employees perform to the highest standards. This Policy supports that aim by making sure that any problems are discussed so that improvements can be made.
  2. This policy applies to all contracted employees.

### Basic Principles

* 1. Performance management allows NLL to:
     1. Prioritise what needs to be done within the resources available
     2. Ensure we provide value for money
     3. Motivate and engage staff and assign accountability
     4. Identify and rectify poor performance at an early stage
     5. Learn from past performance and improve future performance

2.3.6 Increase customer satisfaction

* 1. Effective performance management requires:
     1. Assigning responsibility to ensure accountability

2.4.2 Deciding and communicating what needs to be done (aims, objectives, priorities and targets)

2.4.3 A plan for ensuring that it happens (improvement, action or service plans)

2.4.4 A means of assessing whether this has been achieved or not

2.4.5 Information reaching the right people at the right time so decisions are made and actions taken

* 1. Where an employee, at any grade, fails to meet the required standard of performance, an increment may be withheld until the manager is satisfied that this standard is achieved. Similarly, where an employee fails to maintain the required standard of performance, an increment may be removed from an employee as a result of failure to improve following progressing through the Managing Underperformance Process.

***Competency Based Performance Management***

* 1. The Trust uses a competency based PDR process to support the development of our employees. This process is mandatory and must be carried out annually, as a minimum. Meetings for senior managers should take place when the annual Business Planning and Strategic Planning is completed. Review with other employees should take place as soon as possible after senior managers reviews have taken place.
  2. A ‘Competency’ is generally defined as the behavior that employees must demonstrate in order to carry out the tasks to achieve appropriate levels of performance and service delivery.
  3. Competencies provide an agreed standard of expected behaviours during the performance of roles, as outlined in the job description and employee specification of the post holder. Understanding the competencies required of a specific role allows employees and managers to have straightforward conversations about the expected levels of performance and behaviour, in order to ensure that required tasks are completed to satisfactory standards. They also enable conversations to be had in relation to any variations between actual performance and behaviour from the standards required.
  4. All employees will be required to undertake the PDR process, however, post holders will use the form appropriate to the grade their post is allocated to: forms are available for post Grades 1 – 4 and for Grade 5 and above.

***Performance Management Process***

* 1. Appropriate training must be undertaken by all parties before any PDR meeting is carried out. This may include attending courses, undertaking e-learning or attending management briefings.
  2. All managers must attend training on the new process. This is a mandatory HR policy course provided by the Training Team. This course will form part of the mandatory suite of courses for all new managers as part of their Induction process.
  3. It is expected that managers and employees refer to and use the policy and separate Guidance Notes for undertaking PDR meetings. These documents will be issued to the relevant employees when they attend the appropriate training. This will provide the necessary guidance and support to the process.
  4. Refresher training should be undertaken by line managers and supervisors at least every three years to ensure skills are maintained and updated as appropriate to the current policy and procedures.
  5. All PDR meetings will be carried out during the working day and no employee should be disadvantaged for preparing and participating in such processes. Meeting records will be stored appropriately and securely by the manager.

***Training and Development***

* 1. An important outcome of the PDR process is to record the training and development and the learning objectives for the employee in the coming year.

2.16 The learning needs identified for the Service should become part of the strategic planning processes for the Service.

***Dealing with Underperformance***

* 1. Employees have a contractual responsibility to perform to a satisfactory level. Where less than satisfactory performance is found to be due to misconduct (e.g. negligence or lack of application) on the part of the employee, then the Disciplinary Procedure will normally be appropriate. However, issues of an employee’s capability may arise from time to time where underperformance relates to a lack of the required knowledge, skills or ability rather than misconduct. In this case, the employee should be given support and reasonable time to achieve the required standard.

2.18 If an employee’s performance becomes a matter of concern, managers must take action promptly to manage that performance issue following the stages laid out below. In managing underperformance, managers must seek guidance from the HR Section at each stage of the process.

The first step is for the manager to investigate the underlying cause of the unsatisfactory performance through discussion with the employee by holding an interim review meeting. At any interim review meeting where unsatisfactory performance is being discussed, the manager will:

2.18.1 Clearly state the nature of the problem and explain why it is a problem, for example the consequences for the Venue/Division/Organisation when the employee makes mistakes or misses deadlines.

2.18.2 Give the employee specific examples of instances where performance has fallen below the required

standard or where tasks have not been completed on time or satisfactorily.

2.18.3 Consider what might be done to improve the situation and help the employee.

2.18.4 Agree clear performance targets and a realistic timescale for improvement.

2.18.5 Set a date for a further Interim Review meeting to be held at the end of the agreed timescale to review

progress.

2.18.6 Keep a record of the meeting and what has been agreed.

***Review meeting (first stage)***

2.19 The manager must hold an interim review meeting with the employee to explain how their performance falls short of the standard expected of someone in their position or grade. Specific examples of the ways in which the performance has fallen below acceptable standards must be provided including the occasions on which this was noticed.

The manager will consider whether training or staff development opportunities may enable the employee to meet the required standard of performance. A plan for improvement will be drawn up which will clarify the areas and level of improvement needed. Clear performance targets will be set to hold a second interim review meeting at the end of the agreed timescale to review progress. A note should be made of the main points discussed and actions agreed and this should be signed by both parties as an agreed record of that meeting.

***Review meeting (second stage)***

2.20 The manager will meet with the employee to review progress and evaluate any improvement in performance.

If performance has reached the required level and no further action is required, then this will be acknowledged and noted in writing by the manager and a copy given to the employee.

If adequate improvement has not been made, the manager will re-examine the cause of the problem and consider what else can be done to support and assist the employee to improve. This could include, for example, further training/coaching/development or changes in the employee’s duties. The meeting should follow the same format as in the first stage.

If there has been an improvement but the employee’s performance has still not quite reached the required level, then the period for improvement should be extended by a reasonable period of time and support given to facilitate that improvement.

At this stage, if performance is still less than satisfactory, the manager should explain that, should the necessary improvements not be achieved, their continued employment in the current role may be at risk.

***Review meeting (third stage)***

2.21 As in the second stage, the manager will meet with the employee to review progress and evaluate any improvement in performance.

If performance has reached the required level and no further action is required, then this will be acknowledged and noted in writing by the manager and a copy given to the employee.

If adequate improvement has not been made, the manager will advise the employee that further action may now be taken under the Redeployment Policy.

If, at second stage, there has been an improvement, but the employee’s performance has still not quite reached the required level then the period for improvement should be extended for a reasonable, final, period and a date set for a further, final review meeting. If, at that meeting, performance has still not reached the required standard, the manager will advise the employee that further action will be taken under the terms of the Redeployment policy.

*NB if at any of the above stages it becomes clear that the underlying performances is due to misconduct, rather than capability, the Disciplinary procedures should be followed. HR must be consulted in such cases before any action is taken.*

## MANAGING ABSENCE POLICY AND PROCEDURE

### Objectives

3.1 NLL aims to maintain high attendance levels throughout the business. This policy is designed to help meet this aim whilst ensuring that we do not discriminate against those who have medical conditions or injuries which affect their ability to work normally.

### Basic Principles

3.2 We are sympathetic to health issues of employees, but this always has to be balanced against business needs and any disruption health issues may cause.

* 1. We expect you to attend any meetings to discuss your ill-health and give us as much information as possible to enable us to cope with your absence(s) and assist you back to work.
  2. We expect you to keep in regular contact during any prolonged absence period and to discuss with your GP any alternative duties/job roles you feel you could safely undertake to allow you to return to work.
  3. Before we start any formal process, we will have an investigation / review meeting with you to make sure that we are following the most appropriate procedure.
  4. We will always notify you of your right to be accompanied by a work colleague or trade union representative to any formal absence management or medical review meeting. This does not include investigation/ review meetings unless we advise you otherwise.
  5. You will have the right to appeal against any formal absence management warning or dismissal. You must put your appeal in writing to the appeals officer named within the warning, within 5 days of receiving the decision. We will invite you to an appeal hearing, and the appeals officer will write to you with his/her decision as soon as possible after the hearing. This decision will be final.

### Process and Trigger Points

* 1. We have set out a “trigger point” system to outline when it will be appropriate to address sickness absence under a formal system. Below sets out the trigger points at which the formal process will be applied by line managers:

3.8.1 3 separate occasions of sickness absence in a rolling 12 month period.

3.8.2 8 days cumulative absence in a rolling 12 month period.

3.8.3 2 weeks continuous absence.

3.8.4 Any absence period which gives cause for concern.

When a trigger point is reached, the following process will apply:

#### Stage One

*First Review Meeting:*

* 1. If an employee has reached a trigger point, they will be invited to a meeting to discuss their absence record. They will be allowed (if they wish) to be accompanied by a colleague or trade union representative at this meeting. They will be informed that their absence record is unacceptable. They will also be given the opportunity to respond and explain the reasons for their level of absence. If there is no reasonable explanation or mitigating circumstances, they will be issued with a written warning which will outline the level of improvement required. This warning will expire 6 months after the date of issue.

### Stage Two

### *Second Review Meeting:*

* 1. If an employee reaches another trigger point within the period of their warning, a second review meeting will be convened. The format of this meeting will mirror the first review meeting. They will be given the opportunity to respond and explain the reasons for their level of absence and why it has not improved. If there is no reasonable explanation or mitigating circumstances, they will be issued with a final written warning which will outline the level of improvement required. This warning will expire 12 months after the date of issue.

**Stage Three**

*Final Review Meeting:*

* 1. If an employee reaches another trigger point within the period of their final written warning, a final review meeting will be convened. The format of this meeting will mirror the previous review meetings and they will be given the opportunity to respond and explain the reasons for their level of absence and why it has not improved. One possible outcome of the review meeting will be dismissal on the grounds of capability due to ill health. An employee will also be entitled to be accompanied by a colleague or trade union representative at the meeting.

**Appeals**

3.12 An employee will be entitled to appeal against any written warning issued or dismissal. They will be informed of who to appeal to at the time the written warning or dismissal is issued. They will have 5 days from the date of receipt.

