



University of St. Andrews
Students' Association

EMPLOYEE HANDBOOK

CASUAL STAFF

CONTENTS

<u>EMPLOYEE BENEFITS</u>	Page Number
Holidays	3
Sick Pay	5
Maternity	5
Adoption Leave	9
Parental Leave	12
Paternity	13
Shared Parental Leave	15
Statutory Rights To Time Off	21
<u>ASSOCIATION PROCEDURES AND POLICIES</u>	
Disciplinary Procedure & Code Of Conduct	23
Grievance	30
Equal Opportunities	37
Anti-Harassment, Bullying and Victimisation	40
Flexible Working	43
Sickness Absence	46
Media	48
Association Vehicles	50
Whistleblowing	54
Expenses	56
Data Protection	57
Alcohol and Drugs	61
Lone Workers	63

HOLIDAY ENTITLEMENT

Annual Holiday Entitlement

The Association's holiday year runs from 1 August to 31 July.

Unless otherwise specified in their Statement of Terms and Conditions, Employees are entitled to 28 days' paid annual holiday entitlement each year inclusive of all public holiday entitlement.

Part-time Employees will accrue annual holiday entitlement on a pro-rata basis.

Employees will be paid at their normal rate of pay (excluding overtime) for each period of annual holidays.

Employees will accrue annual holidays during the Ordinary and Additional Maternity Leave periods.

Where an Employee commences employment during the holiday year, the Employee's annual holiday entitlement will be calculated on a pro-rata basis for each complete month of service during the first holiday year.

Where employment terminates during a holiday year, Employees' entitlement to holiday pay will be calculated on a pro-rata basis based on each completed month of service prior to termination. Where on termination an Employee has taken annual holidays in excess of their entitlement, the Employee will be required to repay the excess sum due to the Association, and Association reserves the right to deduct any such sums from wages/salary due to the Employee. The Association reserves the right to require Employees to take any unused holidays prior to termination.

Employees are advised to take their annual holiday entitlement during the holiday year. However, untaken holidays at the end of each leave year can be carried forward until the 31 December of the next. No payments in lieu of holiday entitlement will be made by the Association, other than on termination of employment.

Employees are required to give as much notice as possible of any holiday request. Such requests should be made by completing a holiday request form and submitting it to his/her line manager.

Whilst the Association will grant holiday requests when possible, there may be operational reasons why such requests cannot be granted, in particular requests made in term time Employees should not make any definite holiday plans until they have received written confirmation that their holiday request has been granted.

Public Holiday Entitlement

Employees are entitled to public holidays each year and will be informed of the relevant dates at the start of each holiday year.

Employees who are absent from work, other than on authorised annual leave, on a public holiday, or on the working day immediately preceding or following a public holiday, will not be entitled to payment in respect of that day.

SICK PAY

The Policy

When Employees are absent from work on sick leave, they may be entitled to sick pay. We wish to support our staff through periods of ill health.

The Policy in Operation

Statutory Sick Pay (SSP)

All Employees are entitled to payment of SSP in respect of absences on the grounds of ill-health, subject to them meeting the relevant qualifying conditions. The main qualifying conditions are that:

- The Employee does not earn a wage below the threshold for paying NIC;
- The Employee has commenced work with the Association; and
- The Employee has not received their maximum entitlement to SSP in the last three years.

Note that SSP is only payable after the first three days of absence. SSP is paid up to a maximum of 28 weeks.

If Employees have any queries in relation to SSP payments or qualification, they should contact the Human Resources Department.

MATERNITY

The Policy

This policy sets out the maternity provisions to which all female Employees are entitled, both before and after the birth of a child. This policy complies with relevant legislation.

All Employees have the right not to be subjected to a detriment on the grounds of pregnancy, childbirth or maternity, irrespective of hours of work or length of service.

Further information on maternity leave and pay can be sought from the [HR Department].

The Policy in Operation

Time Off for Ante-Natal Care

Employees are entitled to take reasonable, paid time off during their normal working hours to receive ante natal care. Employees should inform their line manager of the fact that they are pregnant, and produce the appointment card.

Employees should, where possible, arrange appointments either at the start, or the end, of the working day.

Statutory Maternity Leave (Notification and Commencement)

All Employees are entitled to take up to 26 weeks ordinary maternity leave and up to 26 weeks additional maternity leave, making a total of 52 weeks.

Employees seeking to take maternity leave must;

- Produce medical evidence of the Expected Week of Childbirth (EWC). This will normally be in the form of a Maternity Certificate (the MATB1), available from the doctor or midwife, and will be issued approximately 14 weeks before the expected week of birth, and
- Advise the Association when they wish their maternity leave to commence. The Employee can choose to begin her maternity leave any time from 11 weeks before the EWC up until the birth itself. This notice should be given no later than the end of the 15th week before the EWC.

Where the Employee is absent from work due to illness caused by the pregnancy at any time during the four weeks before the start of her EWC, maternity leave will start automatically on the first day of absence.

On being notified of an Employee's intention to take maternity leave, the Association will write to her, within 28 days of the notification, advising of the date that she is expected to return to work should the Employee take her full entitlement of 52 weeks.

The Employee may change her mind about when she wishes to start her leave provided that she tells the Association at least 28 days in advance, unless this is not reasonably practicable.

Earlier-Than-Expected Childbirth

Maternity leave will begin the day after the birth of the child, if the birth is before:

- the notified maternity leave start date
- the Employee has given notification of any start date

This applies even if the birth takes place before the start of the 11th week before the EWC.

Returning to Work

An Employee who returns to work at the end of her full maternity leave period need not notify the organisation in advance of her return. If, however, the Employee wishes to return to work early, she must give 8 weeks' notice. Employees may not return to work earlier than two weeks after the birth of the child (or four weeks where the Employee works in a factory). An Employee has the right to return to the same job she had prior to commencement of leave (statutory maternity leave).

Terms and Conditions During Maternity Leave

During maternity leave, Employees' remain employed under their terms and conditions of employment and are entitled to the benefits of their normal terms and conditions other than remuneration. In particular, Employees will continue to accrue annual leave during maternity leave. Annual leave accrued in the leave year in which the Employee commences maternity leave should be used prior to the Employee starting maternity leave. The Employee should liaise with [the HR Department] with regard to planning the dates of her annual leave.

Employees will also retain any right to use Association cars or mobile phones that have been allocated to them.

Statutory Maternity Pay (SMP)

SMP is payable for a 39 week period. The first six weeks are paid at 90% of normal weekly earnings. The remaining 33 weeks are paid at the standard SMP rate. The remaining period of maternity leave is unpaid. SMP shall commence when the Employee's maternity leave starts. If an Employee returns to work before SMP finishes her entitlement to SMP shall cease.

In order to qualify for SMP, an Employee must:

- Have been continuously employed for at least 26 weeks by the 15th week before her EWC
- Be pregnant and have reached the 11th week prior to the expected week of childbirth
- Have normal weekly earnings of not less than the lower earnings limit for National Insurance Contributions
- Have given at least 28 days' notice to the Association that she intends to be absent from work due to pregnancy

Keeping In Touch

The Association and the Employee are entitled to have a reasonable amount of contact with each other during maternity leave to discuss aspects such as plans to return to work, important developments at work, promotional opportunities or job vacancies.

The Association and the Employee are also entitled to agree that the Employee will attend work for up to 10 days during maternity leave without this affecting the Employee's SMP. This may allow the Employee to attend training or other events that take place during the maternity leave period or allow the Employee to keep her skills up to date. The Association is not obliged to pay the Employee for these days. However, where payment for these days is agreed, any such payment will be agreed between the organisation and the Employee beforehand.

Paternity Leave

In addition to the right to two weeks Ordinary Paternity Leave which can be taken around the time of the child's birth, the partners of mothers with an EWC after 3rd April 2011 may be entitled to take a period of leave known as Additional Paternity Leave (APL). During this period of leave the partner of the mother may also be entitled to the remaining balance of the mother's statutory maternity pay. The period of leave can start 20 weeks after the birth of the child but can only be taken after the mother's period of maternity leave has ended. The period of leave must end before the child's first birthday and can be between two and 26 weeks in length. Further information regarding this entitlement should be obtained from the father's employer or [HR DEPARTMENT].

ADOPTION LEAVE AND PAY

The Policy

This policy sets out the provisions to which Employees may be entitled when adopting a child. Employees may be entitled to take paternity leave or parental leave instead of, or as well as, adoption leave. Advice should be sought from the [HR Department] as to which entitlements will apply.

These adoption provisions comply with relevant legislation.

The Policy in Operation

Adoption Leave (Notification and Commencement)

Subject to the qualifying criteria, adoption leave is made up of 26 weeks ordinary adoption leave followed by 26 weeks additional adoption leave.

An Employee is entitled to adoption leave if they fulfill the following criteria;

- They are the child's adopter. An adopter means a person who has been newly matched with the child for adoption or, in the case where two people have been matched jointly, whichever of them has elected to be the child's adopter for the purposes of the Regulations. Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.
- They have been continuously employed for a period of not less than 26 weeks ending with the week in which they were notified of having been matched with the child;
- They have notified the agency that they agree that the child should be placed with them on the date of placement; and
- They have complied with the relevant notice requirements. Notice of the Employees intention to take adoption leave should be given, in writing, to the Association;
 - no more than seven days after the date on which the Employee is notified of having been matched with the child for the purposes of adoption; or
 - As soon as is reasonably practicable.

The notice should specify:

- The date on which the child is expected to be placed with the Employee for adoption; and
- The Employee's chosen adoption leave start date. This can be;
 - the date on which the child is placed with her/him for adoption; or
 - a pre-determined date no earlier than 14 days before the expected date of placement

If the Employee chooses to begin their period of leave on the date on which the child is placed with them and they are at work on that date, the period of leave will begin on the following day.

Evidential Requirements for Adoption Leave

The Employee must provide the Association with evidence, in the form of one or more documents issued by the adoption agency that matched the Employee with the child, of:

- the name and address of the agency;
- the name and date of birth of the child;
- the date on which the Employee was notified that he had been matched with the child; and
- the date on which the agency expects to place the child with the Employee.

Variation of Start Date

An Employee who has given notice of their intention to take adoption leave may vary the chosen start date provided that they give the Association 28 days' notice of the variation, or, if this is not reasonably practicable, as soon as is reasonably practicable.

Employer's Notification Obligations

If an Employee gives the Association notice of their chosen start date (or a variation notice), the Association will notify the Employee, within 28 days of his receipt of the notice, of the date on which the Employee will be expected to return to work.

Returning to Work

An Employee who returns to work at the end of their full adoption leave period need not notify the Association in advance of their return. If, however, the Employee wishes to return to work early, they must give 8 weeks' notice.

Terms and Conditions During Adoption Leave

During adoption leave, Employees' remain employed under their terms and conditions of employment and are entitled to the benefits of their normal terms and conditions other than remuneration. In particular, Employees will continue to accrue annual leave during adoption leave. Annual leave accrued in the leave year in which the Employee commences adoption leave should be used prior to the Employee starting adoption leave. The Employee should liaise with [the HR Department] with regard to planning the dates of their annual leave.

Employees will also retain any right to use Association cars or mobile phones that have been allocated to them.

Statutory Adoption Pay (SAP)

Subject to the qualifying criteria below, Employees will be paid SAP for up to 39 weeks at either the statutory rate, or 90% of the Employees average earnings if these are less than the flat rate per week.

In order to qualify for SAP, Employees must:

- Fulfill the qualifying criteria for statutory adoption leave;
- Have normal weekly earnings of not less than the lower earnings limit for National Insurance Contributions; and
- Have commenced statutory adoption leave.

