



**STAFF
POLICY HANDBOOK**

APPROVED 16 APRIL 2024

EQUALITY AND DIVERSITY

Thenue is committed to excellence and understands that this cannot be achieved without a commitment to ensuring that all our stakeholders have fair and equal access to our governance structures, services and employment opportunities. We seek to be an exemplar and all policies and services aim to be inclusive and underpinned by a commitment to equal opportunities and social justice. We recognise our customers and stakeholders have different needs and that our services should be accessible and relevant to all.

Our services focus on individuals and their particular circumstances and we are not influenced by stereotypical views and/or assumptions about particular groups. We will actively work to break down barriers to access services for different groups.

We will challenge discrimination based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation; actively promote equality and diversity; and ensure that the legislation and policy requirements within the nine protected characteristics of equality and diversity are implemented into all our working practices.

Please refer to the Equality and Diversity section of the Corporate Policy Handbook.

REVIEW

The policies within this handbook will be reviewed at least every three years or earlier if there is a change in legislation or good practice.

AMENDMENT REGISTER

Where any amendment or revision is made to the policies contained in this handbook, the appropriate section should be updated and the date amended accordingly. The former policy handbook should be kept in a separate file for reference purposes and to demonstrate an auditable trail of policy development.

All relevant personnel should be made aware of the amendments/revisions made.

Section/s	Amendment	Date approved by Board of Management	Next Review Date
All	Full handbook review	7 April 2015	April 2018
Lone Working	Adoption of new EVH policy	14 June 2016	April 2018
All	Full policy handbook review	27 February 2018	February 2021
Settlement Agreement	Introduction of new policy	24 September 2019	February 2021
Homeworking	Introduction of new policy	26 November 2019	February 2021
PVG – Disclosure Scotland	Regulatory update of policy	27 October 2020	February 2021
Homeworking - Interim	Interim policy during COVID-19 pandemic	27 October 2020	February 2021
All	Full policy handbook review	20 April 2021	April 2024
Hybrid & Flexible First Policy	Finalised policy replacing Interim Homeworking	15 August 2023	April 2024
All	Full policy handbook review	16 April 2024	April 2027

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OTHER SOURCES AND GUIDANCE

Please refer to our:

- Governance and Corporate policy handbooks
- The Statement of Terms and Conditions of Employment
- Health and Safety staff handbook
- Health and Safety control manual
- Associated procedures

ATTENDANCE MANAGEMENT

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1. INTRODUCTION

- 1.1 Thenue Housing recognises the importance of a healthy well-motivated workforce. All staff are encouraged to take an interest in the wellbeing of their colleagues and adopt a sympathetic approach to those with health problems.
- 1.2 It is recognised that many of our staff display good attendance records. It is also recognised that staff will on occasions be necessarily absent from work. However, Thenue also has a duty to provide a reliable service to customers and we thus need to ensure that we help staff maintain the highest possible level of attendance.
- 1.3 This policy is therefore designed to help all staff achieve good attendance, and to ensure that a consistent and fair approach in managing attendance is adopted throughout the association.
- 1.4 This policy is not intended to replace the Disciplinary and Grievance Procedures. The right of any staff member to raise a grievance or appeal on an appropriate issue is retained and at all stages trade union representation can be obtained.
- 1.5 It is intended that any issues relating to equalities, health, safety and welfare, any fears, phobias or allergies that may develop and affect or inhibit performance, can be raised, discussed and resolved appropriately during the 'return to work' or 'personal development review' process.

2. AIMS OF THE POLICY

- 2.1 To manage attendance in a way that reflects genuine concern for staff, and to develop a positive attitude towards attendance.
- 2.2 To seek to identify the causes of absence and wherever possible develop a programme of preventive measures - such as reviewing working environment, nature of work etc.
- 2.3 To make sure all staff are aware of Thenue's standards of expected behaviour in relation to attendance (we strive for maximum attendance from everyone), to ensure both service delivery to customers and support to workplace colleagues.
- 2.4 To ensure training and support is available to those involved in the process.

3. PRINCIPLES

- 3.1 All staff are made aware of the importance of good attendance and all staff will strictly adhere to absence reporting procedures. Staff are required to contact their line manager on their first day of absence and at least weekly thereafter. Recording and monitoring will be through our attendance & time management system.
- 3.2 In the first instance staff with unsatisfactory attendance records will be given time and encouragement to improve. Staff members will be consulted where attendance standards remain poor and will be advised of the consequences of continued poor attendance. Efforts will be made to identify and assess reasons for a staff member's

absence.

- 3.3 Managers will conduct “return to work” interviews in accordance with agreed procedures.
- 3.4 If the staff member does not follow reporting, certification, or agreed keeping- in-touch arrangements, Thenue may withhold Sickness Benefit payments and/or take disciplinary action.
- 3.5 Thenue reserves the right to initiate and maintain contact with the staff member.
- 3.6 Any serious disciplinary action will only be considered following appropriate contacts with relevant medical advisors, thorough investigation and the opportunity for trade union representation.

4. MANAGING ABSENCE

- 4.1 The procedures for dealing with absence and return to work will depend on the nature and frequency of the absence. Guidance for staff and line managers are contained within the absence management procedures.

SABBATICAL

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1. INTRODUCTION

Thenue recognises that many people, at some stage in their working life, require time off work for a number of reasons.

A sabbatical which may also be referred to as a career break, is when an employee is guaranteed re-employment with the organisation at the end of the break, provided that they have adhered to the terms and conditions of the agreement. The job the staff member returns to will be of equal status but there is no guarantee of returning to the same post.

2. BACKGROUND

This scheme:

- helps Thenue to retain trained, experienced staff members, many of whom have potential for further development;
- may enhance Thenue' image in the recruitment market;
- exemplifies Thenue' commitment to equal career opportunities for all staff.

3. ELIGIBILITY

To be eligible for a sabbatical an employee must:

- Have completed at least two years continuous service.
- Have a satisfactory performance record in line with Thenue' policy and processes
- Have a satisfactory attendance record in line with Thenue' policy and procedures
- Indicate a firm intention to return to work.
- Have no live disciplinary warning

Each case will be considered on its own merits in light of personal circumstances and Thenue's business operational needs. The commencement and time allowed for each career break will be dictated by the needs of the business.

4. LENGTH OF CAREER BREAK

A sabbatical is available for a minimum of 3 months to a maximum period of 12 months. An employee can take a maximum of 2 sabbaticals. If an employee wishes to apply for a second sabbatical, they must have further 2 years continuous service from the first break.

5. APPLICATION PROCEDURE

An application for a sabbatical must be made to the Chief Executive at least 3 months before the requested start date of the sabbatical. The employee should complete, in full, a sabbatical form which is available on the intranet.

Confirmation of acceptance or non-acceptance will be made in writing, to the employee, within 30 days of the application.