### Medical Capability Procedure

* 1. We will endeavour to obtain a medical opinion regarding your health condition (normally from your own GP/other medical expert in charge of your care, a medical expert appointed by us, or from an occupational health advisor).
  2. When we have a full understanding of your health condition (including obtaining and reviewing medical evidence, etc.), we may invite you to a formal medical capability meeting to discuss:
     1. any meetings that have taken place and matters already discussed;
     2. whether there have been any significant changes since the last meeting regarding your possible return to work (to your own role or another role);
     3. whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time period;
     4. the medical evidence that has been obtained, the advice that has been given and whether further advice is required;
     5. whether redeployment or any other reasonable adjustments to the workplace or working arrangements are appropriate or possible;
     6. whether your employment should be terminated on the grounds of ill-health capability; and
     7. any further matters that you wish to raise.
  3. If, after considering all the evidence, we determine that dismissal is appropriate, this will normally be with full notice. You will have the right to appeal against this decision.

## GRIEVANCE POLICY

### Dealing with grievances informally

* 1. If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your line manager (or a more senior manager if the grievance is against your line manager). You may be able to agree a solution informally between you.

### Formal grievance

* 1. If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your line manager. You should stick to the facts and avoid language that is insulting or abusive. The line manager will pass this to a member of the Senior Management Team who in turn will appoint a grievance officer (usually a senior member of the management team) to deal with your grievance.

### Grievance procedure

* 1. To ensure that individual grievances, relating to employment within North Lanarkshire Leisure Ltd, are settled fairly, speedily and as near to the source of the grievance as possible, the following procedure shall be followed:

At all stages of the grievance procedure the employee will have the right to be represented or

accompanied by a Trade Union representative or a work colleague.

**Stage I**

Where an employee is aggrieved on any matter, the employee or representative should normally discuss the matter initially with his immediate superior. Exceptionally, where this is deemed to be inappropriate, the matter should be discussed with a nominated senior officer.

The immediate superior should reply verbally as soon as possible and in any case within two working days and advise the aggrieved employee of the next stage.

**Stage II**

If the immediate superior is unable to give a satisfactory reply to the grievance, the employee shall

notify, in writing, the Managing Director of the intention to appeal against the decision on the grievance. This notification must be given within fourteen days.

The Managing Director or other nominated senior officer shall acknowledge receipt of the notification of appeal within five days and shall also inform the Head of HR & Payroll of the notification of grievance and have regard for any advice offered therefrom.

The Managing Director shall arrange a meeting between a nominated senior officer and the employee aggrieved to discuss the grievance. The meeting shall be arranged, although not necessarily take place, within five working days and the written reply shall be made as soon as possible but in any event within five working days of such a meeting.

**Stage III**

Where the employee remains dissatisfied, a written appeal may be submitted to the Head of HR & Payroll, within fourteen days of receipt of the decision at Stage II above, requesting that the matter be referred to the Appeals Sub-Committee of the Board of Directors and outlining in detail the grounds of the grievance.

The matter shall end at this point with the decision of the appeals panel.

## HARASSMENT POLICY

* 1. Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other employees not themselves the object of unwanted behaviour who are witness to it or who have knowledge of the behaviour. All employees are entitled to a working environment which respects their personal dignity and which is free from such objectionable conduct. Harassment is a disciplinary offence and it will normally be treated as gross misconduct.
  2. Harassment is either:

5.2.1 Sexual Harassment – Sexual harassment is normally linked both to power and to gender roles and usually, but not exclusively, directed at women by men; or.

5.2.2 Racial Harassment – Racial harassment is normally directed at individuals who are black or belong to an ethnic group.

5.2.3 Harassment of disabled employees – Harassment of disabled employees is directed at an individual of either sex or any racial group who has some form of disability.

5.2.4 Bullying – Bullying is typically defined as the persistent abuse of power or unfair application of personal

sanctions to criticise, intimidate, insult or undermine in a way which leaves an individual feeling hurt, humiliated or vulnerable.

* 1. A single incident can amount to harassment if sufficiently grave.
  2. Examples of harassment include:
     1. Offensive language, including obscenity and innuendo;
     2. Unwelcome physical contact or wolf whistles;
     3. Offensive jokes, both verbal and physical;
     4. Requests for sexual favours;
     5. Obscene, lewd or provocative gestures;
     6. Printed or hand-written offensive material, such as posters, calendars etc.;
     7. Offensive material on computers;
     8. Staring or leering;
     9. Name calling;
     10. Physical attack or assault;
     11. Mimicking;
     12. Threats;
     13. Pressure to participate in religious groups or trade unions;
     14. Pressure to withdraw from religious groups or trade unions;
     15. Deliberate exclusion from groups/conversations/activities, etc.;
     16. Setting unrealistic or unachievable work loads;
     17. Removing responsibility or status without justification;
     18. Unjustifiable or excessive application of penal sanctions, and
     19. Changing duties or responsibilities to the employee’s detriment without reasonable justification.
  3. Bullying is defined as any form of physical or verbal attack and/or threat of such, or the abuse of position, in order to attack or undermine the confidence or ability of another, or to place another employee under unreasonable pressure or subjecting another to detrimental treatment, by either act or omission.
  4. You may complain of behaviour that you find offensive even if it is not directed at you personally and you do not personally possess the relevant Protected Characteristic.
  5. Where harassment arises from people not directly employed by NLL e.g. customers or clients, such complaints will be taken seriously and will be pursued with the third party concerned, exercising whatever sanctions are available.
  6. Anyone who believes that he or she may have been the victim of harassment should raise the matter through NLL’s grievance procedure.

## MATERNITY POLICY

### Entitlements

### Period of Maternity Leave

* 1. All employees are entitled to 52 weeks maternity leave regardless of their length of service.

**Maternity Leave**

* 1. An employee with less than 26 weeks continuous service at the beginning of the 14th week before the expected week of childbirth will be entitled to 39 weeks Statutory Maternity Allowance. The Payroll Manager will confirm this to the employee as the entitlement is dependent on the amount of national insurance contributions made to date. The employee is not entitled to Occupational Maternity Pay.
  2. An employee with more than 26 weeks continuous service at the beginning of the 14th week before the expected week of childbirth will be entitled to both statutory and occupational maternity pay as follows:
     1. During the first six weeks of ordinary maternity leave an employee will be entitled to nine-tenths of a week’s pay.
     2. Where an employee intends returning to work, for each of the subsequent 12 weeks she will be paid half a week’s pay plus the lower rate Statutory Maternity Pay, if eligible, or Maternity Allowance, if eligible, per week, however, the combined amount cannot exceed her full pay.

The payment of 12 weeks half pay will be made on the understanding that an employee will return to Trust employment for a period of at least three months. If an employee does not return, she will have to repay the Trust 12 weeks half pay.

An employee not intending to return to work for three months will receive lower rate Statutory Maternity Pay during these 12 weeks.

* + 1. During the subsequent 21 weeks of maternity leave an employee will be paid the lower rate Statutory Maternity Pay.
    2. Any further period of leave will be unpaid.

**Notification**

**Commencement of Maternity Leave**

* 1. An employee must notify her manager during the Qualifying Week, i.e. the 15th week before her Expected Week of Childbirth that she intends to exercise her right to take maternity leave. The notice must be in writing and must state:
     1. That she is pregnant,
     2. Her expected date of childbirth,
     3. The date she wants her maternity leave to commence, and
     4. If the employee has more than 26 weeks continuous service she must also confirm her intention, or otherwise, to come back to work at the end of her maternity leave for at least three months in order to receive the full entitlement of Occupational Maternity Pay.

An employee must also give their manager Maternity Certificate (Form MATB1) or an original medical certificate from their Doctor or midwife stating their Expected Week of Childbirth. This must be done as soon as is reasonably practicable.

**Return to Work**

* 1. Employees must return to work no later than the last day of the 52nd week from, and including, the week in which her maternity leave started.
  2. If the employee proposes simply to return at the end of the 52 weeks maternity leave period, she does not need to provide the Trust with any notice. However, if she wants to return before the end of the 52 weeks, she must inform her manager at least 56 days prior to her date of return, of her intention to come back to work.
  3. If an employee wishes to return early but she does not give the required notice the Trust can postpone her return by up to 56 days. However, her return cannot be postponed beyond the latest date her maternity leave period can end.

**Maternity Support Leave**

6.8 Maternity Support Leave of five days paid leave is available for eligible employees to be taken at or around the time of the birth of a child. The availability of this provision will not extend beyond 8 weeks (56 days) after the date of birth of a child.

**Ordinary Paternity Leave and Statutory Pay**

6.9 Ordinary paternity leave and statutory pay may be available for a father/husband/partner subject to certain criteria.

6.10 Ordinary paternity leave is time off to support the mother/partner or to care for the child.

6.11 Ordinary paternity leave for Trust employees is one week, which has to be taken as one complete week of leave. This can be taken up to 8 weeks (56 days) after the date of the birth of a child. An employee will be paid, if eligible, Ordinary Statutory Paternity Pay.

## ADOPTION LEAVE POLICY

### Entitlements

### Leave

* 1. The following leave entitlements will apply to an employee regardless of his/her length of continuous service.
  2. **Pre-Adoption Leave**
     1. An employee is entitled to up to 2 weeks paid Pre-Adoption Leave that can be taken flexibly to attend to the formalities of adoption. An employee will be entitled to this leave irrespective of the fact that he/she may subsequently withdraw from the adoption process.
     2. Where both adoptive parents are employees of the Trust, both will be eligible for Pre-Adoption

Leave.

* 1. **Adoption Leave**
     1. An employee who will be the principle carer for the adopted child is entitled to a block period of Adoption Leave of up to 52 weeks at or around the date of placement of the child.
     2. Where both adoptive parents are employees of the Trust, only one of the partners will be eligible for Adoption Leave.
  2. **Adoption Support Leave**
     1. An employee who will not be the principle carer will be entitled to 5 days paid Adoption Support Leave which can be taken flexibly at or around the date of placement of the child.
     2. Where both adoptive parents are employees of the Trust, only one of the partners will be eligible for Adoption Support Leave.

**Entitlement to Pay**

* 1. Where an employee has less than 26 weeks continuous service by the end of the week they are notified they have been matched to a child, he/she has no entitlement to payment whilst on Adoption Leave.
  2. Where an employee has more than 26 weeks continuous service by the end of the week they are notified they have been matched to a child, he/she will be paid as follows:
     1. For the first six weeks, 90% of a week’s pay, this figure is inclusive of any Statutory Adoption Pay (SAP) to which the employee is entitled during this period;
     2. For the following 12 weeks, 50% of a week’s pay plus Statutory Adoption Pay, where the employee is entitled. However, the combined amount cannot exceed his/her full pay;

This payment of 12 weeks half pay will be made on the understanding that an employee will return to Trust employment for a period of at least three months.