Keeping In Touch

The Association and the Employee are entitled to have a reasonable amount of contact with each other during adoption leave to discuss aspects such as plans to return to work, important developments at work, promotional opportunities or job vacancies.

The Association and the Employee are also entitled to agree that the Employee will attend work for up to 10 days during maternity leave without this affecting the Employee's adoption pay. This may allow the Employee to attend training or other events that take place during the adoption leave period or allow the Employee to keep their skills up to date. The Association is not obliged to pay the Employee for these days. However, where payment for these days is agreed, any such payment will be agreed between the Association and the Employee beforehand.

Overseas Adoption

Paid leave is available whether a child is adopted from within the UK or from overseas, but some details may differ for parents adopting from outside the UK. Please contact the [HR department] for further information.

PARENTAL LEAVE

The Policy

This policy describes the entitlement of staff to parental leave. Unpaid parental leave of up to 18 weeks is granted to Employees for the purpose of caring for a child. These parental leave provisions comply with relevant legislation.

Further information on parental leave can be sought from the [HR Department].

The Policy in Operation

Employees are entitled to parental leave if;

- they have at least one year's continuous service with the Company and/or an associated employer, and
 - they are the parent of a child under the age of 18 or have or have acquired formal parenting responsibilities for a child under 18, or
 - have adopted a child under 18 years.

- and they have - or expect to have - parental responsibility for the child

Employees who qualify for parental leave are entitled to have a maximum of 18 weeks' leave per child. The leave must be taken prior to the child's 18th birthday.

Leave may be taken in blocks of one week (or one day in the case of a disabled child), and a maximum of 4 weeks' leave is permitted in any one year. Leave taken with previous employers will count towards calculating the maximum entitlement.

Part-time Employees are permitted parental leave on a pro-rata basis.

Making a Request

Employees should put any requests in writing and must give the Company at least 21 days' notice of the dates on which he or she wishes leave to be taken.

The Company reserves the right to postpone any requests for leave for a period of up to 6 months where there are business reasons for doing so. This right to postpone will not apply where the leave requested occurs at the time of the child's birth or adoption.

Other Matters

Note that the Company may require an Employee to provide a birth or adoption certificate or other evidence of legal parental responsibilities or a child's entitlement to disability living allowance prior to leave being granted. Any Employee who is identified as misusing this policy may be subject to disciplinary action.

PATERNITY POLICY

The Policy

This policy outlines the entitlement of staff to ordinary and additional paternity leave and pay and complies with relevant legislation. Paternity leave and pay may be available to an Employee who is the partner of either;

- A woman who has given birth, or
- Someone who is adopting a child

This policy focuses on the entitlements of staff where a woman has given birth, however, further information on Employee's entitlements where a child has been adopted can be sought from management.

The Policy in Operation

Eligible fathers can take two periods of leave in connection with the birth or adoption of a child; Ordinary Paternity Leave (OPL) and Shared Parental Leave (APL).

OPL

Employees can choose to take either one week or two consecutive weeks' leave. This can be taken during a 56 day period beginning with the date on which the child is born.

An Employee qualifies for OPL on the birth of a baby if they:

- Have - or expect to have – the main responsibility for the baby's upbringing (apart from the mother).
- Are the biological father of the baby and/or the mother's husband or partner (including same-sex partner or civil partner). A partner is someone who lives with the mother of the baby in an enduring family relationship but is not an immediate relative.

In addition, Employees must:

- Have at least 26 weeks' continuous employment with the Association ending with the 15th week before the expected week of childbirth (EWC) - the qualifying week.
- Be working for the Association from the qualifying week up to the date of birth. If an Employee's contract ends before the birth, the Employee does not qualify for leave - unless they go on to work for an associated employer. If the Employee's contract ends after the birth, the Employee retains the right to leave (and pay if the Employee meets the qualifying conditions, see below).
- Be taking the time off to support the mother and/or care for the baby.
- Have notified the Association in writing of their intention to take OPL; and
 - Whether they wish to take one or two weeks' leave
 - When they want the leave to start. An Employee may choose to start their leave on:
 - the day the child is born; or
 - a day which falls a certain number of days after the child is born, as specified by the Employee to the employer before the child is born; or

- a pre-determined date that falls after the first day of the week that the child is due, which the Employee specifies to the employer.
- This notice should be given to the Association in writing,
 - in or before the 15th week before the expected week of the child's birth; or
 - if that is not reasonably practicable, as soon as is reasonably practicable.
- A copy of your partner's Maternity Certificate (MATB1) must be provided at least 3 weeks in advance of taking OPL.
- After the child is born, the Employee must give the Association notice in writing of the child's actual date of birth. This should be done as soon as is reasonably practicable.

Changing the Start Date of Paternity Leave

If the Employee wants to change the start date of their OPL, they must give the Association the following notice:

- to change the leave so it starts on the date of birth, at least 28 days before the first day of the EWC
- to change the leave so it starts on a particular date, 28 days before that date
- to change the leave so it starts a specified number of days after the birth, at least 28 days before the date on which leave is to commence.

If the Employee can't give the notice in time, they should tell the Association as soon as is reasonably practicable.

Terms and Conditions during Paternity Leave

During his paternity leave period an Employee who takes paternity leave is entitled to the benefit of all of the terms and conditions of employment, excluding pay, which would have applied if he had not been absent.

Employees who return to work after a period of paternity leave are normally entitled to return to the job in which they were employed before the period of leave.

Statutory Paternity Pay

Ordinary Paternity Pay shall be paid at the lower of the following rates:

- the current statutory paternity pay rate; or
- 90% of the Employee's normal weekly earnings.

Keeping In Touch

The Association and the Employee are entitled to have a reasonable amount of contact with each other during Paternity Leave and Shared Parental Leave to discuss aspects such as plans to return to work, important developments at work, promotional opportunities or job vacancies.

Shared Parental Leave

Introduction

The purpose of this policy is to set out employees' statutory rights and responsibilities in relation to shared parental leave and pay in respect of the birth of a child.

What is Shared Parental Leave (SPL)?

SPL is leave available to working parents in the year following a child's birth. It applies to parents of children due to be born on or after 5th April 2015.

The total amount of SPL available is 52 weeks less the weeks spent by the child's mother on maternity leave (or weeks when the mother has been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave).

The mother of the child cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

The SPL scheme is entirely optional. The default position is that the child's mother will take 52 weeks' maternity leave. Accordingly, if an employee wishes to utilise the scheme, she must opt-in to it and fulfil all of the notification requirements set out in this policy.

Entitlement to SPL

For the purposes of this policy:

- **Expected Week of Childbirth** or EWC is the week, beginning on a Sunday, in which the doctor or midwife expects the child to be born; and
- **Partner** means spouse, civil partner or someone living with another person in an enduring family relationship, but not a sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

- **Qualifying Week** is the fifteenth week before the EWC.

An employee is entitled to SPL in relation to the birth of a child if:

- a) the employee is the child's mother, and share main responsibility for the care of the child with the child's father (or your partner, if your partner is not the child's father);
- b) the employee is the child's father and share main responsibility for the care of the child with the child's mother; or
- c) the employee is the mother's partner and share main responsibility for the care of the child with the mother (where the child's father does not share main responsibility with the mother).

The following conditions must also be fulfilled:

- a) the employee must have at least 26 weeks' continuous employment with the Company by the end of the Qualifying Week and still be employed by the Company in the week before the leave is to be taken;
- b) the other parent must have worked (in an employed or self-employed capacity) in at least 26 out of the 66 weeks before the Expected Week of Childbirth (EWC) and had minimum average earnings in 13 of those weeks; and
- c) the employee and the other parent must give the necessary statutory notices and declarations summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.

SPL entitlement is in addition to paternity leave entitlement. However, once an employee starts SPL, the employee loses any untaken paternity leave entitlement.

Opting in to SPL scheme

In order to opt-in to the SPL scheme, the employee must provide the Company with an opt-in notice which contains the information specified below. If the employee opts-in to the scheme then the balance of the mother's maternity leave is converted into SPL.

The opt-in notice must contain the following information:

- a) the employee's name and the name of the other parent;
- b) if the employee is the child's mother, the start and end dates of her maternity leave;
- c) if the employee is the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period;
- d) the total SPL available (which, as above, is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken);
- e) how much of that will be allocated to the employee and how much will be allocated to the other parent;
- f) if the employee is claiming statutory shared parental pay (SHPP), the total SHPP available (which is 39 weeks' minus the number of weeks of the SMP or MA period taken or to be taken);
- g) how much of that will be allocated to the employee and how much will be allocated to the other parent;
- h) an indication of the pattern of leave the employee is thinking of taking including suggested start and end dates for each period of leave. This indication will not be binding at this stage but please provide as much information as possible regarding your arrangements; and
- i) declarations by the employee and the other parent that they meet the statutory conditions for entitlement to SPL and SHPP.

Curtailing maternity leave

In order for a period of SPL to be taken, the child's mother must either have returned from maternity leave or served a notice to curtail (i.e. bring to an end) her maternity leave at a specified point in the future.

If the employee is the child's mother and she wishes to curtail her maternity leave, she must serve a curtailment notice at least eight weeks in advance of the date on which she wishes to curtail your maternity leave. The curtailment notice must specify the date on which maternity leave will end. The curtailment notice can be served before or after birth but she cannot end her maternity leave until at least two weeks after birth.

At the same time as the mother serves the curtailment notice, she must also serve the opt-in notice referred to above, or a written declaration that the child's father or her partner has given

his or her employer an opt-in notice, and that she has given the necessary declarations in that notice.

The curtailment notice is usually binding. It can only be revoked if maternity leave has not yet ended and one of the following situations applies:

- a) if the employee realises that neither s/he nor the other parent are, in fact, eligible for SPL or SHPP, the curtailment notice can be revoked in writing up to eight weeks after it was given;
- b) if the employee served the curtailment notice before giving birth, it can be revoked in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
- c) if the other parent has died.

Once an employee revokes a curtailment notice, another curtailment notice cannot be served unless the revocation was given in the circumstances specified at (b) above.

If the employee is the child's father or the mother's partner, s/he will only be able to take SPL once the mother has either:

- a) returned to work;
- b) given her employer a curtailment notice to end her maternity leave;
- c) given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not to maternity leave); or
- d) given a curtailment notice to the benefits office to end her MA (if she is not entitled to maternity leave or SMP).

We may ask an employee to provide a copy of the birth certificate and/or the name and address of the other parent's employer.

Notifying the Company of an Employee's SPL dates

In addition to serving the opt-in notice on us, an employee will need to serve a period of leave notice specifying the start and end dates of your SPL, at least eight weeks in advance of the start date. The employee may find it simplest to serve the opt-in notice and the period of leave notice at the same time. The period of leave notice should also state the dates on which the employee intends to claim statutory shared parental pay, if applicable. Up to three period of leave notices can be served.

If the period of leave notice gives dates for single continuous period of leave the employee will be entitled to take the leave requested.

If the employee requests discontinuous blocks of leave (i.e. blocks of at least a week with periods of work between them) then we will consider the request but we are not obliged to agree to it.

Changing or cancelling SPL

An employee can cancel a period of SPL by notifying us in writing at least eight weeks before the start date specified in the period of leave notice.

An employee can change the dates for a period of leave by giving us at least eight weeks' notice before both the original start date and the new start date.

Shared parental pay

Statutory shared parental pay (SHPP) of up to 39 weeks (less any weeks of statutory maternity pay or adoption pay claimed by you or the other parent) may be available provided an employee has at least 26 weeks' continuous service with us at the end of the Qualifying Week and average earnings are not less than the lower earnings limit set by the Government each year. SHPP is paid at a flat weekly rate set by the Government each year.

