



## **The Westway**

### **Staff Handbook**

#### **Welcome to**

This handbook has been produced for the protection of both staff and trustees in the pursuit of the proper, fair and effective enactment of the work of the Westway It has been authorised by the Board of Trustees.

#### **Use of the Staff Handbook**

The Staff Handbook is designed to provide you with:

- Information about The Westway
- Details of your employment
- The policies, procedures and rules which you are expected to follow as a member of the Westway team.

A number of the policies, procedures and rules included in the Staff Handbook are referred to in your contract of employment. It is important to read the Staff Handbook carefully. If you have any questions about its contents, please raise them with the Westway Manager.

The information in the Staff Handbook will be updated as and when changes occur and it does not affect your statutory rights.

*Agreed by the Board of The Westway: July 2020*

*Signed: Jeremy Webster*

*Jeremy Webster  
Chair, Board of Trustees*

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## About The Westway

The Westway is a registered charity (Number: 1188850) supporting the local voluntary, community and faith sector across the district of Tandridge in Surrey. The Westway is managed by a Board of Trustees, and services are delivered by a small staff team, led by the Manager.

## The Westway Charity's objectives

*To benefit the residents of Caterham and the Neighbourhood by working with the local authority, voluntary and other organisations to provide facilities for recreation and leisure time occupation.*

*To relieve the needs of individual's resident in Caterham and the Neighbourhood in need by reason of age, ill health, disability, financial hardship or other disadvantage through the provision of services and facilities calculated to relieve their needs.*

## Joining The Westway

### Induction

- We want to help you settle into your role quickly. In your first few days you will meet your colleagues and you will receive information on The Westway, its policies and procedures and your terms and conditions of employment.
- If you have any questions about The Westway or what is required of you in your role, please ask your Manager.

### Probationary period

- On joining The Westway you will serve a probationary period – typically this is of three months. During this time, you will be provided with suitable training and development in the core tasks of your role. You will meet with your Manager at regular intervals to discuss your progress and your suitability for your role.
- If you do not reach the standards required by The Westway your employment may be terminated at any time during the probationary period with one week's notice (after the first month). The Westway reserves the right to extend the probationary period where required.

### Changes to personal details

- To help The Westway to contact you, especially in cases of emergency, it is essential that all information on your personnel records is complete, correct and up to date. Please inform the Manager of any changes in your personal circumstances such as your contact and emergency contact details by completing a Change to Personal Details Form.
- Your personal information is confidential and will not be released to outside sources without your prior authorisation.

## **Pay**

### **Payment of salaries**

- Salaries are paid monthly in arrears by internet bank transfer, on the last working day of the month. An individual payslip showing gross pay, fixed and variable deductions and net pay will be given to you each month. Your starting salary is that stated in your contract of employment. Salaries are reviewed once per annum.

### **Deductions from salaries**

- The Westway will make any deductions from your pay as required by law or as authorised by you in writing. In addition, The Westway reserves the right to make salary adjustments to your pay where an overpayment has been made or in cases of malicious damage which have resulted in dismissal.

### **Hours of work**

- Your normal hours are those set out in your contract of employment. Hours may be changed by agreement.

### **Extra hours**

- Employees may also be expected to work such other hours as may from time to time be requested or required by management. Extra hours worked may be taken off as time owed in lieu of payment with the prior approval of the Manager. The Westway will not normally pay overtime.
- You may be asked to keep a time record or timesheet when it is necessary for staff costs to be allocated to a specifically funded project.

### **Place of Work**

- Your normal place of work will be notified to you in your Contract of Employment.
- At the discretion of the Manager, depending on circumstances, employees may be allowed to work from home for specific periods of time.