If an employee does not return, they will have to repay to the Trust 12 weeks half pay.

An employee not intending to return to work for three months will receive SAP, where entitled, during these 12 weeks.

* + 1. During the subsequent 21 weeks, SAP, where the employee is entitled.

Any further period of leave will be without pay.

### Notification

### Pre-Adoption Leave

* 1. An employee must provide his/her manager with reasonable written notice prior to taking any of his/her entitlement to Pre-Adoption Leave.

**Adoption Leave**

**Commencement of Adoption Leave**

* 1. An employee must give his/her manager, within 7 days of being notified they have been matched to a child or as much notice is reasonably practical in the circumstances, notice of his/her intention to take adoption leave. The notice must be in writing and must state:
     1. The expected placement date, if known,
     2. The date he/she wants the adoption leave to commence, and
     3. If you have more than 26 weeks continuous service at the relevant point, he/she must also confirm his/her intention, or otherwise, to come back to work at the end of his/her adoption leave for at least three months in order to receive his/her full entitlement to pay.
  2. You must also provide your manager with evidence of your intention to adopt. This should include the name and address of the local authority or the recognised agency/voluntary organisation arranging the adoption, the date on which you were notified that you had been matched to a child and also evidence of the intention of the local authority or a recognised agency/voluntary to place a child with you.

### Return to Work

* 1. An employee must decide when he/she wants to return to work. This must be no later than the last day of the 52nd week from the date his/her Adoption Leave period commenced.
  2. If an employee wishes to return earlier he/she must provide his/her manager 56 days’ notice of the date he/she wants to return.
  3. If he/she does not give the required notice, the Trust can postpone his/her return to a date that will ensure the 56 days’ notice required in order to conclude any temporary arrangements that have been made. If he/she is not in receipt of pay, this extended period of leave will be unpaid. However, his/her return cannot be postponed beyond the latest date his/her adoption leave period can end.

## PARENTAL LEAVE POLICY

### Eligibility

8.1 An employee will have a right to parental leave if, he/she has worked continuously for the Trust for one year at the commencement of the requested parental leave and: -

8.2 Is the parent (named on the birth certificate) of a child(ren) under 18 years old; or

8.3 Is the parent of a disabled child (a disabled child is either a child whose parent is in receipt of a Disability Living Allowance or Personal Independence Payment, or, who is under consideration by a consultant or doctor as having a disability, and a letter clarifying this is provided) *under 25 years old*; or

8.4 Has adopted a child under the age of eighteen; or

8.5 Has, under the Children (Scotland) Act 1995, acquired formal parental responsibility for a child who is under 18 years old.

### Entitlements

8.6 **A Parent of a Child Up to Age 18**

8.6.1 Parental leave will be a total entitlement of 18weeks unpaid leave for each child.

8.7 **A Parent of a Disabled Child**

8.7.1 Parental leave will be a total entitlement of 18weeks unpaid leave for each child.

8.7.2 A disabled child is either a child whose parent is in receipt of a Disability Living Allowance for that child (if they are aged 16 or under) or a Personal Independence Payment (for those aged over 16 years), or, who is under consideration by a consultant or doctor as having a disability, and a letter clarifying this is provided.

8.7.3 The 18weeks can, in this instance, be taken up until the child’s 25th birthday.

8.8 **An Employee Adopting a Child**

8.8.1 Parental leave will be a total entitlement of 18weeks unpaid leave for an employee who has adopted a child under the age of 18.

8.8.2 The 18weeks can be taken from the date on which the child is placed for adoption until the child’s eighteenth birthday.

8.8.3 If an employee adopts a disabled child, parental leave entitlement will be 18 weeks and can, in thisinstance, be taken up until the child’s 25th birthday.

### Parental Leave Scheme

8.9 The minimum amount of leave to be taken at any one time is one day, and up to a maximum of 4 weeks in any one occasion. Up to 4 weeks of the 18 week entitlement may be taken in blocks of less than a week, a day at a time where necessary. The remainder must be taken in blocks of complete weeks. Parents of a disabled child, however, may take the full entitlement of 18 weeks on a one day basis.

8.10 The notice period for parental leave of one week or more will be 14 calendar days. The notice period for leave of less than one week will be 7 calendar days. The notice periods can be varied, in exceptional circumstances, at the discretion of the manager in consultation with Human Resources.

8.11 Parental leave will be requested using the appropriate form. Leave will be recorded and monitored by individual managers. Requests for leave will be forwarded to Human Resources by the individual manager for recording purposes, a copy of which will be passed to Payroll, for their records, by Human Resources.

Proof to support an application for parental leave will be required for the initial application. In the absence of this being available, the employee requesting Parental Leave must sign a document confirming parental responsibility. This will not be necessary for subsequent applications if the supporting evidence is still on file.

8.12 An employee may apply for a maximum period of 4 weeks unpaid parental leave immediately after a period of maternity leave or adoption of a child.

If an employee is requesting parental leave following a period of maternity leave, the employee will require to give 21 days’ notice before the beginning of the expected week of childbirth.

If an employee is requesting parental leave following the adoption of a child, the employee will require to give 21 days’ notice of the expected week of placement. If it is not possible to give 21 days’ notice in this instance, the adoptive parent should give the notice as soon as is reasonably practicable.

### Approval of Parental Leave

8.13 Parental leave, once agreed, will not normally be postponed. Every effort will be made to grant leave already approved. Where there are exceptional circumstances impacting on operational requirements to the extent that a manager would seek to postpone parental leave already approved, discussions will take place between the manager and Human Resources. If a postponement is agreed as necessary, the decision of the Service will be communicated in writing to the employee, stating reasons for the postponement. The employer can postpone parental leave for no more than six months from the date on which the employee initially wanted to commence parental leave.

8.14 A suitable alternative time should be agreed between the employee and the manager, but if a suitable time cannot be agreed, then the manager will become responsible for guaranteeing that the employee can take parental leave at a time which suits the needs of the Service and the employee. If this means that parental leave is postponed beyond the child’s 18th birthday (or 25th birthday in the case of a disabled child), the employee still has a right to take it.

8.15 When an employee applies to take parental leave immediately after the birth or adoption of a child, then the employer cannot postpone the leave.

## FLEXIBLE WORKING POLICY

### Scope

9.1 This policy is available to all employees of the Trust, who meet the eligibility criteria in the section below.

### Eligibility

* 1. To be eligible, employees must meet the following criteria:
     1. Have 26 weeks continuous service with the Trust by the date of the application
     2. Not made another application in their current post, to work flexibly under this right during the past 12 months

### Your Application

9.3 You must submit an application in writing at least 12 weeks before the requested implementation date to the change in your working pattern.

* 1. The appropriate line manager and employee must adhere to the procedural timescales. These are:

9.4.1 The initial meeting to discuss application must be held within 28 calendar days of receipt of the application;

9.4.2 You have the right to be accompanied at the meeting by a friend, colleague or Trade Union representative;

* + 1. The outcome of the meeting must be confirmed in writing within 14 calendar days of the meeting
       1. If agreed, a variation to the contract will be issued by Human Resources
       2. If not agreed, sound business reasons must be given by the line manager

9.4.3.3 If no decision reached, employee will be informed of the action being taken by the line manager to find a satisfactory outcome. The employee may be asked to accept an extension to the timescale in this circumstance.

**Withdrawal of Application**

* 1. If you withdraw your application in your current post, you will not be able to make another application for 12 months from the date the application was first made, unless you move to another post within the Trust.

**Right of Appeal**

9.6 If you are not satisfied with the outcome of your application, you have the right to appeal the decision. This must be done in writing to Human Resources within 14 calendar days of receipt of the Manager’s decision. The subsequent appeal meeting, which will be held by a nominated manager, must take place within 14 calendar days of receipt of the appeal letter and a decision must be given in writing within 14 calendar days of the meeting.

## ALCOHOL AND DRUG-RELATED PROBLEMS POLICY

## Scope

10.1 NLL recognise that alcohol and drug-related problems are matters of health and social concern. Employees with these problems need help and treatment.

10.2 NLL will not accept people misusing alcohol or drugs. This policy provides practical measures to deal with alcohol and drug misuse. This applies equally to solvent misuse.

10.3 The Trust will try to make sure that employees who use alcohol or drugs do not affect the safe and efficient running of the organisation.

10.4 Using alcohol or drugs can affect an employee’s performance at work. This may result in problems with employees being absent from work.

**Company Position**

* 1. By law, employers must maintain a safe working environment. If an employer ignores your alcohol or drug problem, NLL could be committing a criminal offence.

If you do not act responsibly, you could also be committing a criminal offence.

* 1. It is an offence for an employer to allow people to use, keep or supply drugs on their premises, under the Misuse of Drugs Act 1971. It is also illegal under the Act to ignore these incidents. NLL will consider you to have committed an act of gross misconduct if you do any of the following on our premises.
     1. Take drugs which have not been prescribed for medical reasons.
     2. Are believed to be buying or selling drugs.
     3. Are in possession of unlawful, unprescribed drugs.
  2. It can be a criminal offence to misuse alcohol or drugs. If NLL knowingly continue to employ a person with an alcohol or drug problem, and the employee causes an accident and injures someone else, The Trust could be liable for negligence.
  3. If you are known to be, or are strongly suspected of being, drunk or under the influence of drugs during working hours, you will be escorted from our premises immediately and suspended with pay. If appropriate, you should be taken home. NLL will investigate the matter when you return to work.
  4. The Trust encourage employees whose repeated use of alcohol or drugs interferes with their health or work performance to get advice and treatment voluntarily. If you commit an act of gross misconduct as a result of misusing drugs or alcohol, and a programme of treatment may not be appropriate, NLL may dismiss you.

**Support**

10.10 NLL will give you the opportunity to have an assessment if it is found that you have an alcohol or drug-related problem. Treatment from appropriate agencies will be provided if necessary.

10.11 If you suspect or know that you have an alcohol or drug-related problem, you should get help and treatment voluntarily, with the support of your employer.

* 1. The Trust will take disciplinary action against you if you:
     1. Deny that either alcohol or drugs are the cause of the problems;
     2. Refuse to accept the offer of referral for assessment and treatment;
     3. Stop a course of treatment before you have completed it; or

10.12.4 Do not meet the standards of work needed after undergoing treatment.

10.13 If, during disciplinary procedures, you blame the misconduct or incapability on alcohol or drug dependency, the Trust may postpone disciplinary action. During this period, the Trust will offer you assessment or treatment (or both). If you reject the offer of support, disciplinary procedures will continue.