Keeping in touch

The law provides that each parent can work (including attending training) for up to 20 days during SPL without bringing your SPL or SHPP to an end (known as keeping in touch or “KIT” days). This is in addition to the 10 KIT days that can be taken during maternity leave. Employees are under no obligation to take KIT days. The arrangements for keeping in touch days (including payment or time off in lieu) are a matter for discussion between an employee and the Company.

Terms and conditions during Shared Parental Leave

All terms and conditions of employment remain in force during SPL, except for terms relating to pay.

Annual leave

Annual leave entitlement will continue to accrue during periods of SPL. Please discuss holiday plans with a manager in good time before starting SPL.

Returning to work

If an employee wants to end a period of SPL early, s/he must give at least eight weeks’ notice of the new return date. It is helpful if that notice is in writing.

If an employee wishes to extend SPL, s/he must submit a new period of leave notice at least eight weeks before s/he is due to return to work, assuming s/he still have SPL entitlement remaining and have not already submitted three period of leave notices.

STATUTORY RIGHTS TO TIME OFF

The Policy

This policy outlines the statutory rights to paid time off work that an Employee has in various circumstances.

The Policy in Operation

Time Off For Dependants

Employees are permitted a reasonable amount of **unpaid** time off work to:

- provide assistance when a dependant gives birth, falls ill, is injured or assaulted
- make arrangements for the care of a sick or injured dependant
- make necessary arrangements as a consequence of the death of a dependant
- deal with any disruption in arrangements for the care of a dependant
- deal with an unexpected incident involving a dependant child at school

A dependant is defined as a spouse, child, parent, or a member of the Employee's household (but not an Employee, tenant or lodger), and may also include another individual who reasonably relies on the Employee for assistance.

The leave granted by the Association will be what it considers reasonable in the circumstances, and will not normally be longer than one or two days.

Employees must notify [the HR Department] at the earliest opportunity of any absence and its expected duration.

If the Employee does not comply with the above provisions, his/her absence may be viewed as unauthorised and disciplinary action may be taken.

Ante Natal Care

Employees are entitled to reasonable paid time off for antenatal care. Where possible, Employees should schedule appointments as close to the end, or the start, of the working day as possible to minimise the time spent away from work. Please see the relevant section in the maternity policy for further information or contact the [HR Department].

Redundancy

Employees with more than two years' continuous service are entitled to a reasonable amount of paid time-off to look for alternative work/re-training opportunities, where they are under notice of dismissal for redundancy.

Safety Representatives

Appointed safety representatives are entitled to a reasonable amount of time off during their normal working hours to carry out relevant health and safety activities

Jury Service

Employees should notify the Association as soon as they are aware that they have been called up for jury service. Time off is normally unpaid, but Employees are entitled to receive payment from the Court for some or all of their lost earnings.

Other Statutory Rights to Time off

Employees are also entitled to unpaid time off from work where they carry out the following public duties or are members of the relevant bodies:

- Justice of the peace
- Local authority
- Statutory tribunal
- Police authority
- Board of prison visitors or prison visiting committee
- Relevant health body
- Relevant education body
- Environment Agency or Scottish Environment Protection Agency

Discipline

1. The Policy

1.1 In the Association, as in any organisation, issues may arise in relation to staff conduct. In the first instance informal counselling, training and advice is usually appropriate for these situations. Advice on approaches to informal resolutions can be obtained from the Human Resources Manager. Normally only after these alternative routes have been exhausted or found to be inappropriate will the following formal disciplinary procedures be used. These procedures are aimed at assisting employees to achieve and maintain the standards required by the Association.

1.2 Informal advice on these procedures is available from the Human Resources Manager or from the recognised trade union (UNISON).

1.3 The disciplinary procedure is intended only as a statement of policy and does not form part of any contract of employment or otherwise have contractual effect. The Association reserves the right, with the agreement of all parties involved, to make practical or operational changes to these documented procedures to suit individual case requirements or changes in legislation. This procedure will be revised in 2015.

2. Principles

2.1 The Association will at all times aim to process disciplinary matters with sensitivity, fairness, and consistency of treatment; in confidence; and without prejudice or undue delay.

2.2 At all stages staff will have the right to know the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.

2.3. Staff will have the right to be accompanied by a colleague, trade union representative or friend to any formal meeting held under this Procedure.

2.4 Where a criminal offence is involved, the Association will not normally take any disciplinary action, other than temporary suspension, until the outcome of any formal legal process is known¹. Where an employee is convicted of a criminal offence, consideration will be given to the nature of the offence and of the employee's duties in deciding on a disciplinary sanction.

2.5 Where a grievance is raised during the disciplinary process, the Association shall consider whether the process should be suspended pending resolution of this grievance or whether disciplinary action should proceed concurrently.

2.6 An employee shall always have the right to appeal against disciplinary sanctions.

2.7 The Human Resources Manager shall attend any meeting under this procedure where he is not otherwise involved to offer guidance and advice.

2.8 It is not the Association's policy to allow audio or visual recording of meetings².

¹ Staff should note that the Association reserves the right to initiate disciplinary action prior to formal legal procedures where the General Manager judges it is in the interests of the Association to do so.

² Except where this would qualify as a 'reasonable adjustment' under relevant legislation.

3. Behaviours that may result in Disciplinary Action

3.1 The following lists provide examples of the types of conduct that may lead to the use of these procedures. The list is indicative only and not exhaustive. Other actions might necessitate the use of disciplinary procedures.

3.2 Examples of behaviour likely to be regarded as misconduct

- Poor timekeeping
- Unauthorised absence from work
- Breach of published policies and procedures
- Harassment, victimisation, or other unacceptable behaviour towards colleagues, members, or others
- Negligence in the conduct of duties
- Breach of confidentiality, including Data Protection
- Repeated or serious failure to follow valid instructions
- Financial misconduct or negligence
- Reckless conduct including breach of Health and Safety instructions
- Misuse of Association facilities or name
- Any action liable to bring the Association into disrepute

3.3 Examples of behaviour likely to be regarded as gross misconduct

- Theft, fraud and falsification of records
- Other serious acts of deception or dishonesty
- Fighting and/or assault
- Serious acts of bullying, harassment or discrimination
- Serious or repeated inability to work due to the influence of alcohol and/or other recreational drugs
- Supplying, consuming or possessing controlled drugs on Association premises
- Serious infringements of health and safety
- Serious acts of negligence
- Conviction for a criminal offence that renders the employee unsuitable to carry out his/her duties
- Any action liable to bring the Association into serious disrepute

Acts that constitute gross misconduct may vary according to the individual's particular role. Acts of gross misconduct represent a fundamental breach of the employment relationship and so may be penalised by summary dismissal without pay in lieu of notice.

4. Suspension

4.1 An employee may be suspended on full pay at any stage before, during or after an investigation where the General Manager believes this may be advisable³.

³ If the allegation is against the General Manager, suspension shall be at the discretion of the Chair of Board and the Chair will appoint a suitable person to take the role of the General Manager throughout.

4.2 The employee will normally be informed of the suspension verbally and it will be confirmed in writing within three working days.

4.3 For the duration of the suspension, the employee is not permitted to enter any Association premises without the permission of the General Manager, other than to attend disciplinary meetings or investigatory interviews. For the duration of the suspension the employee may not act in their capacity as an Association employee without the permission of the General Manager.

4.4 The Association is entitled to suspend an employee for as long as necessary to carry out an investigation and to hold any appropriate disciplinary meetings. Normally this period will not exceed thirty working days: however, where this limit may be exceeded the employee will be notified and provided with an estimated timescale.

4.5 Suspension is not considered a disciplinary sanction and is without prejudice to the outcome of any investigation and/or disciplinary hearing.

5. Investigation

5.1 Disciplinary action will not be taken before the facts of the case have been established. The pace of any investigation will necessarily be dependent on the complexity of the case and the availability of the relevant parties.

5.2 An investigation will normally be carried out by a member of the Senior Management Team or another senior employee, at the discretion of the General Manager.

5.3 The investigation may include meeting with relevant parties, including witnesses, or taking evidence from them by other means including telephone or email. It should be made clear to all parties that any such contact is an investigation and not a disciplinary meeting. Employees accused of misconduct are entitled to be accompanied by a representative and/or to take appropriate advice when asked to participate in an investigation. They shall also be informed of the details of the allegation and the facts as they are understood at that time by the investigator.

5.4 Once an investigation has been concluded, the General Manager may decide either to initiate disciplinary action based on the established facts or to resolve the matter by informal means.

6. Disciplinary Hearings

6.1 Where it is considered that there is a disciplinary case to answer, a Disciplinary Hearing will be held.

6.2 The Disciplinary Panel will normally consist of:

- The General Manager
- A senior member of staff, normally a Head of Department

Neither person should have a substantial previous involvement in the case, including having carried out an investigation, or any other conflict of interest. Where the General Manager has a substantial involvement in the case, a member of the Senior Management Team shall deputise. Where the allegation is against the General Manager, the Panel shall consist of two members of

the Students' Association Board selected by the Chair of Board, normally one student member and one non-student member.

6.3 Employees shall be notified in writing of the date of the hearing not less than **five working days** in advance. This notification shall give the date, time, and location of the hearing; details of the right to be accompanied; the names of those who will be present; and a summary of the allegation and the findings of any investigation. Copies of any written evidence may be included at this time, and in any case will normally be made available not less than **three working days** in advance of the hearing.

6.4 Employees shall be invited to make a written submission to the hearing not less than **two working days** in advance of the hearing date. They must also notify the Association at this time of the name and address of any accompanying person as well as their status (trade union representative, colleague, family member or friend.)

6.5 A person accompanying the employee may, at the employee's request, address the panel on their behalf; and the employee may at any time confer with their accompanying person. Neither the Association nor the employee shall have any legal representation at the hearing. The General Manager has the authority to allow other persons to accompany the employee in exceptional circumstances.

6.6 Either the employee or the Association (including Panel members) may call witnesses. It is the responsibility of the employee to ensure that any witnesses they wish to call are identified and informed of the date, time and place of the hearing, although the Association will facilitate as far as reasonably practicable the availability of witnesses who are Association employees or officers. Written statements from witnesses may be accepted in lieu of attendance at the discretion of the General Manager. Names of witnesses must be supplied to the Association **two working days** in advance, as with accompanying persons.

6.7 Where the employee or their accompanying person is unable to attend the meeting as originally scheduled, the Association will consider requests for the meeting to be rearranged provided the alternative date is within **five working days** of the original date. Requests for rearrangement outside of this timescale are entirely at the discretion of the Association. Reasonable consideration will be given to medical evidence in determining whether to delay a meeting and the timescale for rearranging the hearing. It is not the intention of the Association to penalise staff for genuine inability to attend a hearing. However, it is in the interests of all parties to avoid delay in resolving disciplinary issues, and so in some circumstances it may be necessary to proceed with the meeting in the employee's absence.

6.8 The panel may adjourn and reconvene at a later time where circumstances justify this (for example, if further evidence must be sought).

7 Disciplinary Sanctions

7.1 A **first written warning** may be issued where a Disciplinary Hearing determines that an employee's conduct does not meet acceptable standards. This warning will set out the nature of the misconduct and the nature of the improvement or change in behaviour required. The warning should also advise the employee that a final written warning may be considered if no satisfactory, sustained improvement or change in conduct is observed. A first written warning may remain on

file for a period of up to two years. After this period the warning will normally be disregarded for disciplinary purposes and expunged from the employee's record.