6. EFFECTS ON TERMS AND CONDITION OF EMPLOYMENT

- 6.1 During the leave of absence the employee will have no entitlement to payment of salary, holiday or sick leave or any other mandatory benefits.
- 6.2 The period of unpaid leave of absence will not be considered as reckonable service. However, in the event that pension contributions are made for the period of unpaid leave of absence, it will be treated as reckonable service. On the staff member's return to full time work continuity of employment will be recognised.
- 6.3 **Pension and Death Benefit Scheme** – If the employee is entitled to the Death Benefit Scheme as per their terms and conditions of employment, it shall continue to apply during the employee's period of leave of absence and shall be calculated by reference to the earnings immediately before such period of absence commenced.
- 6.4 **Pension Scheme** – Employer pension contributions will be suspended for the duration of the leave and the period will therefore not count towards the pensionable service. Upon return from the employees leave they will be entitled to make good all contributions to the Association's Pension Scheme omitted during the leave of absence within a period agreed by the Scheme Trustees. The employer will not however invoke contributions for that period.
- 6.5 **Professional Membership Fees** - During the period of unpaid leave of absence, Thenue will not pay any professional subscriptions in respect of membership of professional bodies.
- 6.6 **Redundancy** - If redundancy should occur during a sabbatical, the staff member will be contacted, in writing, and dealt with under Thenue' Redundancy Procedure.
- 6.7 **Increments** – Staff returning from sabbatical will not be entitled to an incremental increase unless they have been back at work for 6 months prior to 1st April. Staff, will however, be eligible to receive Thenue' cost of living rise in place at the time of their return to work.

7. MAINTAINING CONTACT

Where possible regular contact should be maintained with Thenue throughout the break. The frequency and method of contact will be agreed between the employee and their line manager. A monthly information pack containing any circulars, newsletter and other relevant material will be sent to any employee on a sabbatical by their line manager. Any relevant information will be sent to the employee's home address or agreed email address.

8. ALTERNATIVE EMPLOYMENT

- 8.1 The period of unpaid leave of absence is granted on the understanding that the staff member will not take up any paid work during this period. If they should do so then they will automatically lose their right to return to work unless previous approval is granted by the Chief Executive and confirmed in writing.

9. POSTPONING THE DATE OF RETURN

- 9.1 By Thenue:
If there are no suitable vacancies Thenue may postpone the date of return for up to 28 days. The employee will be informed of the revised date in writing. If Thenue postpones the date of return, the employee will not be paid any salary or other benefits during the postponement. However, the period of postponement will count towards the continuous service.

- 9.2 By the employee on medical grounds:
The date of return may be postponed by the employee on medical grounds only. The maximum period of postponement allowed is 28 days. If the employee is unable to return to work after this period Thenue may review the right to return to work. The employee will not be paid any salary or other benefits during the postponement but the period of delay will count towards continuous service.

10. RETURNING TO WORK

An employee must give 3 months' notice in writing to the Chief Executive of their intention to return to work. Failure to do that will be treated as a resignation.

If a staff member fails to return to work after their sabbatical they will lose their right to return to work. Thenue will assume that the employee has resigned from their post which will be effective from the end of their sabbatical.

When the employee returns to work their line manager will conduct a re-entry meeting and cover areas such as changes within Thenue, salary and holiday entitlement.

**THENUE ASSOCIATION LTD RESERVES THE RIGHT TO ALTER
OR WITHDRAW THE SCHEME AT ANY TIME**

CODE OF CONDUCT FOR STAFF

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1. INTRODUCTION

There are references throughout this Code of Conduct (the Code) to 'you' and 'your' which means the member of staff of Thenue who has signed this Code. References to 'we', 'us' and 'our' mean Thenue.

- 1.1 Thenue attaches the greatest importance to ensuring that high standards of behaviour are demonstrated by all of our people and in all of our activities.
- 1.2 This Code of Conduct sets out the standards of conduct required of you as a member of our staff.
- 1.3 As a Registered Social Landlord (RSL), we are required to adopt and comply with an appropriate Code of Conduct¹. This Code is based on the Model Code of Conduct produced by the Scottish Federation of Housing Associations and EVH² – Supporting Social Employers. The Scottish Housing Regulator (SHR) has confirmed that this Code fully complies with its Regulatory Standards and their input during the production of this code is acknowledged
- 1.4 You must make yourself familiar with the terms of this Code and act in accordance with its requirements at all times. You are required to sign the Code (in the 'Statement of the Acceptance' on p9) to confirm that you have read and understood the terms of the Code and you have a personal responsibility to uphold the requirements of this Code.
- 1.5 You must also ensure you are familiar with, and comply with, all of our policies.
- 1.6 If there are any aspects of this Code, or of any of the related policies, on which you are unclear, you must seek guidance from your manager. Our People and Culture Manager, or our People and Culture Officer will also be able to give guidance where you are unsure how the Code or related policies apply in a particular situation.

2. WHO THE CODE APPLIES TO

- 2.1 This Code of Conduct applies to everyone who works for us whether employed directly or otherwise.
- 2.2 A copy of this Code will be given to every person that it applies to.

3. HOW THE CODE IS STRUCTURED

- 3.1 The Code is based on the Nolan Principles on Standards in Public Life³ which are recognised as defining good conduct for those who work for the public using public money.
- 3.2 We have defined three groups of principles as the basis for the Code:

4 Honesty and Integrity

5 Openness and Accountability

6 Selflessness, Objectivity, Leadership

¹ Scottish Housing Regulator, April 2012, [Standards of Governance and Financial Management](#): Standard 5 and guidance 5.24.

² Employers in Voluntary Housing

³ Committee for Standards in Public Life 1994, [Nolan Principles on Standards in Public Life](#)

- 3.3. Each of the three sections begins with a statement of principle. This is followed by a number of provisions which set out the requirements of the Code in more detail.

The Code is not exhaustive and it should be remembered that all staff members of RSLs are responsible for ensuring that their conduct at all times meets the high standards that the RSL sector is recognised for upholding. As well as observing the detail of the Code, you should apply its intention and spirit to all situations in employment.

You are required to sign the Statement of Acceptance at the conclusion of this code on page 9 which also outlines the implications for any breach of the code.

4. HONESTY AND INTEGRITY

You must act at all times with honesty and integrity. You must not use, or seek to use, your position to gain financial or other benefit for yourself, your family or friends.

Gifts And Hospitality

- 4.1 You must act, and be seen to act, wholly in the interests of our organisation, our residents and other service users. You should not benefit improperly from your position.
- 4.2 You must not accept any offers of gifts or hospitality from individuals or organisations which might reasonably create – or be capable of creating – an impression of impropriety, influence or place you under an obligation to these individuals or organisations. You must comply with our policy on the matter.