10.14 NLL will give you paid time off to go to counselling sessions if you accept the offer of a referral.

10.15 Time for Talking Counselling Service will provide support either by self-referral or management referral.

**Treatment**

* 1. If you accept you have an alcohol or drug problem, the Trust will offer you help and treatment as long as

you:

* + 1. Produce medical certificates to cover the period or periods of absence if you need to be absent from work to receive treatment; and
    2. Return to the same or equivalent job when the treatment has been completed.
  1. NLL will consider suitable alternative employment, in line with the Redeployment Policy, if:

10.17.1 Your alcohol or drug problem is not resolved; or

10.17.2 Your performance is not satisfactory when you return to your original or an equivalent job.

## 11. DATA PROTECTION POLICY

**This policy applies to all staff directly employed by NLL including casual workers. The term employee will be used throughout this policy and will apply to both employees and casual workers.**

* 1. This policy sets out and formalises North Lanarkshire Leisure’s (NLL) approach to managing personal data in accordance with the requirements of the Data Protection Act 1998 and the General Data Protection Regulations (GDPR). The organisation is committed to being transparent about how it collects and uses personal data and to meeting its data protection obligations.
  2. This document also outlines NLL’s commitment to the principles enshrined within the legislation and the need to balance the rights of individuals with the functions and operational requirements of the organisation.
  3. This policy applies to:

11.3.1 All personal data held, maintained and used by NLL in all locations and in all media (hardcopy and electronic).

11.3.2 All NLL staff, including casual workers, temporary staff, contractors, consultants and volunteers who access and use NLL information; and

* + 1. All third parties who manage and process personal data on NLL’s behalf when carrying out a statutory function or service

## Informing data subjects & Fair processing

11.4 When collecting personal data, the organisation will inform data subjects about why their personal data is required and how it will be used and retained. It will also explain whether the personal data will be shared. This is called a Fair Processing Notice or Privacy Statement.

**Sharing Personal Data with other organisations**

11.5 NLL works with other organisations to provide services. The sharing of personal data with third parties is subject to formal information sharing protocols. These set out overarching common rules adopted by NLL and its partners with whom it wishes to share data.

11.6 All new data sharing protocols and agreements must be assured by the Head of Finance and IT before they are signed/ used.

## Disclosing Personal Data

11.7 There are many instances where it will be fair and reasonable to disclose personal data with (and without) the consent of the individual. All requests for personal data and disclosures must be documented.

11.8 When disclosing personal data, NLL will only disclose personal data that is necessary for the stated purpose.

**Individual rights**

11.9 As a data subject, individuals have a number of rights in relation to their personal data.

**Subject access requests**

11.10 Individuals have the right to make a subject access request. If an individual makes a subject access request, the organisation will tell him/her:

* + 1. whether or not his/her data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from the individual;
    2. to whom his/her data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
    3. for how long his/her personal data is stored (or how that period is decided);
    4. his/her rights to rectification or erasure of data, or to restrict or object to processing;
    5. his/her right to complain to the Information Commissioner if he/she thinks the organisation has failed to comply with his/her data protection rights; and
    6. whether or not the organisation carries out automated decision-making and the logic involved in any such decision-making.

11.11 To make a subject access request, the individual should send the request to info@nlleisure.com. In some cases, the organisation may need to ask for proof of identification before the request can be processed. The organisation will inform the individual if it needs to verify his/her identity and the documents it requires.

11.12 The organisation will normally respond to a request within a period of one month from the date it is received. In some cases, such as where the organisation processes large amounts of the individual's data, it may respond within three months of the date the request is received. The organisation will write to the individual within one month of receiving the original request to tell him/her if this is the case.

**Other rights**

* 1. Individuals have a number of other rights in relation to their personal data:
     1. the right to be informed;
     2. the right of access;
     3. the right to rectification;
     4. the right to erasure;
     5. the right to restrict processing;
     6. the right to data portability;
     7. the right to object ; and

11.13.8 the right not to be subject to automated decision-making including profiling.

11.14 To ask the organisation to take any of these steps, the individual should send the request to info@nlleisure.com.

**Unauthorised Disclosure**

11.15 Employees (and others covered by this policy) must never disclose personal data obtained in the course of their work with NLL, or access personal data without appropriate permissions. It is a criminal offence to knowingly obtain or disclose personal data without the consent of the data controller (NLL).

**Security**

* 1. NLL will ensure that appropriate controls are in place to keep personal data secure at all times.
  2. NLL’s policies on Information Security, including ICT Acceptable Use, must be followed at all times. Particular care should be given to the display and transportation of personal data to ensure that unauthorised access or disclosure is not made whether by accident or design.

**Reporting and Managing Data Protection Breaches**

11.18 A Data Protection Breach can occur through the theft or accidental loss of personal data (for example, laptops, tablets, portable devices, files containing personal data). They can also occur through the unauthorised use or accidental disclosure of personal data by employees, or deliberate attacks on NLL systems.

11.19 All Data Protection Breaches must be reported to the Head of Finance and IT immediately. This will allow the organisation to take all the necessary steps to recover the data and limit any potential damage caused by the breach.

**Your Responsibilities**

* 1. All staff have responsibility for data protection and must:

11.20.1 Read, understand and follow this policy and any associated procedures that relate to the use and handling of personal information in the course of their work;

* + 1. Undertake data protection training (including annual refresher training) and ensure they have a clear understanding of their responsibilities in using and handling personal information;
    2. Identify and report any risks to personal information to their line manager Identify and report suspected breaches of confidentiality or compromised personal data to their line manager;
    3. Identify and forward any subject access requests to the PA/FOI Officer to ensure that requests can be processed in accordance with statutory timescales; and
    4. Assist customers in understanding their information rights and the organisation’s responsibilities in relation to data protection.

## HEALTH AND SAFETY AT WORK POLICY STATEMENT

12.1 The Board of Directors, Managing Director and members of the Management Team of North Lanarkshire Leisure are committed to meeting their responsibilities under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, Fire (Scotland) Act 2005, The Safety in Sports Grounds Act 1975, The Adventure Activities Licensing Regulations 2004, and associated protective legislation. To achieve these objectives, North Lanarkshire Leisure will appoint designated member(s) of staff to:

Be responsible for health and safety:-

12.1.1 Keep workplace health, safety and welfare procedures under constant review.

12.1.2 Liaise with the appointed external Health and Safety Consultant whenever necessary.

12.1.3 Liaise with North Lanarkshire Council (NLC) the Health and Safety Executive (HSE) wherever necessary.

12.1.4 Keep the Board of Directors, The Managing Director and the Senior Managers abreast of new legislation, EU Directives, Regulations, Industry Best Practice and British Standards in order to ensure ongoing compliance with the law.

12.2 Ultimate responsibility for all health and safety issues lies with the Board of Directors. Responsibility for the day-to-day decisions relating to health and safety issues will be delegated to the Managing Director, Senior Managers, Section Managers, Operations/General, Venue, Golf, Estates Maintenance Service Manager, and Head of Health, Safety & Estates. The Head of Health, Safety & Estates will also be responsible for overseeing the operation of the Health and Safety Management System.

12.3 North Lanarkshire Leisure will comply with its duties towards employees under the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999, so far as is reasonably practicable, in order to;

* + 1. Provide and maintain plant and systems of work that are safe and without risk to health, a safe place of work and a safe system of work.
    2. Ensure the safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances.
    3. Provide such information, instruction, training and supervision as may be necessary to ensure the health and safety at work of its employees.
    4. Make Risk Assessments and Safe Systems of Work available to employees.
    5. Take appropriate preventative/protective measures.
    6. Provide employees with health surveillance where necessary.
    7. Appoint competent personnel to secure compliance with statutory duties and to undertake reviews of the policy as necessary.

12.4 North Lanarkshire Leisure’s employees, agree as part of their contract of employment, to comply with their individual duties under the Health and Safety at Work etc. Act 1974 and other current Health & Safety legislation. Employees are therefore expected to co-operate with North Lanarkshire Leisure to enable it to carry out its health and safety duties and responsibilities. Failure to comply with health and safety duties and responsibilities, regulations, work rules and procedures regarding health and safety may be treated as a gross misconduct, and as such may be dealt with as outlined in the company’s disciplinary procedure.

## 13. SPECIAL LEAVE POLICY

* 1. This document provides details of the Special Leave arrangements employees within NLL as agreed with the recognised trade unions.
  2. The following Special Leave arrangements are covered:
     1. Bereavement
     2. Time Off for Dependants
     3. Maternity Support Leave/Statutory Paternity Leave and Shared Parental Leave
     4. Leave for Medical Purposes
     5. Leave for Fertility Treatment
     6. Participation in sporting events
     7. Jury Service
     8. Service as a Witness
     9. Election Duties
     10. Election Agents
     11. Candidates in Elections
     12. Service in Non-Regular Forces
     13. Community Emergency Services
     14. Holiday or Festivals of Religious or Ethnic Groups
     15. Interviews
     16. Training Connected with a Course of Study
     17. Career Break
     18. Voluntary Work Overseas and in the UK

13.2.19 Other Special Leave

13.3 For more information on the above contact your line manager in the first instance.

## 14. REWARD AND RECOGNITION POLICY

## Principles

14.1 NLL is committed to reward and recognition which align to the values and business objectives to support the achievement of our strategy.

14.2 A competitive reward strategy has been adopted which directly supports the attraction of the highest calibre staff; motivates staff to drive NLL success and supports the development of a pipeline of talent to meet future needs and challenges.

* 1. NLL recognises exceptional employees in a variety of ways including:
     1. Verbal recognition
     2. Gift vouchers
     3. Learning and Development opportunities

14.3.4 Providing career advancement opportunities

**Initiatives**

* 1. Specific recognition programmes include:
     1. Staff Suggestion Scheme
     2. Peer Recognition Programme
     3. Long Service Awards

14.4.4 Retirement Awards

14.5 **Staff Suggestion Scheme**

NLL recognises the wealth of knowledge, talent, skills and experience of our employees. It is essential therefore that NLL engages with all employees and involves them in our decision making processes. Employees are encouraged to provide ideas and suggestions which will promote and develop the organisation and our employees in a positive way.