7.2 A **final written warning** will be issued where any of the following circumstances apply:

- An offence is serious in nature, but not sufficiently serious to justify dismissal:
- An employee has failed to satisfactorily respond to a first written warning:
- A further offence of a similar or related nature has occurred after an earlier written warning that is still current.

A final written warning will set out the details of the complaint, the improvement or change in behaviour required, and the timescale. It will also warn the employee that a failure to change or improve behaviour may result in dismissal or some other action short of dismissal. A record of this final written warning may be held on the employee's file for up to two years, or in exceptional cases longer. After this period the warning will normally be disregarded for disciplinary purposes and expunged from the employee's record.

7.3 **Dismissal** will normally result where any of the following circumstances apply:

- The infringement or offence is sufficiently serious:
- The employee is guilty of gross misconduct:
- The employee has failed to satisfactorily respond to a final written warning that is still current:
- A further offence of a similar or related nature has occurred after a final written warning that is still current.

8. Authority of the panel

8.1 The panel has the authority to:

- Find that the employee has no case to answer and dismiss the case.
- Require satisfactory completion of a course of training or developmental activity.
- Issue a first or final written warning and impose conditions in relation to such warnings.
- Extend the period of a final written warning as an alternative to dismissal.
- Suspend an employee on full, partial or nil pay for a period not exceeding three months.
- Dismiss an employee with the appropriate period of notice or payment in lieu of notice.
- Dismiss the employee without notice and without pay in lieu of notice.

8.2 This list is not exhaustive and only gives an indication of the action the Association may take following a disciplinary hearing. The Human Resources Manager must approve alternative proposals.

8.3 When deciding what disciplinary action to take, the Panel should take into account any previous disciplinary warnings issued that are still current, the actual severity of the problem, the degree of harm and potential harm to the Association, its members and others, and the explanations given by the employee including mitigating circumstances.

9. Notification of panel decisions

9.1 After a hearing, the Panel will adjourn to consider what action, if any, should be taken. The employee will normally be notified of the decision of the Panel in writing within **seven working days** of the conclusion of the hearing. If this is not possible for any reason, the employee will be provided with an explanation of the delay.

9.2 If a disciplinary warning is issued by the Panel, the written notification will set out the reason for the warning, the improvement or change in behaviour required, all the conditions associated with the warning, how any monitoring will take place, the period for which the warning will remain in force, the likely penalties for failure to satisfactorily comply with the warning, and the employee's right of appeal.

9.3 Where the disciplinary action taken is dismissal, the written notification will state the reason for the dismissal, the date on which the employment will terminate (taking into account the required notice period if appropriate), and the employee's right to appeal.

10. Appeals

10.1 Employees have the right to appeal against any disciplinary penalty imposed by a disciplinary panel, on substantive and/or procedural grounds. Any such appeal must be lodged with the Chair of the Board within **ten working days** of the date the disciplinary sanction was issued. Any extension to this limit can only be considered by the Chair of Board and only where very exceptional circumstances exist.

10.2 Appeals will usually be heard by a panel consisting of one non-student member of Board (normally the Chair of Board) and one student member of Board (normally the President). The composition of the panel may be varied at the discretion of the Chair of Board, in particular where a member of the panel may have previous involvement in the case or a conflict of interest.

10.3 Appeals will be heard within **twenty working days** of the appeal being lodged. The employee will be notified of the time and place of the appeal hearing, in addition to their right to be accompanied. They will also be informed of the names of the individuals making up the appeal panel and any other attendees. This information will be supplied in writing not less than **five working days** in advance of the hearing.

10.3 The employee may be accompanied to the appeal by a trade union representative, colleague, family member or friend, providing they make a reasonable request under the ACAS Code of Practise 2009. The name and address of the accompanying person must be notified no later than **two working days** in advance of the hearing. The panel has the discretion to allow other persons to accompany the employee in exceptional circumstances. Neither the employee nor the Association shall have legal representation at the hearing. At the request of the employee, the accompanying person may confer with the employee and/or make statements on their behalf.

10.4 Names of any witnesses to be called by the employee must be notified to the panel no later than **two working days** in advance of the hearing. It is the responsibility of the employee to ensure that any witnesses they wish to call are identified and informed of the date, time and place of the hearing, although the Association will facilitate as far as reasonably practicable the availability of witnesses who are Association employees or officers. Written statements from witnesses may be

accepted in lieu of attendance at the discretion of the panel. The employee will be provided with the names of any witnesses called by the Association at least **two working days** in advance of the hearing.

10.5 The panel members will be provided with all of the material presented at the original hearing. In addition, the appeal panel will be provided with the appellant's letter stating the grounds for the appeal. The employee and his/her companion will have the right to comment on any new evidence that arises during the appeal before any decision is taken.

10.6 The Appeal Panel will hear evidence from all parties, i.e. the appellant and also a representative of the original disciplinary panel. Both parties shall have the right to present their case and to call witnesses: arrangements for calling witnesses shall be as in Section 6.6 (above). The Appeal Panel may also call witnesses.

10.7 Rules for attendance at appeals shall be as in Section 6.7, above.

10.8 The panel members may adjourn the meeting as necessary, as in Section 6.8 above.

10.9 Normally the panel will begin by hearing the reasoning for the original decision by the disciplinary panel, and then allow the employee to make a statement explaining their reasons for appealing this decision. The panel may then take evidence from, and facilitate questioning by, all parties. When the panel feel that all the evidence has been thoroughly explored, they may allow both sides to sum up, starting with the representative of the original disciplinary panel. The appeal panel will then withdraw to consider its decision.

10.10 The appeal panel has the authority to:

- Uphold the original decision:
- Annul the original decision and withdraw all disciplinary sanctions:
- Uphold the original decision in part but withdraw the original sanction(s) in whole or in part, and if required substitute alternative measures. These measures cannot be more severe in effect than those taken by the original disciplinary panel.

The panel may also make recommendations to the original panel, Association management or Board based on the outcome of the case.

10.11 The decision of the disciplinary panel will be communicated to all parties in writing within **seven working days** of the conclusion of the hearing. This decision shall be the final stage of the Association procedures.

GRIEVANCE PROCEDURE

The Association recognises that, from time to time, members of staff may have problems or concerns regarding their work or relationships with colleagues which they wish to raise and have addressed. The purpose of this procedure is to provide a formal mechanism for addressing such issues. It has been designed to help bring about a satisfactory resolution of grievances in a prompt and fair manner. The procedure itself should, however, only be invoked once all other less formal dispute resolution strategies have been exhausted.

Guidance on the informal resolution of grievances can be found at: <http://www.st-andrews.ac.uk/staff/policy/hr/Grievanceprocedureforallstaff/Appendix1/> and further support and advice can be sought from the HR Manager.

General principles

By raising a grievance we will look at producing a recommended resolution to the problem. Where appropriate every effort should be made to resolve grievances informally and as near to its source as possible. For example, if the grievance is between colleagues and depending on the circumstances it may be appropriate for them to discuss the issue together or with their immediate supervisor. If you are uncertain how to proceed advice can be sought from your Trade Union representative or the HR Manager. However a formal grievance may be raised from the outset at the complainant's request.

A grievance may be brought by either a single individual or a group of people. The following list indicates the types of issues that might give rise to a grievance (this list is not exhaustive):

- terms and conditions of employment;
- health and safety at work;
- work relationships;
- unfair treatment;
- new working practices;
- working environment;
- organisational changes;
- equal opportunities.

Complaints directly relating to issues concerning bullying and harassment will be dealt with in the first instance under the relevant policy. Advice should be sought from the HR Manager.

There are certain issues that will not be considered under the Grievance Procedure. These include:

- any complaints that are trivial or vexatious
- complaints which should be addressed, from the outset, by the Disciplinary Procedure;
- complaints relating directly to regrading/promotion (these matters will be dealt with under the appropriate appeals mechanisms).

The HR Manager will advise on the appropriateness of a grievance to be dealt with under this procedure in consultation with the General Manager.

To promote a prompt resolution of a grievance, it may be appropriate to suspend formal proceedings to enable further fact-finding discussions or mediation to take place, subject to the agreement of all parties concerned. This should involve getting all parties together for an informal discussion. This may be arranged by Human Resources, and is usually best facilitated by a mutually agreeable third party. Such a person could be an independent manager or senior colleague from the University. Wherever possible every attempt should be made to resolve the grievance through mediation before instigating the formal procedure.

There may be certain circumstances where it is appropriate to modify these procedures (see Modified Grievance Procedure below).

For a diagram outlining the key steps of the grievance procedures please refer to <http://www.st-andrews.ac.uk/media/human-resources/new-policy-section-documents/grievance-procedure-for-all-staff/Grievance%20flowchart.pdf>.

Where, following informal discussions, it has not been possible to resolve a complaint/grievance to the satisfaction of the member of staff concerned, the formal three-step procedure should be followed:

Step 1 - Submission of written grievance

The member of staff must set out in writing the nature of his/her grievance, clearly stating the basis of the complaint, and address this to the General Manager. If the grievance involves the General Manager, the member of staff should instead address the written grievance to the Chair of Board.

The member of staff should send a copy of this letter to the HR Manager and should also retain a copy of the letter for their own records. It should be noted that if an employee fails to notify an employer of a grievance in writing and fails to wait 28 days for a response then their claim will be barred if taken to an Employment Tribunal.

Step 2 - Invitation to grievance hearing

The manager to whom the written grievance was addressed must acknowledge, in writing, receipt of the grievance and invite the member of staff to a preliminary meeting in order that the grievance can be discussed. This letter should inform the member of staff raising the grievance of the date, time and location of the hearing, and of the composition of the panel that will hear the case. It should also advise the member of staff that they have the right to be accompanied at the hearing. A template letter is available at: <http://www.st-andrews.ac.uk/staff/policy/hr/Grievanceprocedureforallstaff/Appendix3-Sampleletters/>

The hearing should take place as soon as is reasonably practicable, normally within 10 working days of the written grievance having been received, or as soon as possible thereafter. Where it is not reasonably practicable for the manager to hear the case within 10 working days, the member of staff should be provided with an explanation for the delay. The timescale in which a meeting will be held will also be advised. For the purpose of this procedure a working day is defined as a

Students' Association 11/9/2015 16:43
Deleted: <http://www.st-andrews.ac.uk/media/Grievance%20flowchart.pdf>

weekday (Monday-Friday) but excluding public holidays and such additional days when the Association is deemed closed.

Where a grievance (individual or group) is brought against another member of staff within the Association, the member of staff will be invited to the hearing to discuss the issue and put forward their case (depending on the nature of the case, it may be more appropriate to meet with each party separately to discuss the complaint). All parties involved will be notified of the grievance and provided with copies of any relevant paperwork.

All parties involved in a grievance have the right to be accompanied to the grievance hearing by a fellow employee of the Association, a family member or a trade union representative. The accompanying person may confer with the member of staff during the hearing and, at the member of staff's request, may address the panel and sum up the case. They are not, however, entitled to answer questions on behalf of the member of staff. Neither party nor the Association will have legal representation.

The HR Manager should be notified of the name, address and status of the accompanying person, and of any special requirements that the member of staff or his/her accompanying person may have, at least two working days prior to the hearing.

The individual against whom the grievance has been brought has the right to make a written submission to the hearing. This must be submitted to the HR Manager at least two working days prior to the hearing and will be circulated to all parties and panel members.

If appropriate, all parties may call witnesses to provide evidence at the hearing. Names of any witnesses to be called must be made available to the HR Manager at least one working day prior to the hearing. It is the responsibility of the individual to ensure that all witnesses are advised of the date, time and venue of the hearing. Details of witnesses shall be made available to both parties.