Prevention Of Bribery

- 4.3 We must comply with anti-bribery legislation. We must adopt, and comply with, anti-bribery and corruption policies.
- 4.4 We forbid all forms of bribery - meaning a financial or other advantage or inducement intended to persuade someone to perform improperly any function or activity. You must not offer, seek or accept bribes and must comply with our policy on bribery. Offering, seeking or accepting bribes will result in disciplinary action and may also result in criminal prosecution.
- 4.5 You must report to your manager, or our People and Culture Manager any instances of suspected bribery within the organisation or any external organisation with which we have dealings.

Personal Benefit

- 4.6 You, or someone closely connected to you, cannot as a result of your role with us receive preferential treatment relating to any services provided by the organisation or its contractors/suppliers, and you should be able to demonstrate this
- 4.7 You must not use, or seek to use, your position to promote your personal interests or those of any person with whom you are closely connected or the interests of any business or other organisation with which you have a connection. (Appendix 1 defines what is meant by 'closely connected').

Resources, Facilities, And Premises

- 4.8 You must use our resources, facilities and premises only for the purposes intended and in a responsible and lawful manner. This includes office premises, telephone, computer and other IT facilities, equipment, stationery, transport and staff.

Reasonable personal use of office telephones and computers and company mobile telephones is permitted but must be kept to a minimum. Our IT and Electronic Communications Policy gives further information including what is meant by 'reasonable personal use'.

- 4.9 You must comply with all of our relevant policies, including (but not exclusively) usage of internet & email social media, health & safety, equal opportunities and dignity at work.
- 4.10 You must not undertake work for another organisation - or for any personal business - on Thenue' premises nor use our resources or facilities for such a purpose, unless you have specific permission from your line manager.

Funds And Expenses

- 4.11 Our funds must be safeguarded from abuse, theft or waste. You must at all times apply and observe all of our financial regulations and internal controls.
- 4.12 You must comply with our relevant policies when procuring goods/services or claiming expenses.

Tenants/Service Users And Money

- 4.13 As a general rule, in relation to tenants and service users you must not:
- Give or loan them money.
 - Receive a gift or loan of money from them.
 - Invite or influence them to make a will or trust under which you are named as executor, trustee or beneficiary.
- 4.14 In circumstances where you have a declared family connection to a tenant/service user, common sense will be applied and the organisation would not seek to impose restrictions on the private exchange of money between you and that individual.

General Responsibilities

- 4.15 You must not act in a way that unjustifiably favours or discriminates against particular individuals, groups or interests.

You should be aware that under the Equality Act 2010, the following nine characteristics are specifically protected: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 4.16 In presenting information you must set out the facts and relevant issues truthfully.
- 4.17 You must avoid any situation that could give rise to suspicion or suggest improper conduct.

5. OPENNESS AND ACCOUNTABILITY

You must declare all relevant personal interests. You must handle information in accordance with our policies and procedures. You must report to the appropriate senior person within Thenue any reasonable and honest suspicions you may have about possible wrongdoing.

Declaring Interests

- 5.1 We must ensure that no conflict arises, or could reasonably be perceived to arise, between your duties and your personal interests, financial or otherwise. You must declare, and manage openly and appropriately, any actual or potential interests or conflicts.
- 5.2 Where you have a personal, business or financial interest in any matter that is relevant to our activities or is being considered (or is likely to be considered), or you know that someone to whom you are closely connected has such an interest, you must declare it promptly and record it in our Register of Interests.
- 5.3 You must keep your entry in the Register of Interests complete, accurate and up to date.

Handling Information

- 5.4 You must observe and uphold the legal requirements and our policies in respect of the storage and handling of information, including personal and financial information. Our Data Protection Policy gives further guidance.
- 5.5 You must respond to requests for information positively and must not prevent people or bodies from being provided with information that they are entitled to receive.
- 5.6 You must not use confidential information acquired through your work as one of our employees for your private interests or any other purpose for which it is not intended.

Respecting Confidentiality

- 5.7 You must respect confidentiality and ensure that you do not disclose information to anyone who is not entitled to receive it, both whilst you are a member of staff and after you have left our employment.
- 5.8 Unless specifically authorised to do so, you must not make comments or statements in public or to the media, or pass any documents or other information to the press or media about us or our activities. If you are approached by the press or other media you must quickly pass the enquiry to our Chief Executive or Director of Community Housing.
- 5.9 You must not publish any material or deliver any lecture or address any issues relating specifically to us or our activities without prior approval.

Using Social Media

- 5.10 We respect your right to a private life, and that includes joining any social media sites that you wish. However, as information posted on such sites is classed as public and not private, you must not disclose any private or confidential information relating to us, our customers, partners, suppliers, board members, or employees on any social networking sites, bulletin boards, blogs or similar. (See also 6.12 under “**UPHOLDING OUR REPUTATION**”). This applies whether you are posting under your own name or a pseudonym.

Reporting Concerns

- 5.11 If you become aware of any actual or potential fraud, corruption or wrongdoing, or breaches of this Code, you must report this to your manager or to our People and Culture Manager or Chief Executive. You may do so on a confidential basis. Our policy on whistleblowing gives further information.
- 5.12 You must not victimise any person who has used - or intends to use, or is suspected of having used - our confidential reporting or whistleblowing procedures to report any actual or alleged fraud, corruption or wrongdoing by others.

6. SELFLESSNESS, OBJECTIVITY AND LEADERSHIP

You must act in the best interests of Thenue at all times within the framework set by the organisation, working to promote our aims and objectives, upholding our values and setting a good example by your own conduct.

Fulfilling Your Role

- 6.1 You must comply with your terms of appointment and our policies and procedures relating to your role.
- 6.2 You must fulfil your duties responsibly, exercising reasonable skill and care and acting at all times in our best interests and that of our tenants and other service users.

As an organisation, we always aim to put the needs of our tenants and service users first, and we expect all of our staff to do the same in their day to day work, within the framework of our policies and procedures.

- 6.3 You must work to promote our aims and objectives and in accordance with the relevant legal and regulatory requirements (including those, as applicable, of the Scottish Housing Regulator, the Office of the Scottish Charity Regulator, the Financial Conduct Authority and the Care Inspectorate).

If you are in doubt as to the legal and regulatory requirements that are relevant to your role, you must seek guidance from your manager.

- 6.4 You must work at all times in accordance with our policies and procedures and not allow your own personal or political opinions to affect the way in which you carry out your duties. This does not impinge on your right to be an active citizen or, for example, to be an active trade unionist.
- 6.5 You must take direction from your line manager, other senior managers and the governing body, and exercise responsibly any authority that comes with your role as a staff member.
- 6.6 You must not seek to use informal channels to influence the governing body regarding decisions to be made about the conduct of our business.
- 6.7 You must consult your manager before taking on any outside work or any position (paid or unpaid) that will in any way impact on your role with us. Any such work or position must not interfere with your existing job or conflict with our interests. Appendix 1 (p10-p13) gives more details on declaring interests.
- 6.8 You must participate in any necessary training, and play an active part in our performance

appraisal process. You will contribute to the identification of any personal training needs you may have in order to keep your professional skills and knowledge up to date.