Staff Suggestion Forms are available from line managers and the HR Section. Staff are encouraged to submit their ideas and suggestions by completing a form and returning this to their line manager in the first instance.

Gift vouchers will be awarded to reward and recognise particular initiatives.

14.6 **Peer Recognition Programme**

Through our culture, NLL aims to empower employees to identify great performance and accomplishment, which will help build an organisation which fosters recognition and increases employee retention. Recognition could simply involve saying “Thank you”, either verbally or in writing. Individual and team recognition can be done privately or publicly. Supervisors and peers are encouraged to say “Thank you”, one of the easiest and most underused recognition tools.

It is recognised that there are occasions where employees carry out one off tasks or projects which are above and beyond what is expected of them in their role. Managers and employees are encouraged to share this performance/accomplishment with the organisation by nominating the individual for a Peer Recognition Award in the form of Gift Vouchers.

## SECONDARY EMPLOYMENT GUIDELINES

* 1. North Lanarkshire Leisure Ltd recognises that in some instances employees wish to undertake other employment, whether paid or unpaid, out with the Trust. It is acceptable for employees to have second jobs providing there is (i) no conflict of interest with NLL Ltd and (ii) no impact on their employment in terms of performance and/or attendance within the Trust.

15.2 Secondary employment is any additional employment an employee undertakes for another employer or work undertaken as a self-employed person.

15.3 The purpose of this policy is to:

15.3.1 Ensure that employees do not engage in other paid or unpaid work which conflicts or competes with the business and commercial interests of NLL Ltd.

15.3.2 Ensure that employees do not engage in other paid or unpaid work which may conflict with or affect their performance or attendance under their Contract of Employment with the Trust.

15.3.3 Prevent employees and/or the Trust from contravening legislation on working time/hours.

15.4 The Trust may take disciplinary action against employees who undertake secondary employment which conflicts with the following:

* + 1. The business or commercial interests of the NLL Ltd
    2. The performance of normal duties within NLL Ltd
    3. The requirements of the Working Time Regulations

**Application Procedure**

15.5 All employees wishing to undertake secondary employment must seek written approval from their line manger using the Approval to Undertake Secondary Employment Application Form.

15.6 The request must be approved by the individual’s line manager and forwarded to the HR Section. Line Managers should respond to requests within 14 days.

15.7 Employees must not commence secondary employment until approval has been granted.

15.8 In the event that a request is deemed unsuitable in the interest of the Trust, the line manager will confirm this decision in writing outlining the reasons for refusal.

15.9 Failure to comply with this procedure may result in action being taken in accordance with the Trust’s disciplinary Policy.

## Appeals Procedure

15.10 If a request for secondary employment is refused, the employee has a right to appeal against this decision. This should be confirmed, in writing, to the Managing Director, within 14 days following confirmation of the refusal of the request.

15.11 The Managing Director or other nominated senior manager shall acknowledge receipt of the notification of appeal within five days and shall also inform an HR representative.

15.12 The Managing Director or a nominated senior manager shall arrange a meeting with the employee. The meeting shall be arranged, although not necessarily take place, within 5 working days and the written reply shall be made as soon as possible but in any event within 5 working days of such a meeting.

* 1. The decision of the Managing Director or nominated senior manager shall be final.

## REDUNDANCY

## Principles

16.1 The first responsibility of the Trust is to provide efficient and effective services and, as part of that process, to keep under review its staffing requirements having regard to changes in the nature of service delivery, whether by reason of Trust decisions, Government policy, or changes in the nature of the service demands and methodologies.

Within this context, the Trust believes that it has a responsibility to safeguard, as far as possible, the job security of its employees and to provide quality services by maintaining realistic staffing levels.

This Policy is intended to establish a background against which necessary decisions to reduce employee levels should be dealt with.

Where staffing levels need to be reduced, the Trust recognises the importance of:-

* + 1. Minimising the number of compulsory redundancies,
    2. Communicating effectively with employees and Trade Unions, and
    3. Fair and sensitive handling of those employees affected.

Where compulsory redundancy is deemed necessary, the Trust will handle the process in a fair, consistent, non-discriminatory and, wherever practicable and appropriate, objective manner.

This policy will be reviewed from time to time to ensure that it reflects the Trust’s legal obligations and its organisational and business needs.

## Avoiding Compulsory Redundancies

16.2 When the Trust identifies that staffing reductions are necessary, the company will seek to avoid or minimise the number of possible redundancies by considering any or all of the following:-

* + 1. Restricting recruitment in affected categories of employee and in those areas into which affected employees might be redeployed.
    2. Reducing or eliminating overtime in affected departments.
    3. Reducing or eliminating the use of casual workers.
    4. Introduction of short-term working.
    5. Re-training and re-development where practicable.
    6. Seeking voluntary earnings reductions.
    7. Seeking applications for voluntary severance.
    8. Freezing or reducing the number of temporary employees.

16.3 Whilst the Trust will consider the above measures, it must also consider the needs of the business and nothing in the Policy places an obligation on the Trust to implement any specific measures.

## Making Compulsory Redundancies

16.4 When it is not possible to avoid making compulsory redundancies, all affected employees and recognised Trade Unions will be advised that compulsory redundancies cannot be avoided. The Trust shall consult with the appropriate Trade Union(s) for the category of employee(s) to be made redundant (even if the employee(s) in question are not a member(s) of the Union(s)), as soon as it is known that redundancies will need to be made or are likely to be made. This consultation will be undertaken with a view to avoiding or limiting the effects of collective redundancies. The Trade Unions will also be consulted on the procedure that will be followed and the criteria that will be applied.

16.5 The criteria used to select those employees who will potentially be made redundant will be transparent, fair and based on the skills required to meet the Trust’s existing and anticipated business needs. Wherever practicable and appropriate, the criteria will be objective.

16.6 Those employees who have been provisionally selected for redundancy will be consulted with individually.

16.7 Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive.

16.8 Where an employee(s) consider(s) that the selection criteria has not been fairly applied in their particular case there will be an entitlement, on these grounds alone to make representation to an Appeals Panel consisting of the Managing Director, a member of the Board of Directors and the Head of HR & Payroll.

16.9 The employee or his/her representative shall write to the Head of HR & Payroll stating in detail the specific unfairness in his/her individual case. Such notification must be lodged within 5 working days from the date of the decision on selection.

16.10 The Appeals Panel shall be convened at the earliest possible date and its decision shall be final.

16.11 The Trust will continue to look for alternative employment for redundant employees and inform them of any vacancies that it has until their termination dates. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period where appropriate.

16.12 Where the Trust is unable to offer alternative employment it will assist employees to look for work with other employers. Employees under notice of redundancy will be entitled to take a reasonable amount of paid time off work to look for alternative employment or to arrange training for future employment.

## LONG SERVICE AWARD

### Introduction

* 1. North Lanarkshire Leisure Ltd recognises the valuable contribution which employees make to the overall success of the organisation.
  2. This policy seeks to acknowledge employee loyalty and long service within the organisation and as a means of recognition offer long service and retirement gifts to qualifying employees.

### Principles

* 1. Details of the qualifying requirements are set out in the following paragraphs.
  2. The policy will be available to all employees of North Lanarkshire Leisure Ltd who, on or after 16 September 2006, attain 25 years continuous service with North Lanarkshire Leisure Ltd, North Lanarkshire Council and an antecedent authority.
  3. Antecedent authorities which will be considered for eligibility purposes are:-  
       
      17.5.1 Strathclyde Regional Council

17.5.2 Motherwell District Council

17.5.3 Monklands District Council

17.5.4 Cumbernauld & Kilsyth District Council

17.5.5 Strathkelvin District Council

* + 1. Cumbernauld Development Corporation

17.6 There will be two categories of service recognition, one on attaining 25 years’ service and this will equate to a sum not exceeding £150. The second will apply on the retirement of an employee and will equate to a sum not exceeding £250.

17.7 The awards are not monetary payments and must take the form of a gift of the employee’s choice to the value as previously outlined.

* 1. To qualify for the retirement benefit employees must have a minimum of 25 years’ service.
  2. Employees have the choice of either financing the purchase of the gift themselves and the cost of any gift, to the appropriate value, will be reimbursed by North Lanarkshire Leisure Ltd at a later date on production of an original invoice/receipt, or, alternatively, an employee can arrange for the retailer to invoice North Lanarkshire Leisure Ltd direct. It will be at the employee’s discretion to determine which payment method to use.

### Procedures

* 1. All requests must be made utilising the application form, which can be obtained from HR.
  2. Requests for long service awards will usually be made by a qualifying employee via their line manager who will complete the appropriate paperwork and pass to the Head of HR & Payroll for authorisation, thereafter payment will be made as soon as possible on production of the receipt/invoice.
  3. Retirement awards will normally be identified by management when an employee has indicated their intention to retire. The Head of HR & Payroll will be responsible for authorisation and thereafter payment will be made as soon as possible on production of the receipt/invoice.

## TRAINING AND DEVELOPMENT POLICY

### Objectives

18.1 We are committed to the ongoing development of all employees to enable them to make a full and effective contribution to the aims, objectives and services of North Lanarkshire Leisure.

* 1. This policy extends to all employees.

18.3 We aim to:

* + 1. Ensure that the company has sufficient trained, qualified, experienced and flexible employees to support its service needs and to ensure its continuing effectiveness in providing services, and achieving accreditation for service delivery.
    2. To provide the training needed to enable employees to perform their present jobs effectively and to acquire the necessary new skills to increase flexibility in moving to new or different areas of work;
    3. To assist employees to develop their potential and to realise their aspirations for career progression, consistent with their needs and those of the Company;
    4. To ensure there is quality of opportunity for employees to obtain systematic training:
    5. To meet training and development needs of employees in the most effective way, in terms of quality and cost.

### Priorities

18.4 The following Company training priorities have been established in order to ensure the most advantageous use of available training resources within the Company and with its partners externally. These must be taken into account by managers, in determining their own service training priorities.

* + 1. The induction training required by new recruits to the Company or employees transferring between or within services;
    2. The training required to meet the Company’s obligations under European, National and Scottish regulations and legislation;

18.4.3 The training and development required to increase employee effectiveness and improve performance in current jobs, at all levels;

* + 1. The training and development required to support the Company’s strategic objectives;
    2. The training and development required to promote good employee relations and industrial harmony;
    3. The training and development required to comply with the Company’s Employment Policies;
    4. The training and development arising from new organisational procedures or equipment, or new technology;
    5. The training and development required to promote good relations with the communities of North Lanarkshire.