All parties should take all reasonable steps to attend the hearing on the date/time stated. If, for genuine reasons, any party or their accompanying person cannot attend on the date proposed, an alternative date may be suggested. This date must be suitable to all parties involved and should be within five working days of the original date (this time limit maybe extended by mutual agreement).

A hearing will only be deemed to have taken place if a properly constituted panel has been formed and the parties concerned have appeared before it (where appropriate). Where either party fails to attend through circumstances outwith their control (e.g. illness), the hearing should be arranged for another time. Where a member of staff fails to attend a re-arranged meeting without good reason a decision may be taken in their absence based on the evidence provided.

Panel composition

The case will normally be convened by the General Manager. The panel will also include a Head of Department who has no previous involvement in the case. The HR Manager will be in attendance. If a grievance involves the General Manager, a member of the Association Board shall be appointed by the Chair of Board to convene the panel.

Conduct of the hearing

The convener may vary the proceedings of the hearing depending on the nature of the case, with guidance from the HR Manager: however the following principles should always be observed.

- Each party to the grievance will have an opportunity to state her/his case at the start of the hearing.
- Usually the individual bringing the grievance will make the first statement followed by those against whom the grievance is brought.
- The accompanying person may confer with the member of staff during the hearing and, at the member of staff's request, may address the panel and sum up the case. They are not, however, entitled to answer questions on behalf of the member of staff.
- Each party may cite witnesses.
- Normally both parties will be present throughout the hearing, however, the Panel may vary this so long as both parties have access to all the evidence heard by the Panel.
- At the end of the hearing each party will be given the opportunity to sum up their case.
- The convener may adjourn the proceedings at any stage if this appears necessary.

For further guidance on the conduct of a grievance hearing please refer to <http://www.st-andrews.ac.uk/staff/policy/hr/Grievanceprocedureforallstaff/Appendix4-Convenerchecklist/>

Decision

On the basis of the discussion and the evidence provided, the Panel will decide how best to deal with the grievance. The Panel has the authority to:

- uphold the grievance;
- partially uphold the grievance;
- reject the grievance.

Where the decision is made to uphold the complaint (wholly or partially), the Panel will seek to offer constructive solutions to the problem/s, the implementation of which it may monitor/review for a period.

In cases relating to staff conduct/behaviour, if the ruling of the Panel is not adhered to by those involved, the matter may then be referred to the Disciplinary Procedure.

Where the Panel has made the decision to reject the complaint it may still make recommendation for resolving the difficulties identified during the hearing.

Each party to the grievance i.e. the complainant and the member of staff against whom the grievance has been brought (if relevant), will be notified, in writing, of the decision and any associated action/recommendations within 10 working days of the hearing having taken place.

This written notification will advise the member of staff raising the grievance that they have the right to appeal against the decision.

Step 3 - Appeal

The member of staff raising the grievance has the right to appeal against the decision taken by the Grievance Panel if he/she is not satisfied with the outcome of the hearing.

Appeals procedure

A request for an appeal hearing must be lodged, in writing, within 10 working days of the member of staff being notified of the Grievance Panel's decision.

This appeal should explain why the member of staff is not satisfied with the decision taken, and should be addressed to the Chair of Board. The member of staff should also retain a copy of this letter.

The member of staff will then be invited to a meeting in order that the appeal can be discussed.

The Appeal Hearing will normally be held within 10 working days of the appeal being lodged.

The member of staff has the right to be accompanied by a fellow employee, a family member or a trade union representative at an appeal. The accompanying person may confer with the member of staff during the hearing and, at the member of staff's request, may address the panel and sum up the case. They are not, however, entitled to answer questions on behalf of the member of staff. Neither the member of staff nor the Association will have legal representation.

The HR Manager should be notified within 5 working days of the hearing of the name, address and status of the accompanying person (if relevant) and any witnesses they may wish to call, together with notification of special requirements. It is the responsibility of the individual to inform witnesses of the date, venue and time of the hearing.

The panel members will be provided with all the material presented at the original hearing.

The Convener of the Appeal Panel will hear evidence from both parties i.e. the member of staff and the Convener of the original Disciplinary Panel. Both parties will be given the opportunity to present their case, call witnesses and cross-question.

Appeal panel composition

The Chair of Board will be responsible for convening an appropriate Appeal Panel, which will consist of the Chair plus one student and one non-student members of the Board.

The HR Manager will be in attendance to advise the Appeal Panel. It is important that the members of the Appeal Panel must have no conflict of interest in the appeal and should have had no previous involvement in any stages of the grievance.

Decision

On hearing all the evidence the Appeal Panel will adjourn to consider its decision. The HR Manager will confirm the decision of the Panel in writing within 5 working days of the hearing having taken place.

An appeal will only be deemed to have taken place if a properly constituted Appeal Panel is formed and meets with the member of staff. If the member of staff is unable to meet the Appeal

Panel within the time limits, the Panel has the authority to extend the period in which the hearing must take place.

The decision of the Convener of the Appeal Panel will be final.

Modified grievance procedure

This Grievance Procedure may be modified where the employment of the member of staff raising the grievance has already ended, and it is either not reasonably practicable for one or other of the parties to use the standard procedure, or both parties agree in writing to use the modified procedure.

Where the Modified Grievance Procedure is to be applied, a two-step procedure should be followed:

1. Step 1 – The complainant must set down in writing the nature of the alleged grievance, clearly stating the basis of his/her complaint. This written grievance should then be sent to the General Manager.

2. Step 2 – The General Manager in consultation with the HR Manager must send out a written response to the complaint, normally within 10 working days of having received the written grievance.

It should be noted that if an employee fails to notify an employer of a grievance in writing and fails to wait 28 days for a response then their claim will be barred from an Employment Tribunal.

EQUAL OPPORTUNITIES POLICY

Equal Opportunities

1. Aims

1.1. The Students' Association will ensure that all individuals will be treated with respect and will not be subjected to unfair or unlawful discrimination in any aspect of the Association's activities or on its premises.

1.2. The Students' Association will not tolerate unfair or unlawful discrimination on any grounds. These grounds shall include colour, race, nationality, gender, marital status, disability, religion, age, sexual orientation, socio-economic grouping, union activity, politics or any unrelated spent conviction.

1.3. The list in paragraph 1.2. above is a guide, and is not exhaustive.

1.4. The Students' Association will promote understanding of the principles and practice of equality of opportunity and will campaign against discrimination on any of the grounds mentioned in paragraph 1.2., or on any other grounds that constitute unfair discrimination.

1.5. The Association will take every reasonable step to ensure that its services are delivered in such a way that there is no unfair or unlawful discrimination against any individual or group and that, in the event of discrimination or alleged discrimination, steps are taken promptly to investigate and, if appropriate, apply corrective or disciplinary measures.

1.6. The Association will, on request, represent its members within the University, supporting individuals or groups as appropriate whenever cases of discrimination arise or are alleged.

1.7. The Association respects the freedom of association of individuals.

2. Actions

2.1. The principles and practice of equality of opportunity will be promoted by such means as the Association may determine from time to time.

2.2. A brief statement expressing the Association's commitment to equality of opportunity will be clearly printed on all documentation (advertisements, job descriptions, etc) relating to job opportunities within the Association.

2.3. All societies active within the Association will be expected to conduct their activities in ways that are compatible with the principles and practices of this chapter.

2.4. Appropriate training to staff and student officers of the Students' Association annually to enable them to implement the Association's commitment to equality of opportunity. Breach of the rules of conduct outlined in this chapter shall be regarded as a serious disciplinary matter.

2.5. Any person(s) affected by discrimination or alleged discrimination will be made aware of the full range of counselling and support services offered by the Students' Association and the University of St Andrews.

3. Staff of the Students' Association

3.1. In the event of a breach, or alleged breach, of the rules of this chapter by a member of staff, a report will be made to the General Manager who will, within five working days, consider all evidence submitted and decide, after consultation with the Staffing Committee, whether and to what extent disciplinary action should be taken.

3.2. In the event of there being any appeal, from whatever source, regarding the decision taken by the General Manager, it will be considered at the earliest possible date by an Appeals Committee comprising the Chair of SAB (convenor), the Association President, the Director of Representation, the Association Personnel Officer and one student nominee from SAB.

4. Members of the Students' Association

4.1. Breaches or alleged breaches of the rules of this chapter by members of the Students' Association shall only be actionable if they occurred while using Association services or facilities.

4.2. In the event of a breach, or alleged breach, of the rules of this chapter by a member of the Association, an attempt will be made by such officers of the Association as may be available to reconcile the parties informally.

4.3. In the event of those directly involved in a breach or alleged breach described under paragraph 4.2. above wishing to pursue a complaint, they will be informed by the Director of Representation of the Association's procedures, of their rights and responsibilities within those procedures and of the options open to them. The Director of Events and Services will then institute proceedings under the Association's disciplinary procedures, which will also govern any appeal.

5. Societies and Groups

5.1. Societies and groups, whether affiliated or not to the Association, may make use of Association facilities on such terms as are currently in force provided that such societies and groups comply with the principles and practices of equality of opportunity outlined in this chapter. Societies or groups (whether affiliated, non-affiliated or disaffiliated) that are judged not to comply with these conditions – unless an exception is granted under paragraph 5.8. below – may not make use of facilities and services controlled by the Association.

5.2. Where it is alleged that a society or group is in breach of the principles and practices of equality of opportunity outlined in this chapter, a committee (comprising the SRC Student Support Committee and four members of the SSC, which last shall be in an advisory capacity only) shall convene to investigate and rule upon the alleged breach.

5.3. If an affiliated society or group are found to be not in compliance with the principles and practices of equality of opportunity outlined in this chapter, all the relevant information should be passed to the Association Societies Committee with a recommendation that they are disaffiliated. The decision of the Association Societies Committee on the fulfilment of this condition shall be subject to the appeals process in paragraphs 5.5. and 5.6. below.

5.4. No society or group shall be denied access to services of facilities due to a contravention of the requirements of this chapter unless the procedure under paragraph 5.2. above has been carried out.

5.5. There shall be open to any society or group disadvantaged under paragraph 5.2. a right of immediate appeal to an Appeals Committee convened by the Association President (or their nominee who shall be a member of SAB) and four further members of SAB. No-one who sits on this Appeals Committee shall have formed part of the committee set up under paragraph 5.2. The Appeals Committee shall meet within 5 working days of the ruling by the committee set up under paragraph 5.2. and, save in circumstances of exceptional gravity, all sanctions will be suspended until the Appeals Committee reaches a decision.

5.6. Unappealed decisions under paragraph 5.2. or paragraph 5.5. shall be reported to the SAB and all officers and staff of the Students' Association. Disputed decisions decided under paragraph 5.5. are subject to ratification by the SAB at its next regular meeting or, at the discretion of the Chair of SAB, at an extraordinary meeting of SAB.

5.7. Suspension of the provision of services and facilities for contravening the rules and requirements of this chapter, unless lifted under the appeals procedures laid down in paragraph 5.5., shall remain in force until such time as a society or group can demonstrate that it is no longer in contravention. Sections paragraph 5.2., paragraph 5.5. and paragraph 5.6. set down the decision making and appeals structure that shall govern the procedure of returning the society or group's right of access to Association services and facilities.

5.8. Any society or group disadvantaged by decisions made under paragraphs 5.2., 5.5., and 5.6. may apply to make use of Association facilities or services in pursuit of ends that are deemed to be non-discriminatory according to the principles outlined in this chapter. This should be done by such a society or group presenting its case to a meeting of the SSC, with four members of the Student Support Committee present in an advisory capacity only. Paragraphs 5.5. and 5.6. set down the appeals procedure which may be invoked should a society seek to overturn a decision reached by this committee

ANTI-HARASSMENT, BULLYING AND VICTIMISATION POLICY

The student's association shall enforce a strict zero tolerance policy to sexual harassment and discrimination, as defined.