Working With Tenants And Other Service Users

- 6.9 You must maintain high standards of professionalism, fairness and courtesy in all your dealings with tenants and other service users.
- 6.10 You must not allow any personal relationship with a tenant or other service user to conflict with the conduct of your role and responsibilities.
- 6.11 You must use the appropriate channels for handling tenancy and service provision issues. You must not act outside our established procedures in any matter concerning any tenant or other service user.

Upholding Our Reputation

- 6.12 You must not act in a way that could reasonably be regarded as bringing us into disrepute. This would include publicly making any derogatory comments about the organisation, its staff, governing body members, service users, partners and anyone that we are doing business with.

If you have a grievance or concern relating to a member of staff or of the governing body, or have any concern about potential wrongdoing, you should discuss it with your line manager or with the People & Culture manager

- 6.13 You must always be a positive ambassador for us and our work, especially when attending events as a member of our staff or in dealing with outside bodies.

Showing Respect For Others

- 6.14 You must treat others with respect at all times. This includes considering the views of others and being tolerant of differences.
- 6.15 You must adhere to both the letter and the spirit of our equality and diversity policy. See also 4.15 on p4 about the need to avoid discrimination of any kind.
- 6.16 You must always conduct yourself in a courteous and professional manner. You must not, by your actions or behaviour, cause distress, alarm or offence.
- 6.17 You must not harass, bully or attempt to intimidate any person.
- 6.18 You must take care when displaying materials in the office and ensure that these would not reasonably cause offence to your colleagues. If in doubt, consult your line manager before displaying any materials.
- 6.19 When attending meetings, you must be courteous to all attendees and respect the position of the meeting chair or convenor. You must also ensure that mobile phones are switched off/on silent other than in very exceptional circumstances where it is necessary to take an urgent call.

7. BREACH OF THE CODE

As a member of staff, you have a responsibility to promote and uphold the requirements of this Code. If you consider that you may have breached the Code, or have witnessed or become aware of a potential breach by another staff member, you should immediately bring the matter to the attention of your manager or People and Culture Manager.

Any material breach of the Code will be considered under our disciplinary procedures and may result in a disciplinary action being taken, which may include dismissal.

As a member of staff, you have a duty to co-operate with and contribute to any investigation relating to a potential breach of the Code or an associated matter.

You must sign the below statement of acceptance once you have read and understood this Code and its requirements.

8. STATEMENT OF ACCEPTANCE

I have read and understood the terms of this Code of Conduct and I agree to uphold its requirements in all my activities as a staff member of Thenue.

I confirm that I am aware that I must declare and manage any personal interests in accordance with our policy. I agree to review all relevant Registers regularly to ensure that all entries relating to me are accurate.

I understand that, if I am found to have breached any points mentioned in this Code of Conduct or acted against its spirit, action will be taken in accordance with Thenue' disciplinary procedures and could ultimately result in my dismissal.

Signed

Date

This Code of Conduct was adopted by the Governing Body on 16 April 2024 and will be reviewed not later than April 2027.

Appendix 1

DECLARING AND MANAGING PERSONAL INTERESTS

1. INTRODUCTION

- 1.1 Being a member of Thenue' staff is of course only one part of your life. Other aspects of your life - such as family, friends and neighbours, voluntary work, causes you support, possibly business or financial interests, possibly your own housing arrangements - may have the potential to cross over into your role as a staff member.
- 1.2 However, as we are an organisation that works for the community [and uses public funds], it is essential that there is no conflict - and that there can be no reasonable perception of conflict - between your duties as a member of staff and your personal (or personal business or financial) interests.
- 1.3 Any potential conflict between your position as a member of our staff and your other interests must be openly declared and effectively managed so as to protect the good reputation of Thenue and the RSL sector.
- 1.4 As stated in the Code (provision 5.1) where you have a personal business or financial interest in any matter that is relevant to our activities or is being considered (or is likely to be considered), or you know that someone to whom you are closely connected has such an interest, you must declare it promptly and record it in the Register of Interests.
- 1.5 This Appendix gives further guidance on how to declare and manage any personal (including personal business or financial) interests.

2. EXAMPLES OF INTERESTS THAT MUST BE DECLARED

- 2.1 The following are examples of the kind of interest that you must declare. Please note that this list is not exhaustive, and there may be other interests that you should also declare.
 - Tenancy of a property (by you or someone to whom you are closely connected) of which we are the landlord.
 - Occupancy or ownership of a property (by you or someone to whom you are closely connected) which is factored or receives property related services from us.
 - Receipt of care or support services from us.
 - Membership of a community or other voluntary organisation that is active in the area(s) we serve.
 - Voluntary work with another RSL or with an organisation that does, or is likely to do, business with us.
 - Membership of the governing body of another RSL.
 - Being an elected member of any local authority where we are active.
 - If you purchase goods or services from us.
 - If you purchase goods or services from one of our contractors or suppliers.
 - Significant shareholding in a company that we do business with.
 - Membership of a political, campaigning or other body whose interests and/or activities may affect our work or activities.
 - Ownership of land or property in our areas of operation excluding for the purpose of your own residential use (i.e. there is no requirement for you to declare any house in which you currently live).

- Unresolved dispute relating to the provision of services in connection with a tenancy or occupancy agreement or a contractual dispute over the provision of goods or services with us.
- 2.2 If you are not sure whether a certain matter needs to be declared, you must seek guidance from your manager or from our People and Culture Manager. If doubt remains, the advice would always be to declare the matter.
- 2.3 You should note that in some circumstances, declaration of an interest may not be sufficient, and that it may be necessary for the organisation to take additional measures to deal satisfactorily with the situation so as to protect the probity and reputations of both yourself and the organisation.

3. DEFINITION OF 'CLOSE CONNECTION

- 3.1 Someone 'closely connected 'to you includes family members and persons who might reasonably be regarded as similar to family members even where there is no relationship by birth or law.
- 3.2 As well as considering your own actions, you must be aware of the potential risk created by the actions of people to whom you are closely connected. Who you should consider, and our expectations of you to identify and declare such actions are outlined in Table A on page 12.