## **Holidays**

- The holiday year runs from 1<sup>st</sup> October to 30<sup>th</sup> September, and the entitlement for a full-time employee on 37.5 hours per week is 20 days (150 hours) or calculated on a pro-rata basis.
- Annual leave entitlement will increase by one day (7.5 hours) after two years' service for each additional year of service, up to a maximum of 25 days (175 hours).
- All holiday requests are subject to approval by the Manager. You should aim to give a minimum of four weeks' notice for requests for complete weeks of holiday. Except in exceptional circumstances, you must give a minimum of three working days' notice when requesting an occasional day of holiday. Employees will be allowed to take a maximum of ten working days of holiday at one time.
- Holidays must be taken by 30<sup>th</sup> September each year. By agreement with the Manager a maximum of the equivalent of five days of leave may be carried over into the following holiday year. This 'carry-over' must be taken by 31<sup>st</sup> December in that following year.
- In the year of joining, or leaving, your entitlement will be adjusted on a pro rata basis based on the date of you joining or leaving.
- In addition to the above you are entitled to the UK's statutory days of holiday (currently eight) plus the period from 23 December until 1 January inclusive, during which time The Westway is closed. This will not affect your holiday entitlement.

## **Religious holidays**

- The Westway will not ask about your religion and will not discriminate against anyone wishing to celebrate their faith's festivals. You are required to use part of your normal holiday entitlement to cover time off for these. This time off request will be approved by The Manager subject to operational requirements.

## **Performance Management and Appraisal**

- The Westway's policy is that you should have regular feedback and meetings with your line manager about your performance and development, including an annual performance and development appraisal. Your manager will give you advance notice of your annual appraisal and appropriate preparation information. A record of the supervision or appraisal will be kept on your individual personnel file.
- If you resign, these records will be kept for one year, after which only summary information will be retained so that The Westway can provide references for potential employers if so requested by you.

## **Training and Development**

- The Westway places the highest value on training and development for its staff. We are committed to invest in the training of our staff so we can achieve our business objectives.
- We will agree initial training needs with you when you first start your probationary period and agree longer term development plans with you on a regular basis to enable you to perform your job as effectively as possible.

### **Pensions**

- The Westway conforms to the Pensions Act 2008 and the requirement for auto enrolment of eligible employees, or requests from other staff, into the workplace pension scheme. Pension enrolment will take place after three months service. In accordance with Government Legislation, every employee has one calendar month after being auto enrolled into a workplace pension scheme to opt out. If you decide to do this, you must contact your manager or a member of the Payroll Team.

### **Sickness Absence and Sick Pay**

#### **Eligibility**

- The Westway will normally pay Sick Pay at your normal rate of pay for absences of up to 4 days. This payment is entirely at the discretion of the business and subject to you following the reporting processes as outlined above.
- For longer periods of absence due to illness you may be entitled to Statutory Sick Pay (see following paragraphs).

#### **Absence reporting**

- You, or someone acting on your behalf, must report your absence from work owing to illness to the Manager by telephone on the first day of sickness and in advance of the time you are due to be at work. If the Manager is unavailable, you should leave a message with the office administrator who will record the call in the absence book. This record will be used to inform payroll of your absence. Text Messages are not an acceptable form of communication in this instance.
- When reporting your absence, you should give a clear indication of the nature of your illness and the likely date of your return to work. If your absence extends for more than 7 days you are required to contact the business once a week to update us with your continued incapacity.
- It would be really helpful to your colleagues if you would also provide details on any outstanding or urgent work that requires immediate attention.

### **Taking Sick Leave: Certification**

- If you are sick for 4 days or more in a row, up to and including 7 days, you must complete an Employee's Statement of Sickness upon your return to work which should cover all calendar days, including work days, weekends, public holidays and any days not normally worked (this is known as self- certification)
- From the eighth day onwards a Doctor's Statement of Fitness for Work (or fit note) is required. The fit note will say you are either "not fit for work" or "may be fit for work" and this can be obtained from your GP or hospital.
- If your absence is not continuously covered by a self-certificate, Doctor's statement or in-patient certificate, it may be treated as unauthorised absence and make you liable to action under the Disciplinary Policy.

### **Statutory Sick Pay**

- To qualify for Statutory Sick Pay (SSP) you must:
  - be classed as an employee and have done some work for your employer
  - have been ill for at least 4 working days in a row (including non-working days)
  - Qualifying days for SSP payment are the days you would normally have worked
  - Earn a minimum amount per week (at least £120, before tax, per week at 5<sup>th</sup> April 2020 - subject to review in April each year).
  - tell The Westway you are sick on the first day of illness
- The main features of the scheme are:
  - the first three days of incapacity are unpaid (called 'waiting days').
  - SSP is paid for up to 28 weeks.
  - once SSP is exhausted you may be entitled to other benefits through the Department for Work and Pensions.
  - if two periods of sickness are separated by less than eight weeks (56 days) then they are linked and the employee need not serve the waiting days again.
- Information on statutory sick pay can be obtained from HM Revenue & Customs

### **Return to Work**

- On return to work you should complete a Self-Certification Form and give it to the Manager. A 'fit for work' certificate is required should you wish to return to work before your medical certificate runs out.
- On return to work the Manager will have a return-to-work discussion with you in order to establish:
  - the reason for and cause of your absence.
  - your fitness to return to work.
  - whether you need any support or special considerations to return to work.