**Training Records**

18.5 Line Managers will keep training and development records for each individual within their section. This information can be viewed at any time by contacting the appropriate manager.

**Individual Employee**

18.6 Individual employees have a responsibility to take ownership of their own learning in order to maximise the opportunities that can be made available to them. It is necessary for the individual employee to participate fully in the identification of their own training needs, to co-operate in any evaluation of training and development and to participate in pre and post development discussions to improve individual and organisational performance. Staff will be expected to actively put into practice any new skills and knowledge gained through staff development.

**Methods**

18.7 North Lanarkshire Leisure is committed to promoting a Learning Organisation culture. It recognises that individuals often have preferred and different methods of learning and to this end, the Company will encourage professional development through providing a variety of methods for learning. Training should not be viewed purely as “attending a training course”. There are a variety of different methods that can be used to help train and develop individuals and the Training and Development section, will be happy to help individuals and managers select the most appropriate method. For example:

* + 1. Using Open and Distance learning materials
    2. Computer-based packages
    3. Videos or CD-ROMs
    4. E-learning
    5. Reading literature
    6. In-house courses/workshops
    7. External courses/conferences/seminars
    8. Secondment
    9. Individual and joint projects
    10. Research
    11. Professional qualifications
    12. Working party membership
    13. Counselling, coaching or mentoring

18.7.14 On the job training

**Induction**

18.8 Induction training will commence on arrival for all new employees to the Company. It should comprise both a company and service overview and should:

* + 1. Explain what the Company does and how it is organised
    2. Explain the Company’s values and culture
    3. Help employees settle into their new environment
    4. Help employees understand their responsibilities and obligations
    5. Ensure the Company receives the benefit of well trained and motivated employees as quickly as possible

18.9 Induction training should also be given to employees transferring between and within services to achieve the above aims in the context of the new post.

**In House Training and Development**

18.10 To ensure that training is as cost effective as possible, and relevant to the needs of the individual as well as the section, NLL will endeavour to meet the majority of identified training needs through in-house provision.

**Job Related Training and Development**

18.11 Job related skills training and development may include both on and off-the-job learning situations, e.g.:-

* + 1. Internal or external training courses;
    2. Delegation;
    3. Coaching and guidance;
    4. Projects;
    5. Secondments;
    6. Appropriate job rotation;
    7. Computer assisted learning;
    8. Further education;

18.11.9 Vocational qualifications

18.12 Training and development in relation to continuous professional development should be instigated by individuals and should meet the level of requirements stipulated by the professional body.

18.13 Resources may be available to employees who wish to pursue undergraduate and postgraduate qualifications, where this is deemed to be a requirement either of the current job or of a planned development.

18.14 An employee who is undertaking an authorised course of studies and who is appointed to a different post within the company will normally be allowed to complete the course of studies authorised in that academic year. Any further resources granted subsequently will be subject to the Managing Director’s approval, on the basis that the qualification is still relevant to the company and the new responsibilities of the individual.

18.15 Resources to attend day/block release courses, full-time courses, evening classes or distance learning courses leading to a relevant qualification may be granted where it would be in the interests of the company and the individual employee.

18.16 The company will normally only grant resources or financial assistance for a course of study leading to the attainment of a second professional or vocational qualification, in circumstances where it is deemed necessary to meet work requirements.

18.17 Day or Block Release Resources: If operational conditions within a service permit, day or block release resources with pay, will be granted to employees who may wish to commence an authorised course of study leading to an approved qualification.

18.18 Full-Time Release Resources: Employees may be granted leave of absence, with or without pay, to attend a full-time course of study. The circumstances of each case will determine whether approval can be granted, and, if so, the level of support.

18.19 Evening Classes: Employees may be granted financial assistance to attend an approved course of study by means of evening class.

18.20 Distance Learning Courses: An employee may be granted resources to undertake a relevant course of study by distance learning (Correspondence, Open University/Technical, etc.).

18.21 The continuance of the resources outlined above will be subject to satisfactory progress being made throughout the course.

**Written Undertakings**

18.22 The following conditions apply to employees who have been authorised to study for an approved course on a block/day/full-time paid release basis, by evening class, distance or open learning or undertaking a vocational qualification.

18.23 All employees who have been granted resources for professional and vocational courses of study will be required to sign a Letter of Undertaking prior to commencing their studies. A copy of the signed undertaking will be given to the employee. Before signing the undertaking, the employee will be advised of the estimated cost of the proposed course of study and this cost would be included within the Letter of Undertaking.

18.24 This undertaking will require the employee to agree to remain and continue in the service of North Lanarkshire Leisure for a period of 2 years, following the completion of the course. The employee will be required to repay to North Lanarkshire Leisure any financial assistance given. As detailed in recovery of training expenses.

18.22 and 18.23, during the study period or before the expiry of the 2 year period, should the employee:

* + 1. Voluntarily leave the service of North Lanarkshire Leisure;
    2. Be dismissed from the service of North Lanarkshire Leisure for reasons of discipline or misconduct;
    3. Voluntarily terminate the studies before completing the course;
    4. Fail to make a satisfactory number of attendances while on the course;
    5. Not attempt to complete the work of the course to a satisfactory standard;

18.24.6 Fail to make satisfactory progress as determined by service provider in conjunction with employing department.

1. **RECRUITMENT POLICY**

**Introduction**

19.1 Employee recruitment is an important factor in the Trust’s ability to provide services effectively and efficiently.

19.2 It is also essential that the Trust complies with employment legislation and applies sound professional practice throughout the recruitment process.

19.3 Additionally, it is recognised that the recruitment process is high profile interface with the general public and therefore, the Trust should strive to project a positive image and display the highest level of standards, conduct and professionalism.

**Principles**

* 1. The principles contained within this policy are designed to ensure that the Trust:
     1. Complies with employment legislation and best practice;
     2. Recruits in an efficient and cost-effective manner, and;

19.4.3 Adopts the principles of fairness, consistency and equality.

**Application Forms**

19.5 By standardising the information requested and the format in which it is presented, each applicant is encouraged to provide information directly relevant to the essential requirements of the job. This encourages equality, by ensuring each candidate has the same opportunity to detail how their experience is suitable to the duties of the job and in addition, allows for standard analysis of information provided by applicants.

19.6 As a consequence, Curriculum Vitae, or other additional unsolicited information provided by the candidate, will not be accepted as an alternative to completing the application form, or considered in the selection process, unless specifically requested in the additional information provided on the job.

**Recruitment Advertising**

19.7 To ensure compliance with equality of access and social inclusion, recruitment campaigns will not usually be restricted to one particular medium or advertising venue. The Trust also understands that a short-term saving in recruitment costs may lead to a long-term loss, if suitable employees are not recruited and retained. The decision on the choice of suitable advertising media will be influenced by the grade and level of the post; the professional, technical or specialist skills and experience required and the prevailing economic or market circumstances impacting on the availability of suitable candidates, as well as budgetary constraints.

19.8 Advertisements will focus on the objective and demonstrate abilities required to fill the vacancy and will be advertised to the widest practical audience, using a cost effective medium appropriate to each vacancy.

* 1. However, the Trust reserves the right to restrict external recruitment advertising in the following circumstances:

19.9.1 The vacant post is of a short-term temporary nature and may be filled by an existing employee of the Trust on a temporary basis, e.g. maternity cover, sickness cover, or

* + 1. The Trust has an agreed professional training scheme whereby trainees, who are concluding their training period, are entitled to be considered for any suitable vacancies that arise; or
    2. The Trust has chosen to restrict recruitment advertising to protect the legislative rights of existing employees of the Trust, e.g. in a potential redundancy situation.

**References**

19.10 Other than in the most exceptional circumstances, two references, which the Trust deems to be satisfactory, are required for successful candidates, one of which must be from their line manager in their present or last employment, if applicable.

19.11 Those individuals who have not worked since leaving school/college/university etc., should provide a reference from their last educational establishment.

19.12 Although there may be exceptions, personal references from those such as colleagues, friends or relatives will not be acceptable.

**Candidate Feedback**

19.13 All candidates, successful or otherwise, may request constructive and objective feedback with regard to their application.

**20. CHILD PROTECTION & ADULTS AT RISK POLICY**

**This policy applies to all staff directly employed by NLL including casual workers. The term employee will be used throughout this policy and will apply to both employees and casual workers.**

**Protecting Children**

20.1 We want children and young people in North Lanarkshire to be safe, healthy, active, nurtured, achieving, responsible, respected and included so that they can realise their potential and make a positive contribution to society. North Lanarkshire Leisure adheres to the principles and values of the national Getting it Right for Every Child (GIRFEC) practice model.

20.2 All children and young people have a right to be cared for and protected from harm and abuse and to grow up in a safe environment in which their rights are respected and their needs met.

20.3 You have a responsibility to read and understand the content of this policy and to become familiar with the procedures relating to Child Protection.

20.4 We are responsible for ensuring that Child Protection procedures are implemented on our sites reducing risks to both children and young people.

**Protecting children – Duty of Care**

20.5 Part 1 of The Children (Scotland) Act 1995 states that anyone over the age of 16 who has care of a child under that age, must do what is reasonable to safeguard the child’s health, development and welfare. This policy supports the principles of the ‘Act’, acknowledges our duty of care towards those using our services and facilities and is compliant with North Lanarkshire Council’s Learning and Leisure Services Child and Adult Protection Procedures and Guidance.

20.6 This document sets out the Child Protection procedures for NL Leisure. These procedures should help to ensure that children and young people who may be at risk from abuse/neglect, get the help they need when they need it, as outlined within the Scottish Government’s Getting It Right for Every Child (GIRFEC) approach.

20.7 All those who undertake work for North Lanarkshire Leisure (whether as an employee, service provider or volunteer) have a duty to take appropriate steps where they consider that a child/young person could be at risk from abuse/neglect. This was stressed in the Scottish Executive’s 2002 national review of Child Protection - “*It’s everyone’s job to make sure I’m alright”.*

**Adult Protection**

20.8 North Lanarkshire Leisure, has responsibility under the Adult Support and Protection (Scotland) Act 2007 for the protection and support of adults at risk of harm. Its employees therefore have the responsibility to ensure the welfare of all adults at risk of harm with whom they come into contact, as well as providing the highest possible standard of care for some of the most vulnerable members of our society.

20.9 Therefore, we will implement the procedures outlined below to ensure the protection and support of adults at risk of harm throughout the wide range of services, activities, interest groups and facilities that the Company

provides.