The policy shall protect all members, visitors and staff in all Students Association venues.

Definition of sexual harassment

- Unwanted sexual comments (included comments about your body or private life).
- Unwelcome sexual invitations, innuendos, and offensive gestures.
- Wolf whistling, catcalling or offensive sexual noises.
- Groping, pinching or smacking of your body, such as your bottom or breasts.
- Having your skirt or top lifted without consent.
- Someone exposing their sexual organs to you without consent.
- Any other form of unwanted behaviour with a sexual or gender element.

Training

1. All staff shall be trained and briefed on the policy.
2. All bar and security staff shall receive a briefing on the policy and training on its operations annually during the September training session, or when they join if after September.
3. Where possible, efforts will be made to ensure that all security working in the Students' Association are fully aware of the policy and its operations.

Promotion

1. The students' association shall ensure that the policy is constantly and consistently advertised and promoted to its visitors through various promotional material in all visitor and staff areas.
2. The zero tolerance policy logo will be included in all students' association event promotional material.
3. The policy will have a page on the website containing the written version of the policy, the motion as passed by the Association Councils, and other useful information where appropriate and relevant.
4. A poster version of the policy, including the list of unacceptable behavior and procedure to report breaks to the policy shall be displayed in the toilets and entrance to the students' association venues.
5. The logo and simple information will be displayed as a permanent fixture in reception and on all bars.
6. Other promotional materials, such as badges and beer mats shall be used throughout the venues during busy nights.

Reporting an incident

1. When a customer wants to report an incident they may do so by speaking to any member of security or staff.
2. The staff/security member who receives the report shall pass it to the duty manager (through a supervisor if needs be).
3. When a staff member wishes to report an incident, they shall tell the duty manager (through a supervisor if needs be).
4. Whilst reports coming from those who believe to be victims shall be taken very seriously, reports from others observing an incident (e.g. staff or other visitors) shall also be seen as equally valid, depending on the context of the situation.
5. All reports of behavior deemed unacceptable as stated in the definition must be logged in the incident logbook.
6. Students shall also have the opportunity to report incidents through emailing union@st-andrews.ac.uk.

Dealing with a report

1. At all times, reports alleging harassment will be treated with sensitivity and discretion by staff. A person reporting harassment will be treated with dignity and respect and their report will be treated seriously.
2. On receiving a report of an incident, staff members should take any appropriate immediate action required to restore a safe environment (for example, ensuring that anyone accused of harassment is asked to leave).
3. Staff members should then report the incident to their supervisor or the duty manager.
4. The duty manager should record details of the incident including location, time, date, names and (if relevant) matriculation numbers of those involved including witnesses, and a brief description of what occurred. The person reporting the incident should be allowed the opportunity to view this record and say whether they believe it is complete and accurate.
5. If the person reporting the incident prefers to speak to another member of staff for any reason the duty manager will arrange for another member of staff to record the incident instead.
6. If the incident takes the form of a criminal offence, the Association will advise calling the police. The person reporting the incident will be supported to approach the police if necessary.

Persons who believe they have been the victim of harassment should be given details of the University's Harassment Network

(see

<http://www.standrews.ac.uk/staff/policy/hr/harassmentandbullyingatworkandstudy/appendix-b-sourcesofhelpandsupport/>)

7. The report of the incident will be forwarded to the Authorised Discipline Officer to be dealt with by the appropriate disciplinary process.

8. Persons accused of harassment will be suspended from entry to the building pending the outcome of that disciplinary process.

Investigation and consequences

1. When a report of an alleged incident is received, the Association will contact all parties (including those accused) and ask them to give their views on the incident.
2. As far as possible confidentiality will be maintained in this process. The normal expectation is that no personal details of the alleged victim will be disclosed to the person accused.
3. After investigation the Authorised Discipline Officer will refer the issue for disciplinary action under the relevant procedure.
4. Consequences under these procedures will include bans from the premises for any period up to a life ban.
5. The Association reserves the right to inform the University of cases of alleged harassment where they believe there is good reason to do so.

RIGHT TO FLEXIBLE WORKING

The Association is committed to policies that promote equality of opportunity and work-life balance for staff. This policy has been developed to ensure that all employees have the right to request flexible working practices that will support them to achieve these aims: and the right to have such requests given reasonable consideration.

What is flexible working?

Any request for a change to established working hours, practices or arrangements can be considered as a 'flexible working' request. Examples would include a reduction in hours, changes to starting or finishing times, or working from home.

It is important for employees to remember that the Association does not automatically have to agree to such requests, though it will always give them reasonable consideration. There may be valid reasons why the Association is unable to agree to a flexible working request.

Employees should also be aware that, if a flexible working request is accepted, this may mean a permanent change to their contract with the Association (unless the request is explicitly for a temporary change). Employees should therefore carefully consider the implications of a change before making a request.

Who can make a request?

Any employee can request flexible working. However, employees can normally make only one formal request in a year. This is calculated on a rolling basis, i.e. if a member of staff has made a formal request in the last 12 months they can't make another request.

Reasons for refusing a flexible working request

If an employee's request is refused, they will always be told the reasons for refusal. These may include:

- A significant burden of additional costs on the Association.
- A detrimental effect on the Association's ability to meet customer demand.
- Inability to recruit additional staff to accommodate the request.
- Inability to reorganise work among existing staff.
- Detrimental impact on service quality or performance.
- Insufficient work during the periods the employee proposes to work.
- Planned structural changes.

Informal requests

Many requests for temporary flexible working may be accommodated by an informal discussion with the employee's line manager. Employees are encouraged to use this route wherever possible. However, employees and line managers should note that line managers are not empowered to allow major, permanent or long-term changes to working conditions, or to allow working from home. Such requests must usually be made to the General Manager.

The line manager should respond to an informal request within one month. This may involve agreeing to the request, declining it, or suggesting alternatives. Line managers may discuss informal requests with the HR Manager or General Manager if they believe this would help them to give the request reasonable consideration.

If an informal request is refused the employee has the right to make a formal request instead.

Formal requests

A formal request is appropriate where:

- An earlier informal request has been refused and the employee wishes to pursue the request further.
- An employee wants to request a permanent or long-term change to working conditions.
- An employee wants to make a major change to their working conditions, e.g. a change to term-time only working, a move from one department to another, or permission to work from home.

A formal request should be made in writing to the General Manager. This should be dated, and should set out clearly the change to working conditions being requested; when the employee would like the change to come into effect; what effect, if any, the employee thinks this request would have on the Association; and how they think the Association could deal with this.

Response to a formal request

The General Manager will consider the request and respond within one month, in writing. Such consideration may include consultation with the HR Manager and/or the employee's line manager. It will usually also include a meeting with the employee. The employee has the right to be accompanied to this meeting, if they choose, by a trade union representative, colleague, friend or family member.

In response to a formal request, the General Manager may either:

- Approve the request: or
- Approve the request for a provisional period of up to three months, after which the impact of the change shall be reviewed: or
- Refuse the request, in which case the employee will be told the reasons for refusal: or
- Suggest an alternative to the request. The employee is not bound to accept this alternative: if they do not, the General Manager may opt for any of the other options above.

Appeals

If an employee is dissatisfied with the outcome of a formal request, they may appeal to the Chair of Board in writing, within 14 days of being notified of the outcome.

On receipt of an appeal, the Chair of Board will convene an appeal panel consisting of one student and one non-student member of Board. Normally these roles will be filled by the Chair of Board and the Chair of the Staffing committee: however, in the event that either of these people are

unavailable or have an interest or prior involvement in the case, an alternative may be nominated instead.

The employee will be invited to meet with the panel within 14 days of receipt of the appeal. If the employee cannot attend at the specified date, an alternative date within seven days of the original meeting may be offered. If the employee cannot attend either date, the meeting may go ahead in their absence, though they retain the right to make a written submission. The employee has the right to be accompanied to this meeting, if they choose, by a trade union representative, colleague, friend or family member.

The panel will consider written and/or verbal submissions from the staff member as to why they believe the request should be granted, and from the General Manager on the reasons for refusing the request. After considering these, the panel will respond within 14 days of the appeal meeting. The panel may:

- Uphold the appeal, in which case the General Manager must accommodate the request, or
- Deny the appeal. In this case the employee will be provided with an explanation of the reasons for the panel's decision.

In either case this will conclude the Association's consideration of the request. The employee may not normally make another formal request until one year has elapsed.

SICKNESS ABSENCE

1. Introduction

The purpose of this policy is to give staff guidance on the circumstances under which they may be invited to explain or account for legitimate absences, and to set out the expectations of the Association in regard to these absences. These rules are not intended to prevent or discourage staff from taking appropriate sick leave or other leave. It is the Association's policy that, where staff are not fit to work, they should not attempt to work, out of concern for their own health and safety and the health and safety of other employees, students, and visitors.

A list of the types of absence and leave the Association recognises, the circumstances under which employees qualify for them, and the procedures for reporting and requesting such leave are available from the University Human Resources web page or on request from Heads of Department. Staff are reminded that failure to follow these procedures (for example, in notifying sickness absence as soon as possible) could be grounds for disciplinary action.

Employees who are absent on leave for a legitimate reason will always be treated sympathetically by the Association, and every reasonable effort will be made to aid recovery, ensure a safe return to work and to safeguard employment. However, frequent absence, even if for a legitimate reason, can place strain on other employees and is a significant cost to the Association in terms of cover, etc. For this reason, the Association may from time to time feel it necessary to review absences with employees with a view to minimising disruption.

2. Application

The absence policy will apply where

- a) An employee has been absent on sick leave, with medical certification, four or more times in a rolling calendar year.
- b) An employee has been absent on self-certificated sick leave for more than eight working days in a rolling calendar year.
- c) An employee has been absent, with or without medical certification, for a period of more than one month, and is unable to give a date for a return to work.
- d) An employee has been absent, for whatever reason, in a pattern that causes concern to their Head of Department, or that (in the opinion of the Head of Department) may indicate a problem in working conditions.

3. Review Meeting

Where the above conditions apply, the employee involved will normally be approached informally by the Human Resources Manager to discuss the matter.

If this fails to resolve the issue, either because no satisfactory outcome is reached or because the attendance of the employee does not improve, the employee will be asked to attend an Attendance Review Meeting with either the General Manager or a nominated deputy of the General Manager. Such a meeting may also be requested by either the employee or Head of

Department where they feel the informal approach may be inappropriate. Five working days' notice of this meeting will normally be given, unless the employee agrees to less. This notice may be verbal or in writing, if the employee requests it. A colleague, trade union representative or family member may accompany the employee to this meeting.

The meeting will be an opportunity for the employee to discuss any health or other problems that have resulted in poor attendance: to agree actions (on the part of the employee and the Association) that may help to improve attendance: and to set a monitoring period in which attendance is to be improved to a set target.

MEDIA POLICY

Coverage

- This policy applies to all staff of the Association.
- The policy applies to all media, including student media and social media.
- The policy covers all work-related activities, and applies to these matters whether staff members are on- or off-duty, and whether they are on Association premises or not.

Appointed Spokesperson

The Association President is the only authorised spokesperson for the University of St Andrews Students' Association. The President may authorise others to speak on behalf of the Association where appropriate. Staff members may not speak to the media on any matter relating to the Association without the permission of the Association President.

Speaking To The Media

Where staff are authorised to speak to the media, they must take care to ensure that they adhere to the following guidelines:

- Do not breach the personal privacy of any individual.
- Do not make any comment that could bring the Association into disrepute.
- Do not make any comment critical of officers or staff of the Association.
- Do not comment on matters that are legally sensitive.
- Do not disclose commercially sensitive information.
- Ensure any comments are accurate and truthful to the best of your knowledge.