### **Long Term Sick Leave**

- Employees who are on long term sick leave may be asked to give permission for the Charity to contact their GP/Consultant or to meet with an occupational Health Advisor to seek advice on the best way for the employee to return to their role. The Company may, depending on the circumstances choose to invoke the capability procedure.

### **Sent Home**

- If while you are at work you decide that you are unwell and need to go home, for health and safety purposes you must inform the Manager before you leave your place of work. If you have worked less than 50% of your working hours for that day before going home, the remaining hours may be classed as absence and form part of your absence record.

### **Sickness Absence whilst on Annual Leave**

- If you fall sick during a period of annual leave you may be able to reclaim your holiday entitlement. You must notify the Manager, or in his/her absence the office administrator, by telephone on the first day of illness and then follow all the stages of the sickness reporting procedure. You must obtain a Doctor's report about your medical condition, even if this is less than seven days, if you wish to reclaim your annual leave.

### **Medical, Dental or Optician Appointments**

- When possible, medical appointments should be made outside of working hours. When this cannot be arranged they should disrupt your working schedule as little as possible, e.g. you make them early or late in the day. You may be asked to provide satisfactory evidence of appointments such as an appointment card or hospital letter.
- Where attendance for a medical or hospital appointment necessitates a complete day's absence from work, this will be treated as sick leave and the procedure for self-certification should be followed.

### **Absence during pregnancy**

- Pregnancy related absence will be dealt with separately from sickness absence in accordance with the Statutory Maternity Pay and Statutory Maternity Leave regulations. [www.gov.uk](http://www.gov.uk)

### **Antenatal care**

- All pregnant employees are entitled to time off with pay to keep appointments for antenatal care. Antenatal care may include relaxation classes and parent-craft classes made on the advice of a registered medical practitioner, midwife or health visitor.
- Except for the first appointment, you must show the Manager, if requested, a certificate from a registered medical practitioner, midwife or health visitor, confirming the pregnancy together with an appointment card or some other document showing that an appointment has been made.

### **Maternity, Paternity and Adoption**

- All qualifying employees are entitled to statutory maternity, statutory paternity and shared parental leave, and statutory adoption leave and pay. A qualifying employee must request and take leave according to the statutory procedure. Full details are contained in the relevant policies. The following is a summary of the key points, although these may change with future legislation:

#### **Maternity Leave**

- All pregnant employees are entitled to 52 weeks of maternity leave.
- The earliest that you can take maternity leave is 11 weeks before the expected week of childbirth, unless the baby is born early.
- Your employment contract continues as normal during maternity leave, with the exception of pay.
- You may qualify for up to 39 weeks' statutory maternity pay (SMP) or maternity allowance. Currently this is 90% of your Average Weekly Earnings (AWE) for the first 6 weeks, and then £151.20 (this figure is correct at 05.04.20 but subject to review each year) or 90% of your AWE, whichever is lower. Tax and National Insurance will be deducted from these payments.
- Women may be eligible to convert some of their maternity leave into shared parental leave that can be taken either by the woman or her partner.

#### **Paternity Leave**

- Eligible employees are entitled to one or two consecutive weeks of ordinary paternity leave on the birth or adoption of a child.
- Ordinary paternity leave normally has to be completed within 56 days of the birth or adoption.
- If eligible, you may be entitled to up to two weeks' statutory paternity pay.
- You are entitled to take unpaid time off during working hours on up to two occasions to accompany your pregnant partner/ child's mother to ante-natal appointments.
- Eligible employees expecting babies or adopting a child may be able to take up to three periods of shared parental leave if the child's mother/adopter curtails maternity or adoption leave or returns to work early.