Table A

Group	Required Response
<p>1. Members of your household</p> <p>This includes:</p> <ul style="list-style-type: none"> • Anyone who normally lives as part of your household (whether related to you or otherwise) • Those who are part of your household but work or study away from home 	<p>We expect you to be aware of and declare any relevant actions of all people in your household. You must take steps to identify, declare and manage these.</p>
<p>2. Partner, Relatives and friends</p> <p>This includes:</p> <ul style="list-style-type: none"> • Your partner (if not part of household) • Your relatives and their partners • Your partner’s close relatives (i.e. parent, child, brother or sister) • Your close friends • Anyone you are dependent upon or who is dependent upon you • Acquaintances (such as neighbours, someone you know socially or business contacts/associates) 	<p>Where you have a close connection and are in regular contact with anyone within this group, we expect you to be aware of and declare any relevant actions. Under these circumstances, you must take steps to identify, declare and manage these actions.</p> <p>Where you do not have a close connection and regular contact with someone in this group, we do not expect you to be aware of or to go to unreasonable lengths to identify any relevant actions. However, if you happen to become aware of relevant actions by such individuals, then these should be declared and managed as soon as possible.</p>

3.3 What You Need To Consider

The following are the relevant actions /involvement by those to whom you are closely connected that you should consider, declare and manage as per our expectations outlined in Table A:

- A significant interest in a company or supplier that we do business with. A significant interest means ownership (whole or part) or a substantial shareholding in a business that distributes profits, but does not include where an individual has shares in large companies such as banks, utility companies or national corporations, i.e. where owning shares would not give the individual any significant influence over the activities of that organisation.
- Where the individual may benefit financially from a company with which we do business
- Involvement in the management of any company or supplier with which we do business

- Involvement in tendering for or the management of any contract for the provision of goods or services to us.
- Application for employment with us.
- Application to join our Board or any of its subsidiaries
- Application to be a tenant or service user of the organisation
- If they are an existing tenant or service user of the organisation

4. DELARATION OF INTERESTS

- 4.1 All new members of staff are required, on appointment, to complete a declaration of interests form when they join Thenue. This is to register any personal interests that could potentially conflict with their role and thereafter to complete a new form (or amend the existing form) whenever there is a material change.
- 4.2 As stated in the Code (provision 5.2), you must keep your entry in the Register of Interests up to date, add any new interests as soon as they arise, and amend existing interests as soon as any change takes effect.
- 4.3 A situation may arise where you are invited to be present at a meeting where a matter in which you have a personal (or a personal business or financial) interest is discussed. In such cases you must inform the meeting chair at the start of the meeting, or as soon as you become aware that this is the case. You would then be required to leave the meeting for the duration of the particular item. If in any doubt, you should ask the meeting chair or another senior person present for guidance. This applies to all meetings that you attend as a member of our staff – both internal and external.
- 4.4 Any failure to make a complete, accurate and prompt declaration - whether deliberately or through taking insufficient care - will be regarded as a breach of this Code.

DIGNITY AT WORK

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1. INTRODUCTION

Thenue is committed to providing a working environment which is free from harassment, bullying and intimidation of any nature. Every staff member, governing body member, agency worker, contractor, and consultant of Thenue has a responsibility to treat all colleagues with dignity and respect, regardless of any personal characteristic. Under legislation there are certain characteristics protected from the area of harassment, Thenue will acknowledge these and also extend this protection to all within Thenue. The terms bullying and harassment will be used throughout this policy to mean dignity at work.

2. BACKGROUND

The definitions concerning some of the terminology used within the scope of dignity at work have changed over the years. Most recently the Equality Act 2010 provided a legal definition of harassment but there is still no current legal definition of bullying. However ACAS provides a definition which is widely recognised as being best practice.

3. LEGAL FRAMEWORK

Harassment is the only term relating to this policy that is covered under legislation in the Equality Act 2010, however there are a number of legal principles contained in the following legal documents that will apply as follows:

- The Equality Act 2010
- Breach of contract - usually breach of the implied term that an employer will provide support to staff members to ensure that they can carry out their job without harassment and disruption from colleagues
- The common law position to take care of the safety of workers.
- Employment Rights Act 1996 – constructive and unfair dismissal
- Personal Injury protection including the duty to take care of workers arising out of the law of Tort
- Health & Safety at Work Act 1974
- Trade Union and Labour Relations (consolidation) Act 1992 dealing with specific types of intimidation
- Protection for Whistleblowers under the Public Interest Disclosure Act 1998
- Criminal Justice and Public Order Act 1994

4. DEFINITIONS

Harassment: unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Thenue will extend this definition to include all and will not be restricted to those identified as having a protected characteristic.

Bullying: Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Protected Characteristics: The legal grounds in which discrimination claims can be made; i.e. age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation.

5. POLICY PRINCIPLES

This Dignity at Work Policy aims to:

- Ensure integration of diversity into all aspects of our business
- Ensure that all staff members, governing body members, agency workers, contractors, and consultants are treated with respect and dignity from each other, and members of the public
- Ensure that all staff members, governing body members, agency workers, contractors, and consultants respect the differences within the community they serve and treat customers and members of the public accordingly
- Provide a working environment where all backgrounds, cultures, values and lifestyles are respected and treated with dignity at all times.

6. IMPLEMENTATION OF POLICY

We will ensure that all new staff members & governing body members will receive an induction on this policy. The policy will be integrated into all policies and procedures within Thenue.

Copies of this policy will be issued to all staff members and governing body members, and will be available to all who request it.

This policy applies to all staff members, governing body members, agency workers, contractors, and consultants of Thenue and therefore all mentioned parties, have a responsibility to abide by the principles outlined above and also to alert their line manager should any behaviours be witnessed which breach this policy.

Unacceptable behaviour and practices will not be tolerated. However, if or when a situation arises it will be dealt with immediately, as inaction is not an option. Behaviours found to be breaching this policy will be regarded as misconduct and will be dealt with appropriately and in accordance with the relevant policies, including code of conduct and disciplinary.

DISCLOSURE SCOTLAND PROTECTING VULNERABLE GROUPS AND DISCLOSURE CHECKS

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1. INTRODUCTION

Disclosure Scotland provides a criminal record disclosure service to enhance security and public safety and to protect the vulnerable in society through enabling safer recruitment. In February 2011, the Scottish Government introduced a new membership scheme to replace and improve upon disclosure arrangements for people who work with vulnerable groups. The PVG Scheme delivers on the provisions outlined in the Protection of Vulnerable Groups [PVG] [Scotland] Act 2007 and helps to ensure that individuals who have regular contact with children and protected adults through paid and unpaid work do not have a known history of harmful behaviour.

It is now quick and easy to use, reducing the need for PVG members to complete a detailed application form every time a disclosure check is required. It also strikes a balance between proportionate protection and robust regulation and makes it easier for employers to determine who they should check to protect their client group.

The PVG Scheme is managed and delivered by Disclosure Scotland which, as an executive agency of the Scottish Government, takes decisions, on behalf of Scottish Ministers, about who should be barred from working with vulnerable groups.

Organisations across all sectors including private and voluntary sectors that provide services, activities and amenities for children and protected adults must ensure that appropriate workers are checked and become members of the scheme.

People, who work with vulnerable groups on a regular basis, should join the PVG Scheme and thereafter their membership records will be updated automatically if any new vetting information arises. Vetting information is conviction information retrieved from the criminal justice systems and non-conviction information held by police that is considered to be appropriate.