* 1. An adult at risk of harm is a person aged 16 years or over who
     1. May be unable to safeguard their well-being, rights, interests or their property
     2. May be harmed by other people, and

20.10.3 Because of a disability, illness or mental disorder are more at risk of being harmed than others who are not so affected.

20.11 The presence of a particular condition may not mean an adult is an “adult at risk”. Someone can have a disability but be able to safeguard their well-being etc. All three elements of this definition must be met for an adult to be considered “at risk”. It is the whole of an adult’s particular circumstances which can combine to make them more susceptible to harm than others.

* 1. An adult at risk of harm may be affected in different ways. Examples of types of harm include:-
     1. Physical
     2. Emotional/Psychological
     3. Financial or Material
     4. Sexual
     5. Neglect
     6. Discriminatory

20.12.7 Self-harm

**21. WHISTLEBLOWING POLICY**

**Preamble**

21.1 The purpose of this procedure is to provide a mechanism for an employee of NLL or someone working for the Company to report to NLL any concern which he or she has that there is serious wrongdoing within NLL and to do so with both security and confidence. It draws on the rights and obligations contained within the Public Interest Disclosure Act 1998.

* 1. This procedure for reporting concerns at work is based on the following principles:

21.2.1 Fair and reasonable treatment at work;

21.2.2 The right to report concerns in the public interest;

21.2.3 Confidentiality;

21.2.4 Openness and accountability, and;

21.2.5 Honesty and integrity.

**Introduction**

* 1. In the course of your employment or carrying out work for NLL you may become aware of serious wrongdoing or you may have information regarding malpractice. The disclosure of such matters is clearly in the public interest and also in the Company’s interest and this procedure outlines the steps you should take to bring serious situations to the Company’s attention.
  2. This procedure outlines:-

21.4.1 What sort of concerns may be reported;

21.4.2 The employees and workers covered by this procedure;

21.4.3 The nominated individuals in the Company who can be contacted regarding your concerns;

21.4.4 The appropriate steps to be taken to report serious wrongdoing or malpractice;

21.4.5 How a matter may be raised in confidence when that is appropriate;

21.4.6 The rights of employees who are the subject of disclosures; and the protection which is available to an employee who acts honestly, with reason and in good faith.

**What concerns can be reported under this procedure?**

* 1. Most personal concerns at work can be adequately dealt with using other procedures or mechanisms. For instance, if there is an issue about your working conditions which you cannot resolve through other means, you may wish to use the Company’s Grievance Procedure. If you believe you have been discriminated against, victimised or harassed you should refer to the Company’s policy on Harassment or Equality & Diversity. The procedure outlined in this document is designed to deal with issues of illegality and/or serious malpractice.

21.6 The public has a right to expect high standards of service. However, there may be occasions when, due to individual acts, omissions or failings, it may be necessary to bring certain matters which give cause for serious concern to the Company’s attention. Allegations of criminal acts, wrongdoing, malpractice, injustice or the breach of or failure to comply with any relevant legislation or common law provisions should be brought under this procedure. Examples of matters which should be reported may be one or more of the following:

21.6.1 A criminal offence;

21.6.2 A failure to comply with a legal obligation;

21.6.3 A miscarriage of justice;

21.6.4 Danger to the health and safety of an individual;

21.6.5 Damage to the environment, and;

21.6.6 The deliberate concealment of information tending to show any of the matters above is being deliberately concealed.

It may be that any of these issues have happened already, is currently happening or you believe that they are likely to happen.

21.7 Under the terms of this procedure an employee can report a matter on a confidential basis to their employer regarding any of these six categories. The categories are by no means mutually exclusive. For instance, you may be aware of a health and safety failure that is also a criminal offence. If you are not sure whether the concern you wish to raise falls into one of the above categories then you should contact the Head of HR & Payroll who will try to assist you in identifying whether the concern which you have falls under one or more of these categories or whether your concern should be better dealt with under a different procedure or route.

**Confidentiality**

* 1. One of the principles of this procedure is that an employee or worker has the right to report a matter they consider to be in the public interest and the report will be treated on a confidential basis. This does not mean that concerns can be raised anonymously. Anonymous reports are unlikely to be progressed as they are more likely to be made in bad faith. For the reporting process to have credibility, employees must have confidence that any matter they draw to the attention of their employer will be handled with discretion and tact.
  2. Once an employee or worker has made a report he/she will be updated as soon as practicable on the Company’s response and any action that may be taken.
  3. It has to be recognised, however, that in some cases it may not always be possible to preserve total confidentiality, for instance, if the disclosure relates directly to you, if the matter reported has to involve agencies such as the police or the Health and Safety Executive and/or if, once the concern has been investigated, the matter leads to disciplinary action against other employees. If, in such a situation, the Company can no longer preserve total confidentiality, the employee will be advised of that fact.

1. **ACCEPTANCE OF GIFTS AND HOSPITALITY**
   1. When NLL is directly engaged at the time in any tendering or contract letting process with a particular company or organisation, no member of staff should accept any gift, sponsorship, or offer of hospitality/entertainment of any kind from the company or organisation.
   2. If NLL is not directly engaged at the time in any tendering or contract letting process, reasonable and proportionate acts of hospitality may be offered/accepted subject in all cases, to prior notification and approval by the Managing Director and recorded in all cases on register of gifts and hospitality maintained by the Head of Finance & IT.
   3. In summary good practice will include the following provisions which will be applicable to all employees/workers.  
      1. Be honest and ethical in your conduct including ethical handling of actual or apparent conflicts of interest between personal and professional relationships.
      2. Comply with applicable government legislation and any relevant rules and regulations.
      3. Maintain the confidentiality of information entrusted to you except where authorised or otherwise legally obliged to disclose.
      4. Deal fairly with customers, suppliers, competitors and other staff.
      5. Protect and ensure the proper use of company assets.
2. **PROTECTING VULNERABLE GROUPS (PVG) SCHEME AND DISCLOSURE INFORMATION POLICY**

23.1 The Trust is committed to ensuring that it is fully compliant with the requirements of The Protection of Vulnerable Groups (Scotland) Act 2007, Part V of the Police Act 2007, and the Rehabilitation of Offenders Act 1974 (Exclusions & Exceptions) (Scotland) Order 2013, and subsequent amendment orders 2015 and 2016, in its recruitment and ongoing treatment of those individuals whose posts have been identified as requiring a criminal record check, in accordance with the definitions contained in the aforementioned legislation.

23.2 The policy provides the Trust with the means of ensuring that the required checks have been carried out on individuals in identified posts to determine their suitability to undertake the full duties of the post, including 'regulated work' with children and/or protected adults, and the use of the PVG/Disclosure Information to inform recruitment decisions.

23.3 The policy also sets out the application process for both the PVG Scheme and Disclosure Checks and the position in relation to the secure handling, use, storage, retention and destruction of PVG/Disclosure Information.

* 1. The PVG Scheme & Disclosure Information Policy aims to ensure that:
     1. The Trust is making safer recruitment decisions, whilst complying with the relevant legislation and equality of opportunity;
     2. Any individual who is barred from doing regulated work with children and/or vulnerable adults is not employed to carry out regulated work for the Trust;
     3. Individuals are not unfairly discriminated against on the basis of a conviction or other; information revealed through the Disclosure process;
     4. The Trust complies with the Code of Practice and the relevant legislation regarding the handling, holding, storage, destruction and retention of PVG/Disclosure information provided by Disclosure Scotland.

**Regulated Work**

23.5 The Protection of Vulnerable Groups Act defines regulated work by reference to the activities that a person does; the establishment in which a person works; the position that they hold and the people for whom they have day to day supervision or management responsibility. Outlined below are definitions of what is meant by ‘regulated work'.

23.6 Regulated work with Children - the Act defines a child as an individual under 18 years of age. Regulated work with children is generally any work which involves responsibility for the welfare of a child.

23.7 Regulated work with Protected Adults - a protected adult is defined as an individual aged 16 or over who is provided with a type of care, support or welfare.

23.8 Further guidance for the purposes of assisting Services to identify posts that fall within the definition of regulated work is set out within the PVG Scheme Guidance for Employers.

**Levels of Criminal Record Checks**

23.9 There are 3 levels of PVG checks under the scheme:

**PVG Scheme Membership -** PVG Scheme membership is required for individuals, who will be carrying out regulated work for the first time, whether new or existing employee.

**PVG Scheme Record - A** PVG scheme record will be required in the following circumstances: new or existing employee who already hold scheme membership but who will be carrying out regulated work for a different workforce for whom they are not registered - e.g. an employee already doing regulated work with children takes up a post working with protected adults or scheme record update reveals a change to vetting information.

**PVG Scheme Record Update -** A PVG scheme record update will be required in the following circumstances: New employees who already hold scheme membership and are joining the Trust to carry out regulated work for the same workforce which they hold membership for; Existing employees who already hold scheme membership, but are moving to a new post out with their existing Service, but for the same workforce they are already registered for; An existing scheme member who is re-joining the Trust and there has been a gap of more than 3 months since last doing work for the Trust (e.g. casuals, sessional, seasonal, volunteers), and existing employees who have been under consideration for listing but have not been barred from regulated work.

**Disclosure Checks**

23.10 There are three types of disclosures that are still available for positions not in regulated work, as defined by Part V of the Police Act 1997 and The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Orders 2015 and 2016. NLL use only one of these levels of check:

23.11 Basic - this can be sought for any position that falls out with regulated work or eligibility for Standard/Enhanced Disclosure Checks. However, there must be a proportionate aim to obtaining the information.

Further Guidance on the types of positions that are eligible for Standard or Enhanced checks can be obtained from the HR Section.

**Referrals**

23.12 The PVG Act places a duty on the Trust to make referrals to Disclosure Scotland when an individual in regulated work has done something to harm a child or protected adult, or when the impact is so serious the Trust has removed that individual from regulated work.

23.13 The PVG Act also places a duty on Disclosure Scotland to notify the Trust when they are in receipt of information which has a bearing on an individual's suitability to carry out regulated work.

23.14 Further guidance on the process of making a referral is set out within the PVG Scheme Guidance for Employers.

**Rehabilitation of Offenders**

23.15 The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013, as amended, sets out the legislation affecting ex-offenders, and offers them equality of opportunity when seeking employment.