## **Shared Parental Leave**

- Shared Parental Leave (SPL) starts if the mother returns to work or gives notice of her intention to do so. The partner can then start SPL as soon as the baby is born.
- Shared parental leave has to be taken within a year of the child's birth or adoption.
- Employees will lose the right to ordinary paternity leave if they take a period of shared parental leave in relation to the child first.
- Employees who request or take paternity leave or time off to accompany a woman to an antenatal appointment are protected against any detriment or unfair dismissal.

## **Unpaid Parental leave**

- If you have completed one year's service, then you are entitled to 18 weeks' unpaid parental leave for each child born or adopted. The leave can start once the child is born or placed for adoption with you, or as soon as you have completed a year's service, whichever is later.
- You can only take a maximum of 4 weeks each year for each child, unless agreed with the Manager.
- You can take this leave at any time up to the child's 18th birthday (or until five years after placement in the case of adoption).
- You must take Unpaid Parental Leave in blocks of whole weeks, unless you are taking it to care for a disabled child, when it can be taken in days if your Manager agrees.
- Part of a week counts as a full week in calculating unpaid parental leave taken for that year. For example, if a full time employee who normally works five days a week decides to take three days' unpaid parental leave and then returns to work, one full week is deducted from the 18-week entitlement.

## **Flexible working**

- You have the legal right to request flexible working.
- This is known as 'making a statutory application (<https://www.gov.uk/flexible-working/applying-for-flexible-working>)'.
- Employees must have worked for the same employer for at least 26 weeks to be eligible.
- The request can cover hours of work, job-sharing, times of work and place of work (e.g. working from home) and may include requests for different patterns of work such as compressed hours, annualised hours or flexitime.
- Full details can be found in the Flexible Working Policy.

## **Time Off for Public Duties**

- If you hold certain public positions (e.g. magistrate, local councillor, school governor, member of a Health Authority etc.), you may be allowed reasonable time off to perform the duties associated with that position.
- The amount of time off allowed will be at the discretion of the Manager and will take account of time off you have already received and the effect of the absence on the satisfactory running of The Westway. It is not mandatory that you will be paid for this time off by The Westway.

### **Jury Service**

- If you are selected for Jury Service, you must give the Manager a copy of the confirming letter. The Westway must then let you have reasonable time off unless there are serious impacts on business.
- You will not be paid by The Westway during your Jury Service, but The Westway will provide you with a Certificate of Loss of Earnings for you to submit to the Court as a Claim for Loss of Earnings upon completion of your Jury Service.

### **Special and Compassionate Leave Arrangements:**

- Employees who are parents are entitled to two weeks of parental bereavement leave if the child was still born or under 18 years of age. The time may be taken as a block of two weeks or as two individual weeks and at any time up to 56 weeks following the death of the child. You may be also entitled to parental bereavement pay.
- You are entitled to a reasonable amount of time off work, without pay, to deal with an emergency involving a dependant. There is no set or legal limit on this time as it depends on the situation. This does not apply to planned appointments or events.
- The Westway will give sympathetic consideration to your request for absence from work on compassionate grounds. Whilst you are expected to use your annual leave as far as possible for attending to personal affairs, special leave may be allowed in exceptional circumstances at the discretion of the Manager. Each request will be considered on its merits.
- Requests for unpaid leave will not normally be allowed except where they relate to the special circumstances described above.

### **Trade Union Membership**

- The Westway does not recognise any Trade Union. However, you are free to join or not to join a trade union if you so wish.
- If you wish to attend any events or undertake duties relating to your membership of a Trade Union, you must do so in your own time or submit a holiday request in the manner highlighted earlier in this Handbook.

### **Whistleblowing**

- The Public Interest Disclosure Act 1998 protects employees who have a reasonable belief that they are disclosing information for the public interest.
- If you become aware of anything you think may be illegal or improper occurring within The Westway you must report it to the Chair of Trustees or, if not available or appropriate, another of the Trustees.
- Any such wrongdoing disclosed must be in the public interest i.e. it must affect others such as the general public. Examples of such wrongdoing may include
  - a criminal offence, e.g. fraud
  - someone's health and safety is in danger
  - risk or actual damage to the environment
  - a miscarriage of justice
  - the breach of a legal obligation e.g. doesn't have the right insurance
  - you believe someone is covering up wrongdoing
- Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest and should be raised through the grievance procedure.