PVG Scheme members are continuously monitored for new vetting information and any information which comes to light which may indicate that they are unsuitable to do regulated work will lead to a consideration for listing.

The scheme strengthens the safeguards for children and improves protection for adults. A protected adult is a person aged 16 or over, who receives one or more types of care or welfare service either regularly or for a short period of time.

The purpose of the “protected adult” is to distinguish the category of adult requiring protection and to avoid labelling adults solely on the basis of having a specific condition or disability. This definition assists employers in identifying the services that make an adult “protected” and assess which posts constitute regulated work and therefore, a PVG scheme check.

2. DETERMINING IF A JOB ROLE IS WITHIN THE SCOPE OF THE PVG SCHEME

It is the organisation’s responsibility to identify the duties contained in a role, the client base the post holder will interact with, conduct a risk assessment and determine whether or not the post requires PVG membership. Appendix 1 lists examples of roles within Thenue which require either PVG membership or a disclosure check.

The PVG Scheme provides three different disclosure records for this purpose, which replaces the use

of standard and enhanced disclosures for work with vulnerable groups. The three types are:

- Scheme Record – People who want to join the PVG Scheme to do regulated work for an organisation.
- Short Scheme Record – PVG Scheme members joining a new organisation for the same type of regulated work and have had a scheme record issued for that type of work before.
- Scheme Membership Statement – People who want to do work in the future, people who are self-employed and doing regulated work, or private individuals (personal employers) employing someone to do regulated work for them.

3. WHAT THE PVG DISCLOSURE RECORD SHOWS

All PVG Scheme records show the following information:

- a. Name
- b. Address
- c. Date of birth
- d. PVG Scheme membership number
- e. Disclosure number of the Scheme Record
- f. The type of regulated work the person is a PVG Scheme member for
- g. Confirmation that the person isn't barred from doing that work
- h. If the person is under consideration for listing for that type of regulated work

4. OTHER TYPES OF DISCLOSURE CHECKS

It is still possible to request a disclosure check and the levels available are:

Basic Disclosure

A basic disclosure is the most common and lowest level of disclosure available. It includes information on any 'unspent' convictions the person has. Applications for basic disclosure will be processed according to the Scottish rules under the Rehabilitation periods for particular sentences section of the Rehabilitation of Offenders Act 1974. Disclosure Scotland doesn't monitor people with basic disclosure, so the certificate is only valid when it's created and not for a specific length of time.

From October 2020, as a minimum, all new Thenue employees are required to undergo a basic disclosure check which will be renewed every three years.

Standard and Enhanced Disclosure

Standard and enhanced disclosures involve higher level checks.

Standard Disclosure

A standard disclosure is for specific roles such as solicitors, accountants or providing a care service. A standard disclosure shows criminal history information from UK records, including:

- a. Unspent convictions
- b. Relevant spent convictions
- c. Unspent cautions
- d. Information from the Sex Offenders Register

The certificate will show if there are no convictions to disclose.

Enhanced Disclosure

An enhanced disclosure applies to specific roles such as checking people are suitable for adoption, or applying for certain gaming or lottery licenses.

Disclosure Scotland gathers criminal history and other relevant information from the police and some government departments.

An enhanced disclosure includes:

- e. Unspent convictions
- f. Relevant spent convictions
- g. Unspent cautions
- h. Inclusion on children's or adults lists (if it's relevant to the job)
- i. Other relevant information held by the police
- j. Information from the Sex Offenders Register

5. ACCESS, STORAGE AND RETENTION

We will keep a record of the date of issue of the disclosure, the name of the subject, the disclosure type, the position for which the Disclosure was requested, the unique reference number of the disclosure and details of the recruitment decision taken. This is contained in a password protected spreadsheet.

We will ensure that we operate in accordance with General Data Protection Regulations at all times. Thenue uses disclosure information only for the purpose for which it has been provided. We do not keep disclosures or disclosure information for any longer than is required by law after recruitment of a new post holder, or after receipt of information for an existing post holder. In general, this is no longer than six months and is to allow for the resolution of any disputes or complaints. Disclosure information will only be retained for longer than this period in exceptional circumstances, and in consultation with Disclosure Scotland.

We recognise that under Section 124 of the Police Act 1997, it is a criminal offence to disclose such information to any unauthorised person. We, therefore, only pass disclosure information to those who are authorised to see it in the course of their duties.

Access to the contents of the disclosure is restricted to the named individual, Chief Executive (Counter Signatory), People and Culture Manager, People and Culture Officer, and Line Manager.

Once the retention period has elapsed, we will ensure that the disclosure information is destroyed in a secure manner via confidential waste.

6. RESPONSIBILITY

The Chief Executive the Lead Counter Signatory for any Disclosure Scotland applications. If a check shows anything of concern, the Chief Executive will review this and where appropriate seek legal advice before any decision regarding the employment of the individual is taken. The People and Culture Manager and People and Culture Officer are responsible for the administration and record keeping. The association will pay any fees incurred for disclosure checks.

APPENDIX 1

When recruiting for a new post, prior to advertising, a risk assessment should be carried out identifying the duties contained in the role and looking at the individuals/groups that they post holder will interact with. It should then be decided which level of disclosure will be sought - all new employees are required to undergo a basic disclosure check as a minimum. The level of disclosure check required should be clearly stated in the job advert.

Below are some examples of roles within Thenue which require PVG Membership or another level of disclosure. This list is not exhaustive and may change as new roles are introduced or roles become redundant.

PVG Membership

- a. Housing Support Manager – Regulated work with adults
- b. Tenancy Support Officer - Regulated work with adults
- c. Digital Inclusion Officer/Assistant – Regulated work with children and/or adults

Basic Disclosure Checks

- d. Retirement Housing Assistants
- e. All new starts, unless PVG required

FLEXIBLE WORKING POLICY

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1. INTRODUCTION

Thenue Housing fully supports the right of our employees to apply for Flexible Working and this Policy will provide guidance and help to ensure compliance in this regard. The Policy helps to ensure awareness of the steps involved in making a Flexible Working application for both employees and employers and helps to ensure equality and fairness are applied throughout the process.

2. BACKGROUND

This Flexible Working Policy outlines employees' legal rights to apply for permanent changes to their employment contract via a Flexible Working application, steps to be taken and considerations for employers and clarifies employers responsibility.

At Thenue we have introduced a Hybrid and Flexible First approach to support our people's work/life balance, outlined in our Hybrid and Flexible First Policy, with the removal of core hours and ability to work from home in line with Team Charters and job requirements among other aspects to help establish working practices that are fluid and are family friendly.

3. LEGAL FRAMEWORK EMPLOYMENT

The Employment Relations (Flexible Working) Act 2023 comes into effect on 6 April 2024 and supersedes sections 80F to 80I of the Employment Rights Act 1996 and the Flexible Working Regulations 2014. A summary of the legal journey to the current legislation is noted below, for information.