23.16 In certain circumstances, once a period of time has elapsed from the date of conviction, a conviction is said to be spent and for the purposes of employment can be treated as if it never existed. Certain spent convictions will still need to be disclosed due to the serious nature of the offence.

23.17 The disclosure of unspent convictions will not change; however, the decision as to whether or not a spent conviction should be disclosed will be determined by a two-stage process.

Further guidance on the act and the disclosure of spent convictions can be found on the Disclosure Scotland Website [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

**Disclosure of Conviction Information**

23.18 As detailed above, any individual whose post/position requires any level of criminal record check (PVG or Disclosure) are required to disclose, on an ongoing basis and at the earliest opportunity, to their senior Manager, details of any and all criminal charges and/or convictions arising during the course of their employment.

**PVG Scheme Members**

23.19 The PVG Scheme offers a continuous updating facility, wherein, should an individual whilst a member of the scheme commit an offence that leads to barring or consideration for barring then the Trust as an interested party will be automatically informed.

**Re -Checking of Basic Disclosures**

23.20 There is no automatic notification process on convictions to employers in relation to individuals who have Basic Disclosure checks, and there is no legislative requirement to carry out re-checking of these individuals. It is NLL’ policy that re-checking of these Disclosure Checks will be carried out every 3 years.

**Secure Handling of Information**

23.21 PVG/Disclosure information should be handled, used, stored, retained and disposed of in accordance with the legislation listed above.

**Usage**

23.22 PVG/Disclosure information should only be used for the purposes for which it has been provided, which is to determine suitability for employment and only shared with those authorised to see it in the course of their duties. It should not be shared with a third party unless written consent has been given by the applicant.

**Storage/Retention**

23.23 PVG/Disclosure information should not be held for longer than necessary. For PVG checks information should be held until the individual ceases to do regulated work for the Trust. For Disclosure Checks, the information should only be retained until a recruitment decision is reached, allowing for the resolution of any disputes or complaints. Information being held until a recruitment decision is made should be held securely in lockable, non-portable storage containers.

23.24 Once a recruitment decision has been made, paper or electronic certificates should not be retained; rather, the relevant information (disclosure type, position applied for, date of issue, reference number) must be recorded on the HR System and care must be taken to avoid unauthorised access. No criminal conviction information should be retained nor should it ' be recorded that a check did or did not contain criminal conviction information. Furthermore, no information should be held on the employee's personnel file.

**Disposal**

23.25 PVG/Disclosure information must be destroyed in a secure manner. Any Disclosure information awaiting destruction should be held securely, in lockable, non-portable storage containers.

**Violations of the Policy**

23.26 Any violation of the Policy may result in disciplinary action in terms as specified in the Trust's Discipline Policy up to and including dismissal. Violations could also amount to criminal offences and lead to prosecution.

1. **STAFF HEALTH AND WELLBEING POLICY**

**Introduction**

24.1 North Lanarkshire Leisure is committed to the health and wellbeing of all staff and recognise that staff play a vital role in the success of the organisation. All NLL staff have a direct impact on the outcomes and experience of our customers and when our staff are feeling well and satisfied with their work, the experience of customer’s improves.

24.2 The organisation’s responsibilities for the health and wellbeing of staff, however, extends far beyond a core responsibility to provide a safe working environment. We seek to be an excellent employer an “employer of choice” and we recognise the concept of “good work” – work which is healthy and safe and offers the individual some influence over how the work is done and as a consequence, an increasing sense of self-worth.

24.3 To help create a great place to work and a great place to be cared for, it is essential that our Trust policies, procedures and processes support our Core Values and behaviours. This document, when used effectively, can help promote a workplace culture that values the contribution of everyone, shows support for staff, recognises and celebrates the diversity of our staff, shows respect for everyone and ensures all our actions contribute to a safe working environment.

24.4 Our approach therefore in developing this strategy is less around enforcement of policies, and more about the empowerment of our staff to take a greater interest in their own health and wellbeing and providing the opportunities for them to do so.

**Responsibilities**

**North Lanarkshire Leisure**

24.5 The organisation has a legal duty of care to employees to ensure health at work, as set out in the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. The organisation will ensure that its policies and practices reflect this duty and review the operation of these documents at regular intervals.

**Line Managers**

24.6 Line managers will put in place measures to minimise the risks to employee wellbeing, particularly from negative pressure at work. Managers must familiarise themselves with the Health and Safety Executive's stress management standards (Appendix 1), and use these to mitigate psychological risks in their teams. For example, managers should ensure that employees understand their role within the team and receive the necessary information and support from managers and team members to do their job. Managers must also familiarise themselves with the organisation's policies on diversity and tackling inappropriate behaviour in order to support staff, for example on bullying and harassment issues.

24.7 In particular, line managers must ensure that they take steps to reduce the risks to employee health and wellbeing by:

* + 1. ensuring that the right people are recruited to the right jobs and that a good match is obtained between individuals recruited and job descriptions/specifications;
    2. keeping employees in the team up to date with developments at work and how these might affect their job and workload;
    3. ensuring that employees know who to approach with problems concerning their role and how to pursue issues with senior management;
    4. making sure jobs are designed fairly and that work is allocated appropriately between teams; and
    5. ensuring that work stations are regularly assessed to ensure that they are appropriate and fit for purpose.

**Employees**

24.8 Employees must take responsibility for managing their own health and wellbeing, by adopting good health behaviours (for example in relation to diet, alcohol consumption and smoking) and informing the organisation if they believe work or the work environment poses a risk to their health. Any health-related information disclosed by an employee during discussions with managers, the HR Section or the occupational health service is treated in confidence.

**Benefits of a Health & Wellbeing Policy and Strategy**

* 1. There are many benefits for both the organisation and individuals of implementing a Health & Wellbeing Policy and Strategy:
     1. A healthier, happier workforce
     2. Motivated employees with increased morale
     3. Improved employee retention and lower employee turnover
     4. Reduced sickness absence
     5. Good employee/management relations

**Health promotion initiatives**

24.10 The organisation will develop a Health & Wellbeing Strategy which will set out NLL’s commitment to improving the health and wellbeing of staff. As part of this strategy we will regularly run a range of health promotion initiatives designed to raise awareness of health and lifestyle issues affecting mental health and wellbeing. The HR Section will have primary responsibility for leading these programmes, but line managers and employees will be expected to participate. These programmes will be evaluated to determine their effectiveness.

**Implementation of the Policy**

24.11 A strategic approach is required to embed health and wellbeing into the organisation and to build upon the work that is already in place. The approach will combine:

* + 1. Reactive activity which will help to support those with ill-health to return to work as soon as possible
    2. Preventative activity to reduce ill-health and improve wellbeing through quality work and management practice
    3. Evaluative activity which will help monitor progress.

**Training and communication**

24.12 Line managers and employees will regularly discuss individual training needs to ensure that employees have the necessary skills to adapt to ever-changing job demands. An examination of training needs will be particularly important prior to, and during, periods of organisational change.

24.13 Managers and employees are encouraged to participate in communication/feedback exercises, including staff surveys. All employees are expected to be aware of the importance of effective communication and to use the media most appropriate to the message, for example team meetings, one-to-one meetings, electronic communications and organisation-wide methods. The organisation will ensure that structures exist to give employees regular feedback on their performance, and for them to raise concerns.

1. **CUSTOMER CHARTER – STAFF GUIDANCE**

**NLL Customer Charter**

25.1 Our Customer Charter states our commitment to provide our customers with quality services and to provide standards by which to measure our performance. It also provides our Team Members with clear standards and expectations to strive for a personalised service excellence and to achieve the Company’s Vision and values.

**Responsibilities**

25.2 **North Lanarkshire Leisure will…**

25.2.1 Provide a range of accessible products, services and programmes that meet our vision and customer expectations in a secure, safe, clean and friendly environment.

25.2.2 Acknowledge when we get things wrong and work with customers to put them right.

25.3 **Staff will:**

25.3.1 Respect all and make customers and visitors feel welcome

25.3.2 Provide prompt, personal, friendly, courteous and efficient service and at all times remain professional.

25.3.3 Strive to excel in providing excellent customer service through continuous improvement.

25.3.4 Actively seek customer feedback on our services and products to ensure they meet customer needs.

25.3.5 Ensure all team members are recognisable by wearing uniform and name badges

25.3.6 Endeavour to answer 80% of call within 60 seconds.

25.3.7 Maintain our website (www.nlleisure.co.uk) with relevant and up-to-date information that is easily understood and accessible.

25.3.8 Respond to enquiries and posts on our social media platforms that encourages interaction and feedback.

**OUR FACILITIES**

25.4 **We will:**

25.4.1 Provide facilities that are clean, well maintained and safe

25.4.2 Ensure cleaning standards are maintained regardless to the time of day.

25.4.3 Keep the temperature of activity areas suitable for individual sessions

25.4.4 Ensure all equipment is fit for purpose

25.5 **We ask our customers to:**

25.5.1 Respect of our venues, team members and other users and visitors.

25.5.2 Use our services and products within the conditions and guidelines that we apply.

25.5.3 Enjoy their visit, tell their friends and tell us when we get it right or wrong.

* + 1. Providing feedback in ways in which they think we could improve.

25.6 **Customer Service Strategy**

25.6.1 We would like to understand our customers, improve customer service to increase customer satisfaction and loyalty. Our ‘Five-Senses’ process includes tools that identify what’s important to our customers, understand how they want services delivered, and measure and monitor whether they are meeting their needs.

* + - 1. Mystery shopping
      2. Customer Research
      3. eComment
      4. Net Promoter Score
      5. Self-Assessment and Benchmarking

**SECTION 3 – EMPLOYEE BENEFITS**

**1. EMPLOYEE BENEFITS**

1.1 The following general benefits are available to employees:

1.1.1 Incremental Pay Scale

1.1.2 Scottish Living Wage

1.1.3 Scotwest Credit Union

1.1.4 Group Life Assurance

1.1.5 Buy and Bank Leave Scheme

1.2 The following pension benefits are available to employees:

1.2.1 2 Pension Funds where NLL make contributions

1.2.2 Flexible Retirement

1.3 The following discount benefits are available to employees:

1.3.1 Shopping Discount Vouchers

1.3.2 ASVA Cards

1.3.3 Discounted Staff Membership

1.4 The following health & wellbeing benefits are available to employees:

1.4.1 Occupational Health (HML Ltd)

1.4.2 Physiotherapy (ACE)

1.4.3 Counselling Service (timefortalking)