Social Media

Staff who have access to Association accounts on social media must ensure that they use this access only for authorised purposes, relating to the business of the Association: and that in their use of these outlets they follow the guidance on 'Speaking to the media', above.

Staff should avoid the use of personal social media accounts during work hours, except for work purposes. Staff are advised that they should avoid discussing work issues on any personal social media accounts, including Twitter and Facebook, except where a reasonable expectation of privacy applies (eg in closed membership groups).

Even where a reasonable expectation of privacy applies, staff should take care that comments made are appropriate. Inappropriate comments (for example, comments that amount to harassment or bullying of another staff member or any other individual, that bring the Association into disrepute, or that breach confidentiality) may be the subject of disciplinary action by the Association.

Exceptions

Where staff members are also students of the University, they retain the right to speak to or in the media about the Association in their capacity as ordinary members. However, when speaking in this capacity they should ensure they avoid giving the impression that they are speaking in their capacity as Association staff.

Breaches

Where this policy is breached, action may be taken under the Disciplinary Procedure.

ASSOCIATION VEHICLES

Driving Licences and Driving Offences

It is a condition of being permitted to use an Association vehicle that the Employee holds a full and valid UK driving licence.

Employees are required to submit up to date copies of their driving licenses to the Association on an annual basis, and when there is any change to the details on the license, such as the addition of penalty points.

Employees who are charged or convicted of driving offences, or have their driving license endorsed, must report this fact to management within 24 hours.

Driving related fines are the responsibility of the Employees who incur them, whether or not incurred in the course of Association business, and must be paid immediately by the Employee. If an Employee fails to pay a driving related fine, the Association will deduct the cost of paying this fine from the Employee's salary. In certain circumstances the Association may however pay the fine on behalf of the Employee, depending on the circumstances at the time. All requests for this should be made to management, who will consider each request on an individual basis.

Unless at the discretion of the management, Employees must normally be at least 25 years old in order to be permitted to drive Association vehicles.

In circumstances where an Employee is disqualified from driving, and a significant proportion or all of his or her duties require him or her to hold a valid driving license, the Association reserves the right to terminate that Employee's employment.

Personal Use

Employees are not permitted to use an Association vehicle for personal purposes without the written permission of management.

Details of any payment for fuel and other costs incurred by Employees in respect of private mileage, where permitted, will be set out in the Employees' Statements of Particulars of Employment.

Where a vehicle is provided for the main use of an Employee the Association reserves the right to require the Employee to make the vehicle available to other Employees from time to time for other business use.

The Association reserves the right to require Employees who are absent from work to make their vehicles available for business use by other Employees.

Maintenance

The costs of maintaining and repairing Association vehicles will normally be met by the Association where those costs arise in the course of normal use of the vehicle.

Employees are wholly responsible for ensuring the proper maintenance of the vehicle in accordance with the manufacturers' recommendations and the requirements of UK Law.

Accidents and Damage

All damage to an Association vehicle must be reported to management immediately. A full written report of the circumstances in which the vehicle was damaged should be submitted thereafter.

Where damage to an Association vehicle is incurred due to the Employee's negligence, the Employee will be liable for the total cost to repair the vehicle. Employees are responsible for paying any insurance excess following a claim for damage to an Association vehicle. Payments will be deducted from the Employee's wages unless an alternative method of payment is agreed with management.

Driving Under the Influence of Alcohol or Drugs

Any use by an Employee of alcohol or drugs (prescribed or otherwise) while in charge of an Association vehicle, where that alcohol or drug use has any potential effect on the Employee's fitness to drive, will render the Employee liable to disciplinary action, and will normally result in summary dismissal.

Use of Association Vehicles

Employees are required to drive in a safe, lawful and efficient manner, in all weather and traffic conditions, observing the recommendations of the Highway Code.

Employees must not take a vehicle onto the road if they know or suspect that it has a defect.

Employees are required to use the most direct routes when carrying out Association business.

Employees are required to advise management of any problems or delays which could affect the scheduling for that day.

Employees must always lock and alarm the vehicle when left unattended.

Employees are not permitted to carry passengers in Association vehicles, except for Employees of the Association.

The safety and security of the vehicle, passengers or loads is the responsibility of the driver.

Commercial Vehicles

Employees are required to obtain the signature of an authorised officer of the customer on delivery notes as proof of delivery.

All loaded goods must be distributed and secure in order to prevent any movement which could cause damage to the goods or to the trailer, or any nuisance or danger to other road users.

Employees must report any damage or shortage noticed during loading to the person in charge. Employees are required to note the details of the damage or shortage on the appropriate loading document.

The customer must write details of any damaged goods from the delivery on the delivery note. Employees must ensure that the customer writes on the note whether he or she is keeping the damaged goods or returning them with the Employee.

Employees are responsible for the use and safe-keeping of any belts, straps chains, ropes etc. supplied with the vehicle or trailer, and must ensure that they have an adequate supply of these for the load to be carried.

Employees must ensure that any loaded vehicles or trailers parked overnight or at weekends must be secured against theft. Loaded curtain-sided trailers should be parked together or otherwise blocked-in as an added security measure.

Drivers must comply with all legal requirements which regulate maximum permitted driving hours and speed limits.

WHISTLEBLOWING POLICY

The Board of the University of St Andrews Students' Association is committed to ensuring that the Association conducts its affairs with the highest standards and in firm adherence to the principles of conduct in public life including openness, accountability and integrity.

From time to time this may mean a student, officer of the Association, former or current employee of the Association or any other person coming forward with information they feel the Board should know about. Such information might relate to financial or other malpractice within the Association, illegal or unethical behaviour by an officer or member of staff of the Association, dangerous conditions, breaches of charity law or other regulations, or any other issue that raises a legitimate concern about the conduct of the Association's business.

The Board undertakes to ensure that any person making such a disclosure can do so immediately and in safety without fear of reprisal or victimisation.

The designated contact to receive such concerns is the Convener of the Audit and Risk Committee. The alternative contact is the Chair of Board. Contact details for both of these individuals are listed at the end of this policy.

The Association will treat any such disclosures in a sensitive and confidential manner. The identity of the person making the disclosure will be protected unless such confidentiality would hinder the investigation of a disclosure.

In some cases, the investigative process may reveal the source of the information, and the individual making the disclosure may need to provide a statement as part of the evidence. The Board guarantees that the instigator of an investigation shall not consequently be disadvantaged or discriminated against in any way, provided he or she is reasonably believed to have acted lawfully, without malice, and in the public interest.

The recipient of such a disclosure will consider how best to investigate the matter, either by reference to an existing Association policy or procedure or (if no such policy or procedure applies) by investigating the issue in any other manner they see fit, including reference to external legal advice and/or referral to the University if appropriate. The outcome of this investigation will be reported to the Board and to the complainant in full along with any recommendations for action.

Because this process is intended to allow the Association an opportunity to investigate such concerns while preserving confidentiality in so far as possible for the person disclosing the information, this Code may not be invoked by a person whose concerns have been revealed in the media (including the student media) or to any external body or organisation.

External advice

If you are thinking of making a disclosure under this Policy, you may benefit from advice from the following source:

Public Concern At Work:

0141 550 7572

www.scotland@pcaw.co.uk

<http://www.pcaw.org.uk/>

Contacts

Convener of the Audit and Risk committee: TBC

Chris Marks, Chair of Board: union@st-andrews.ac.uk or c/o Union Building, St Mary's Place, St Andrews, Fife KY16 9UZ

Notes

In the preparation of this Code, due account has been taken of the Public Interest Disclosure Act 1998.

EXPENSES

The Association will normally reimburse Employees in respect of any expenses wholly and necessarily incurred in the course of their work. The Association reserves the right to refuse to pay an expense claim where the expenditure is unreasonable or unnecessary.

Claims for business mileage must be supported by a completed Business Mileage Record form giving full details of the journeys involved.

Any special ad hoc arrangements made to suit particular circumstances will not be considered to set any form of precedent.

The following types of claims will be reimbursed provided they are reasonable, confirmed with receipts and the appropriate documentation has been completed.

Cars

Mileage at the rate notified and in force.
All necessary parking costs.

NB. Employees are responsible for any fines or penalties incurred.

Trains

Second class fares

Flights

Where necessary while on authorised business.

Accommodation

Hotels - cost of room and all necessary meals and drinks.

Meals

Whenever necessary and reasonable while on authorised business.

Employees are required to use the most cost-effective transport methods and routes in conducting business.

Emergency Expenditure

The Association acknowledges that circumstances do arise when an Employee may have to make an immediate decision regarding the expenditure of monies for an unforeseen reason which is necessarily incurred in the course of their employment.

DATA PROTECTION

This document sets out the Association's policy on the protection of information relating to Employees. It covers personal data relating to Employees who can be identified from the data, and which is either processed automatically, e.g. through a computer, or held on video, or else forms part of a filing system e.g. personnel records.

The Association will ensure that data is always processed in accordance with the provisions of the Data Protection Act 1998.

In processing data the following principles will be adhered to:

- Personal data will be processed fairly and lawfully. Normally, the Association will seek to obtain the consent of the Employee to the processing of personal data. In relation to the processing of sensitive personal data (which is personal data relating to race/ethnic origins, political, religious or other similar beliefs, sexual life, medical condition, commission of any offence, criminal proceedings or sentences, or trade union membership), explicit consent to any processing will normally be obtained.
- Personal data will be obtained for one or more specified and lawful purposes, and will not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data will be adequate, relevant and not excessive.
- Personal data will be accurate and, where appropriate, kept up to date.
- Personal data will not be retained for longer than is necessary.
- Personal data will be processed in accordance with the rights of data subjects as defined by the 1998 Act.
- Appropriate measures will be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Personal data will not be transferred to countries outside the European Economic Area unless there are adequate measures in place to protect data subjects (Employees).

Access to Data

Employees have the right to request that the Association specify whether personal data of which he or she is the subject is being processed by the Association and to be given a description of the data, the purposes for which it is being processed and to whom it may be disclosed.

Employees have the right to obtain a copy of any personal data held. To exercise this right a written request should be made to [JOB TITLE] specifying the information sought. A charge of £10 will be made for the information and, in accordance with the 1998 Act, shall be provided within the 40 day period following the date on which the Association is in receipt of both the written request and the £10 charge. Note that information requested which contains details relating to another individual will not normally be released (except in amended form) without that individual's consent. In addition, the Association will not normally release any information relating to references given by the Association on behalf of the Employee, management planning, information relating to negotiations with an Employee, e.g. over pay or any other information it is entitled to withhold under the 1998 Act.

Processing of Data

The Association will conduct regular reviews of the information held by it to ensure the relevancy of the information it holds. Data will normally only be held for a limited period of time. Where an Employee leaves the Association, personal data will be kept only for such a period as may be necessary to protect the interests of the Association and the Employee.

Employees are under a duty to inform the Association of any changes to their current circumstances. Where an Employee has concerns regarding the accuracy of personal data held by the Association, the Employee should contact [JOB TITLE] to request an amendment to the data.

Security of Data

The Association will take appropriate measures to prevent unauthorised access to personal data and in particular any sensitive personal data held.

In particular, access to personal data by managers and other Employees of the Association will be restricted only to those individuals who have legitimate business reasons for requiring the information.

Not only could such an event cause adverse publicity for the Association but, if the Employee is the person responsible for the infringement, the Employee could be the subject of a personal criminal prosecution and liable to a fine. It is important to keep the penalties in perspective, however. If the Employee follows the advice given below and takes sensible and reasonable precautions to protect information in the Employee's case there should be few, if any, problems.