A new ACAS Code of Practice on Request For Flexible Working has been established and used to inform this Policy.

Employment Act 2002

In April 2003 the Employment Act introduced the right for parents of young and disabled children to apply to work flexibly in order to strike a better balance between their home and work responsibilities.

Work and Families Act 2006

The Act builds on the right to request flexible working introduced in April 2003. The Work and Families Act extends this right to include staff members who care for or expect to care for adults.

Flexible Working Regulations 2014

These regulations further extend the right to request flexible working to employee's who have 26 week's continuous service with an employer.

4. POLICY PRINCIPLES

The policy:

- has been produced as Thenue Housing's response to the legislation brought in by the Employment Relations (Flexible Working) Act 2023 which came into effect on 6 April 2024.
- Aims to explain employees' right to request to change their existing working arrangements as outlined in their employment contract

- Details the flexible working procedure to be followed and also provides standard letter templates and forms to use.
- Details the employers' responsibilities contained in the Act and the recommendations to consider workers' request for a flexible working arrangement.
- Is only applicable when the staff member instigates the request to work flexibly (and not when it is instigated by the employer).
- Re-emphasises a desire to create a good place to work for everyone by aiming to retain skills and experience and adapting to changes in society.

5. ELIGIBILITY

Under provisions set out in the Employment Relations (Flexible Working) Act 2023 every staff member from day 1 of their employment contract has the right to request a change to their contractual terms and conditions of employment. A staff member can make **two** statutory requests within a 12 month period.

6. GENERAL

To be eligible, staff members must:

- Be a staff member.
- Not be an agency worker.
- Not have made more than two separate applications to work flexibly during the past 12 months.

7. TYPES OF FLEXIBLE WORKING

Some examples of flexible working are documented below, however please note this list is not exhaustive.

- **Part time working**
A system whereby the staff member is contracted to work fewer than the standard full time hours. There are many variations to part time working such as later start or earlier finish times, afternoons or mornings only and fewer working days in the week.
- **Job-sharing**
An arrangement whereby two part time (or occasionally more) staff members share the responsibility of a position. In a 'shared responsibility' arrangement the individuals both carry out all the duties of the job simply by picking up the work where the other staff member left off. A 'divided responsibility' arrangement is when the duties of the position are divided between the two individuals, with each being able to provide cover for the other as and when necessary.
- **Term time working**
The staff member remains on a permanent contract, but can take unpaid leave of absence as agreed.
- **Working from home**
An approach whereby a staff member carries out a proportion of his/her duties from home rather than on Thenue' premises.
- **Compressed Hours**
A system permitting staff members to work their total number of contractual hours over fewer working days. For example, a five day working week may be compressed into four days.

When considering a request for flexible working there may be other solutions worth reviewing such as sabbaticals and flexi time however employers are not obliged to offer these.

8. CONSIDERING A FLEXIBLE WORKING REQUEST

We appreciate we must handle every request in a reasonable manner, carefully assessing the effect the requested change for both the employer and the employee. If employers are happy to accept the request, they can confirm it in writing without a need for a meeting. Alternatively, a consultation meeting should be arranged.

Considering a request for flexible working should include carefully assessing the effect of the requested change for both the employer and the employee, such as the potential benefits or other impacts of accepting or rejecting it.

Employers must agree to a flexible working request unless there is a genuine business reason not to. A decision to reject a request must be for one or more of the following business reasons which are set out in the Employment Rights Act 1996:

- the burden of additional costs
- an inability to reorganise work amongst existing staff
- an inability to recruit additional staff
- a detrimental impact on quality
- a detrimental impact on performance
- a detrimental effect on ability to meet customer demand
- insufficient work available for the periods the employee proposes to work
- planned structural changes to the employer's business

In handling a request, and any information that the employee discloses as part of that request, employers must not discriminate unlawfully against the employee in relation to any of the protected characteristics set out in the Equality Act 2010. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

If an employee seeks a reasonable adjustment for their disability through a request for flexible working, the employer must consider this in line with its legal obligations under the Equality Act 2010. Employers must make reasonable adjustments to remove any disadvantage related to a person's disability. The legal obligation to make reasonable adjustments is separate to the legal obligation to consider a request for flexible working.

HEALTH AND SAFETY COMMITTEE DELEGATED AUTHORITY

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1. INTRODUCTION – THE LAW AND THE ASSOCIATION

1.1 The basis of British health and safety law is the Health and Safety at Work etc Act of 1974. This sets out the general duties which employers have towards staff members and members of the public, and staff members have to themselves and to each other. These duties are qualified in the Act by the principle of 'so far as is reasonably practicable'. This means that an employer does not have to take measures to avoid or reduce the risk if they are technically impossible or if the time, trouble or cost of the measures would be grossly disproportionate to the risk. What the law requires here is what good management and common sense would lead employers to do anyway: that is, to look at what the risks are and take sensible measures to tackle them.

1.2 The Management of Health and Safety at Work Regulations 1999 (the Management Regulations) generally make more explicit what employers are required to do to manage health and safety under the Health and Safety at Work Act. Like the Act, they apply to every work activity. The main requirement on employers is to carry out a risk assessment. Risk assessment should be straightforward in a simple workplace such as a typical office.

1.3 The Board of Management is responsible for the conduct of the business of the Association and for approval and periodic review of policies on health and safety at work. Specifically, this involves

To review the health and safety environment and monitor the checks carried out by both internal staff and external consultants.

1.4 It is the intention of the Association, so far as is reasonably practicable, to ensure that:

- a) The working environment of all staff members is safe and without risks to health and that adequate provision is made with regard to the facilities and arrangements for their welfare at work.
- b) The provision and maintenance of machines, equipment and systems of work which are safe and without risks to health to staff members, contractors and any other person who may be affected with regard to any premises or operations under our control.
- c) Arrangements for use, handling, storage and transport of articles and substances for use at work are safe and without risks to health.

- d) Adequate information is available with respect to machines and substances used at work detailing the conditions and precautions necessary to ensure that when properly used they will be safe and without risk to health.
- e) Staff members are provided with such instruction, training and supervision as is necessary to secure their health and safety.
- f) The association's health & safety landlord responsibilities are accomplished
- g) The Health and Safety Policy Statement will be annually reviewed and updated as and when it is necessary. Communication of any such changes will be made to all staff members.

1.5 It shall be the duty of all staff members at work to ensure that:-

- a) Reasonable steps are taken to safeguard the health and safety of themselves and of other persons who may be affected by their acts or omissions at work.
- b) Co-operation with the Board of Management so far as is necessary to ensure compliance with any duty or requirement imposed on the employer, or any other person, under any relevant statutory duties.