### **Equal Opportunities**

- The Westway is committed to encouraging diversity and eliminating discrimination in both its role as an employer and as a provider of services. Its aim is that staff and volunteers are truly representative of all sections of society and work in an environment where everyone is respected and able to perform to the best of their ability. The Westway policy is to provide equality and fairness for all in its employment and in its provision of services, including those seeking employment with us, and not to discriminate on the grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sex and sexual orientation, age, pregnancy/maternity, religion or belief.
- A copy of the full Westway policy on Equal Opportunities is available on file and can be inspected at any time.
- If you feel that that this policy has not been fully implemented then you should draw this to the attention of the Manager, in the first instance. If the matter is not resolved satisfactorily you may raise a grievance using the grievance procedures.

### **Disciplinary Procedure**

- The Westway wishes to ensure high standards from its employees. The Disciplinary Procedure enables The Westway to take appropriate action against you where your performance or conduct is unsatisfactory. A copy of the procedure is available on file in The Westway's Administration offices and may be inspected at any time. This procedure is based on the Advisory, Conciliation and Arbitration Service's (ACAS) Code of Practice.

### **Gross misconduct**

- If, after investigation, it is confirmed that you have committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:
  - malicious damage to property, equipment or information technology systems
  - deliberately accessing internet sites containing pornographic, offensive or obscene material
  - incapacity for work due to being under the influence of alcohol or illegal drugs
  - offensive behaviour such as physical violence, bullying, victimisation or gross insubordination.
  - serious breaches of health and safety rules and procedures,
  - theft, fraud, or deliberate action to bring The Westway into disrepute
  - serious misuse of our property or name, or serious breaches of confidence
- While the alleged gross misconduct is being investigated, you may be suspended without prejudice, during which time you will be paid your normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

### **Grievance Procedure**

- The Westway's aim is always to encourage employees to have an open and honest relationship with their line manager and colleagues and to raise any concerns about any aspect of their employment in an appropriate manner, in the first instance with your line manager. A copy of the Grievance procedure is available on file in The Westway's Administration offices and may be inspected at any time. This procedure should be used to settle all disputes or grievances which you may wish to raise concerning other employees, your work, the organisation or other matters relating to your employment. The purpose is to settle any grievance fairly, simply and quickly.
- The Disciplinary and Grievance procedures are not legally binding and do not form part of your contract of employment.

### **Capability Procedure**

- Where the Westway feels that a failure to meet required standards is a matter of capability rather than conduct, the Capability Procedure may be invoked instead of the disciplinary procedure.

### **Appeals**

- You are entitled to appeal against any disciplinary or capability warning or decision to dismiss. To do so you must notify the Manager or, in his/her absence, the Chairman of the Board in writing within five working days of receiving the written warning or other written notification of any decision. Your letter must specify the issues you wish to appeal against or contest.
- The Westway, in the form of the Manager, or if appropriate, two Trustees appointed by the Chairman, will hear the appeal within a reasonable time and decide the case

as impartially as possible, involving an independent other person as appropriate. You have a right to be accompanied at these appeal hearings.

### **Right to be accompanied**

- You have the right to be accompanied by a companion, Trade Union Representative or current work colleague at any formal disciplinary, grievance or appeal meeting. You do not have the right to be accompanied to an informal chat with your employer or to an initial fact-finding or investigatory meeting.

### **Health and Safety**

- The Westway has a legal duty to protect the health and safety of its employees and others. The Westway therefore requires all employees to adhere to the requirements of the The Westway Health and Safety Policy. This complies with the Health and Safety at Work Act 1974 and other relevant health and safety legislation.
- If you have any concern about health and safety, you should raise it with the Manager. The Board has overall responsibility for health and safety.
- Acceptance of, and adherence, to The Westway's Health and Safety Policy forms part of the contract of employment.
- The Westway has adopted a Health and Safety Policy which contains details of these responsibilities and arrangements. A copy of the policy is available on file in The Westway's Administration offices and may be inspected at any time. All employees are required to be proactive and familiarise themselves with the Health and Safety Policy. Acceptance of, and adherence, to The Westway's Health and Safety Policy forms part of the contract of employment.