- Observe to the letter any instruction or guidelines issued by the Association in relation to data protection and your work.
- Observe the data protection principles set out in the 1998 Act at all times.
- Take confidentiality and security seriously whether the Employee considers the information to be sensitive or not. In particular:-
 - do not disclose your password;
 - change your password regularly;
 - do not gossip about Association data;
 - do not leave Association data in the street, on the train, or on, the bus etc.;
 - do not take computer scrap paper home; and
 - do not allow unauthorised use of computer equipment issued by the Association.
- Always ensure that data is input correctly. Do not delay in inputting new data when available.
- Do not make any oral or written reference to personal data held by the Association about any individual except to Employees of the Association who need the information for their work or a registered recipient.
- Take great care to establish the identity of any person asking for personal information. Make sure that the person is entitled to receive the information.
- If an Employee is asked by an individual to provide details of their personal information held by the Association the Employee should ask that they put their request in writing and send it to the [JOB TITLE]. If the request is in writing pass it immediately to [JOB TITLE].
- Do not use personal information for any purpose other than your work for the Association.

- If the Employee is in doubt about any matter to do with data protection do not guess - refer the matter to your manager immediately.

Whistleblowing

This policy will in no way affect the rights of disclosure of information under the Public Interest Disclosure Act 1998.

ALCOHOL AND DRUGS POLICY

Introduction

The Association aims to provide a safe and healthy working environment for all staff, members and visitors. We recognise that this aim may be put at risk by misuse of alcohol or drugs by employees or volunteers. This may affect their health and safety, or that of others: and may affect their conduct and performance of their duties, or affect their relationships with others.

This policy therefore aims to:

- Promote the health and well-being of employees and volunteers and minimise problems at work arising from the effects of alcohol or drugs.
- Identify employees and volunteers with possible problems relating to the misuse of alcohol or drugs at an early stage, and ensure that appropriate help and support is offered.
- Make clear that it is unacceptable to be in the workplace while under the influence of alcohol or drugs, and outline the consequences.

Coverage

The policy covers:

- Consumption of alcohol.
- Possession, use or abuse of prohibited substances, or of close chemical equivalents (such as 'legal highs').
- Non-prohibited substances which can affect performance if abused, including solvents, over-the-counter medications, natural plant or other products, etc.
- Use or abuse of prescribed medication that may affect performance.

This list is not exhaustive.

The policy applies to employees and volunteers undertaking duties on behalf of or representing the Association, including elected members on official duties.

Employee/Volunteer Responsibilities

The effects of alcohol or drugs at work can create serious health and safety risks. Therefore, the following rules should be adhered to:

1. You must present yourself for work unimpaired by the influence of either drugs or alcohol and maintain this state for the duration of your attendance at work. Generally, this means that you should not consume these substances during work, or for a time before your shift begins.
2. The only exception is where drugs that may affect performance are medically prescribed, in which case you must inform your line manager, supervisor or another appropriate person who will make a decision on your fitness to work. Check with your doctor or pharmacist about the side effects of prescribed medications. If these may affect the performance of your duties, you should inform your line manager, supervisor or another appropriate person.

3. Never drive or operate machinery if you are affected by alcohol or drugs.
4. Ask your GP for guidance and advice on sensible limits of alcohol consumption.
5. You must not bring prohibited substances onto Association premises **at any time**.
6. If you suspect another employee or volunteer to be under the influence of drugs and/or alcohol, you must report the matter to your line manager, supervisor or volunteer team leader.

Failure to adhere to any of these rules could result in disciplinary action under the appropriate procedure.

If you feel that you may have a problem with misuse of drugs and/or alcohol, you should approach your line manager or the Human Resources Manager in confidence to discuss the matter. Appropriate help, support and guidance will be agreed with you and arranged.

Off Duty

Employees and volunteers should give due care and consideration to the potential impact of their off-duty alcohol and drug consumption on their duties. For example, consumption of drugs prior to a shift or in the break on a split shift could affect performance while at work, while irresponsible behaviour caused by misuse of drugs or alcohol while socialising on Association premises or at an Association function could bring the Association into disrepute.

In particular, employees or volunteers representing the Association in an official capacity at a social function should take care that their conduct is not affected by the influence of alcohol or drugs. Off-duty employees and volunteers socialising on Association premises must not enter or attempt to enter work areas or perform any work duties while under the effects of alcohol or drugs.

Management Responsibilities

Line managers, supervisors, and volunteer team leaders have the following responsibilities under the policy:

- If they believe an employee or volunteer to be under the effects of drugs and/or alcohol and consequently unable to carry out their duties in a proper, fit and safe manner, they should not allow that person to work but ask them to leave and not return until they are no longer affected.
- In addition, they should report such incidents in confidence to the Health and Safety Co-Coordinator, the General Manager or the Human Resources Manager.
- If they suspect an employee or volunteer may have an underlying problem with drugs and/or alcohol misuse, they should report their suspicions in the strictest confidence as above.

LONE WORKERS POLICY

Lone working in the Association raises certain serious issues, including security and health and safety. As a result, it is necessary to address these via the following guidelines.

1. Definition of Lone Workers

Lone workers in the Association are staff, officers or volunteers who work by themselves without close or direct supervision or assistance being close at hand. This includes any person who does not have others available to assist them in the case of an incident. This definition would include as 'lone workers' not only those completely alone in the building, but also anyone working who:

- is physically distant or isolated from others in the building (for example, there is no-one else on that floor of the building) and
- does not have with them means of contacting others in an emergency (radio or telephone).

It would also include those who undertake work for the Association not on the premises and where there is no assistance available, e.g. site visits to private premises such as flats.

2. Necessity

Where possible lone working should be avoided. This can be by several means:

- a) Proper work planning. Staff, officers or volunteers should plan their work as far as possible so that it is done with assistance at hand if required. Only where this cannot be done should lone working be contemplated. This would exclude lone working as a solution to time pressures resulting from poor planning, etc.
- b) Consideration of alternatives. This would include working at home, arranging to be accompanied, rescheduling work, closing areas during working hours, moving equipment to an occupied area, etc.
- c) Raising awareness of the hazards of lone working. This would be done through induction, training and risk assessment.
- d) Analysis of work procedures as part of the process of risk assessment.
- e) Restricting access to the building where assistance cannot be provided.

3. Protection of lone workers

Where lone working cannot be avoided, it is the duty of the Association to reduce the risks to lone workers as far as possible. This will be done by:

- a) Requiring advance notice of lone working.
- b) Requiring lone workers to complete a Lone Working questionnaire.
- c) Requiring lone workers to notify the Association at the start and end of each period of lone working.
- d) Requiring lone workers to have a previously established emergency contact and the means to communicate with this person.

- e) Restricting lone working where this involves the likelihood of serious hazard or where a Risk Assessment has not been carried out.

4. Enforcement

Failure to comply with this policy, as an integral part of the Health and Safety instructions of the Association, shall be a disciplinary offence.

5. Review

This policy shall be reviewed on an annual basis by the Health and Safety Committee.

Helping Customers with Disabilities

General Principles

- Treat all customers as you would like to be treated.
- Don't make assumptions or generalisations. There are ranges of abilities: not everyone requires or wants the same assistance, or even any assistance at all.
- Don't be afraid to ask what you can do to help. If you have question about the customer's disability, it is better to ask them about it. They will tell you if they are comfortable talking about their disability or not.
- Disabled customers are individuals. Don't treat a disabled person as if they are ill. In most cases they will interact with you the same way able customers would.

Help with Visually Impaired Customers

It's very important to note that the majority of legally blind and/or deaf individuals still have a range of vision and hearing. It is always best to ask or write down how you may be able to assist them.

The following scenarios should be easily adapted to other services staff may be required to administer.

Customer asked for directions (for example to the toilet)

- Do not grab or push individual towards location.
- Do not point, as individual may not see gesture
- If a customer requests that you guide them, ask how they would like to be assisted. For example, an individual may ask to hold your elbow for guidance.
- Warn customer about ramps, steps or other obstacles
- Always leave doors completely open or closed. Half open doors may not be picked up by a cane.

Serving a Visually Impaired Customer at the bar or at catering

- It is considered appropriate to identify yourself. They may not be able to see your name tag or uniform.
- When communicating with a visually impaired customer, always talk to them, not an interpreter or friend (if present)
- Provide large font menus and drink lists (available behind the bar).
- You do not need to raise your voice, as most visually impaired customers will have adequate hearing like you or me.
- When speaking to a visually impaired customer, look directly at them so that they can follow your voice with their eyes.
- When serving food, it may be appropriate to describe what is on the customer's plate. Use the clock method. Meat at 3 O'clock, beans at 7 O'clock, etc.
- Visually impaired customers should not require any assistance with paying in cash (they can usually differentiate between ranges of coins and bills). However, they may require assistance with electronic forms of payment.

Serving a Hearing Impaired Customer at the bar or catering

- Do make sure that your voice is adequately loud, but do not shout. Try to project your voice. Shouting can be interpreted as aggressive and may make the customer feel like a nuisance.
- Hearing impaired customers do not expect everyone to be able to sign fluently. Usually, they will try to communicate in English. They may say "I'm Deaf" or gesture and they may even speak. However, be prepared to write down - it is often the simplest and most effective means of communication. Make sure you have a notepad and pen handy as this may help more people than just the hearing impaired.
- As the position of the deaf person relative to a speaker can make all the difference to whether a voice sounds loud enough, do be considerate about this. Best practice is to be facing each other.
- Separate words. This automatically seems to make them seem clearer. Speaking slowly does not have the same effect.
- If the customer has an interpreter present, do not speak to the interpreter. Direct all conversations to the customer. They may be lip reading as well as signing with the interpreter.
- Try and communicate in a quiet environment (no music, background noise)
- Do not change the subject unless the customer is well aware of this.
- If you have a regional accent that the deaf person may be unfamiliar with, let them get used to it before you say anything of any significance.
- If Deaf people are dealing with staff who do not sign, they will often have to rely on lip-reading. Do not make this harder by having poor lighting or shadows on the face. Make sure the light is on your face not behind your head.

- Hearing impaired customers share the same visual world. You can use the same visual elements in the surroundings. In meeting with a Deaf person, use these visual clues. If you want to say the weather is nice, look up at the sky; if you want to complement the person on his tie or her dress, point to your tie or dress and speak with eye contact.

When serving a visually or hearing impaired customer, think first of how you would serve a customer without any disabilities. If you are uncomfortable with what a visually impaired customer is doing, tell them.

Help with Motion Impaired Customers (Wheelchair Users)

- Ask the wheelchair user if you can help. Do not assume that your help is needed or desired. Do not automatically start helping a wheelchair user. Your actions could do more harm than good. For example, grabbing a wheelchair in an incorrect manner may cause the wheelchair user to lose balance and fall.
- Customers who use wheelchairs have varying capabilities. Some customers who use wheelchairs can walk with aid or for short distances. They use wheelchairs because they help them to conserve energy and to move about with greater efficiency.
- Familiarize yourself with the building and its assistive aids (accessible Toilet, ramps, automatic doors, etc.)
- Think about obstacles. If your assistance involves giving directions, consider physical barriers, distance and other conditions that may hinder the wheelchair user's path.
- If you are assisting a wheelchair user with transferring from his wheelchair to a chair, car or other location, do not move the wheelchair out of reaching distance.
- Speak directly to the person who uses the wheelchair. If someone is accompanying that person (pushing the wheelchair, for example), do not talk to this companion about the person in the wheelchair.
- Speak to wheelchair users as you would to any other customer.