### **Use of Computers**

- The Westway's IT, Internet and E-mail Policy is designed to protect The Westway's computer equipment, prevent inappropriate use and protect confidential data stored on computer files. You must ensure that your conduct conforms to the standards set out in this policy. Internet access and e-mail for personal use is permitted during unpaid break times only.

### **Data Protection and Confidentiality**

- In order to operate effectively and fulfil its legal obligations, The Westway needs to collect, maintain and use certain personal information about current, past and prospective employees as well as clients, suppliers and other individuals with whom it has dealings. All such personal information, whether held on computer, paper or other media, will be obtained, handled, processed, transported and stored lawfully and correctly., in accordance with the safeguards contained in the General Data Protection Regulation (GDPR) 2018.
- You must be aware of and comply with The Westway's policy on Data Protection, which is based on the Data Protection Act 1998 and subsequent legislation such as

the General Data Protection Regulations (GDPR). A copy of the policy is available on file in The Westway's Administration offices and may be inspected at any time.

- You must not disclose any confidential or sensitive information either while employed or after having left The Westway, unless specifically given permission to do so. Any breach of confidentiality will be dealt with under the disciplinary procedures and may lead to dismissal.

## **Smoking and Vaping**

### **Smoking Tobacco Products**

- The Westway operates a no smoking policy in all our premises and places of work. If you are found to be smoking on our premises, you will be subject to disciplinary procedures.

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### **Consumption of Alcohol and Drug Abuse**

- No-one, irrespective of their role within The Westway, should attend or undertake work when their performance is impaired by alcohol or other drugs, legal or illegal, prescribed or otherwise. And no-one should possess, use or transfer illegal drugs or other substances on The Westway's premises or while working on third party-controlled premises.

## **Professional Conduct and Public Statements**

- You will be seen as an advocate for The Westway outside the office, and you should conduct yourself accordingly.
- Where you feel that opportunities arise for press or media promotion of The Westway, you should raise this with the Manager or Chairman to ensure consistent and appropriate messages are shared.

## **Outside Activities**

- You must not engage in any activity which may prejudice the performance of your duties as an employee of The Westway. If you find yourself in a situation where there is a conflict or potential conflict of interest between your outside activities and your duties as an employee of The Westway, you must immediately report the matter to the Manager. You should not engage in any other paid employment without the consent of the Westway Manager or Chair of Trustees.

## **Mobile Phones**

- In order to preserve the smooth running of the office and to avoid disruption to employees, we ask you to limit the use of personal mobile phones during working hours to a reasonable minimum except in the case of emergencies. Our office number may be given out to friends and relatives for use in emergencies.

## **Expenses Policy**

- Westway staff are entitled to reimbursement of reasonable expenses incurred wholly and necessarily as a result of their work for the organisation, and these should be submitted on a form provided accompanied by receipts for the amount(s) claimed. This will include claims for car travel at the prevailing mileage rate prescribed by HMRC.

### **Additional Westway Rules**

- You may not remove Westway property from your place of work without the consent, in writing, of the Manager or Chair of Trustees.
- You are not permitted to trade privately on The Westway's premises, use The Westway's name for private purposes or to exhibit, or distribute literature for third persons, within the premises.
- You are not permitted to use The Westway's time, computers or other equipment for personal use without the permission of the Manager.

### **Termination of Employment**

- If you wish to resign you must give the required written notice to the Manager as stated in your contract of employment. This is normally one month's notice.
- If The Westway decides to terminate your employment you will be notified in writing. The Westway may give the equivalent pay in lieu of notice.
- On leaving The Westway you must return all items of The Westway's property e.g. mobile phone, laptop, and documentation. Failure to do so may incur a deduction from your final salary payment.
- In certain circumstances following the resignation of an employee, and for the benefit of the employee or the employer, or both, The Westway may require an employee to take what is commonly known as paid "garden leave" instead of working during the employee's notice period. The Westway has no obligation to provide work during this time, but all contractual benefits will continue to apply.
- Exit interviews may be conducted in order to learn of your experience of working for The Westway and to understand any changes in practices that would be of use for the future management of the organisation.

September 17<sup>th</sup> 2020