2. INVOLVING OUR STAFF MEMBERS

2.1 We believe that the best way to protect and help our Staff members is to involve them. Good preparation helps us to gain the commitment of our staff members and their representatives, to help them feel involved and enthusiastic about tackling health and safety together. To this end, we have established a Health and Safety Committee.

3. COMPOSITION OF HEALTH AND SAFETY COMMITTEE

3.1 The Health and Safety Committee will be formed by staff members representatives across the association that it is broadly representative., the Chief Executive, the Health and Safety Administrator and the Shop Steward will be members ex-officio. Thenue' definition of 'broadly representative' means staff members representing the following departmental and sectional functions:

- Area Services, Repairs, Housing Support and Community Regeneration Teams
- Income Maximisation & Financial Inclusion Teams
- Finance , IT & People & Culture Teams
- Property Services Teams (taking account of external sites, other buildings and close working contacts with various contractors).

3.2 The Health and Safety Committee will provide an open forum for the discussion of all Health and Safety related issues raised by members of the Committee and by any other relevant sources. It will comment on the Health and Safety Plan as drafted by the Health and Safety Administrator and participate in its implementation.

3.3 Where appropriate, or outwith the Health and Safety Committee's remit, recommendations for action will be made directly to the Chief Executive.

3.4 All Health and Safety Committee members will undergo suitable training, which will

include as a minimum 'Health and Safety Awareness'. This will ensure that all members have a working knowledge of the topic, commensurate with their role on the Committee and within the organisation as a whole.

- 3.5 The Health and Safety Committee will suggest solutions and initiatives for issues arising, which will be minuted and presented to the Chief Executive and Department Directors following each meeting, without undue delay.
- 3.6 Where appropriate, the Health and Safety Committee will draft and revise policy, procedures and arrangements, in line with the Health and Safety Control Manual, HSE Guidance and/or other good practice for ultimate approval by Board of Management
- 3.7 The Health and Safety Committee will delegate, to members and to other appropriate persons within the organisation, actions required to be taken to implement recommendations from general risk assessments, audits carried out, policies, procedures, arrangements and any other initiatives, authorised where appropriate by individual Department Directors or the Executive Team.
- 3.8 The Health and Safety Committee will review the Health and Safety performance of the organisation, analysing accident statistics, reported breaches of policy and procedures, audit and inspection reports and data from other information gathering exercises.

HYBRID & FLEXIBLE FIRST POLICY

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1. INTRODUCTION

This policy sets out Thenue' approach to hybrid and 'Flexible First' working. Hybrid working allows employees to split their time between working remotely and attending the office. It encourages an approach to leadership that is activity based, outcome focused, and principle led.

It is an important element of the Association's Organisational Strategy for embedding new and innovative ways of working for the benefit of our tenants, our customers, each other and our wellbeing. In addition to continuing to support a positive work-life balance for staff.

Thenue' vision is for an organisation that thrives on connections, such as:

- Bringing people together regularly enhancing the quality of the work we do
- Collaborating and working across teams
- Noticing and supporting each other's wellbeing
- Nurturing long term organisational health and development
- Assisting those new to the organisation to learn and feel a sense of belonging

The collective challenge is ensuring this way of working is effective from an organisational, customer, team and individual perspective. It is up to everyone in the organisation to make hybrid 'Flexible First' and 'Customer First' working a success. Effective communication is essential.

This Policy should not be confused with our Flexible Working Policy, which clarifies our employees' legal right to request new, permanent flexible working arrangements. The Hybrid and Flexible First Policy relates to informal hybrid and flexible working arrangements agreed through our Team Charters and the principles of 'Flexible First' and will operate in tandem with that policy.

2. HYBRID WORKING

For the purposes of this policy, 'hybrid working' means an individual working part of their working hours on-site in the workplace and part of their working hours from home. In relation to this Policy, 'working from home' is a generic term used to mean any residence in the UK at which our employees are residing on that particular day. This could be at a partner's address or at the address of a family member, or at a second home, or a hotel if at a work conference etc. It is not restricted to the employee's only or principal home. Hybrid working is also known as agile working, blended working or split working. Hybrid working is not the same as homeworking, where the employee works all (or almost all) of their working hours from home or another suitable remote location. All employees will work from home on a Friday with the office at 423 London Road being closed to the public. However, there may be instances when visits to the office are required on Friday (e.g. Contractor/maintenance visits, sign-ups etc.)

3. 'FLEXIBLE FIRST'

Following consultation with all employees, facilitated by Flexibility Works (flexible working specialists) and agreement of Unite the Union, a 'Flexible First' approach has been adopted by the Association. It focuses on achieving work-life balance which includes hybrid working, the removal of core hours, and a fully flexible approach rather than the traditional flexi hour system. Each employee is allocated an additional 4 flexible leave days (pro-rata) which replaces flexi leave. Employees can manage their time to have flexibility in their workday. This flexibility is subject to agreement between team colleagues and line manager ensuring that adequate team cover and exemplary levels of customer service are maintained at all times.

4. HYBRID AND 'FLEXIBLE FIRST' WORKING PRINCIPLES

We have identified six principles to help demonstrate what hybrid and 'Flexible First' working will look like:

1. We take a customised approach, working together to create and maintain Team Charters that respect business, colleague, team and role requirements. This includes setting expectations on how regularly and in what way we bring people together.
2. We support each other to get the best from hybrid and 'Flexible First' working by ensuring effective communication methods are in place.
3. We plan our activities with purpose by ensuring where and how we work is a productive fit with our business commitments.
4. We manage performance based on outcomes and understand when our communication and performance may be enhanced by face-to-face contact.
5. We provide spaces that promote collaborative working and allow hybrid meetings to take place.
6. We are open to change and innovation by learning as we go.

5. HEALTH AND SAFETY

The Association has a duty of care regarding the health and safety of all employees while at work including those working remotely. It is the employee's responsibility to report employment related hazards, but as the employer we are responsible for the equipment we supply.

All staff members are required to complete a working from home declaration form which has been incorporated into the annual declarations of interest form. This ensures that a number of health and safety checks (including DSE) have been carried out and any issues are highlighted and dealt with.

6. ILLNESS OR INJURY

The Attendance Management Policy should be followed consistently when hybrid working regardless of whether the employee is working in the office or at home if they are unwell or injured.

7. EQUIPMENT AND INFORMATION SECURITY

Thenue' IT infrastructure supports home working and gives employees remote access to all of the IT and phone systems they can access when in the office. All employees have been provided with laptops and mobile phones. Suitable equipment including a desk, chair, second screen etc is available to all employees. All equipment provided will remain the property of Thenue at all times.

Multi Factor Authentication (MFA) is implemented to ensure that only authorised users may connect to remote access servers. No connections can be made to the Association network without additional authentication via smartphone app. The use of public Wi-Fi is prohibited for remote working.

All Thenue property provided to employees for use in their home will be covered under the Association's insurance policy. Where employees are provided with company property to use at home, they must not do, cause or permit any act or omission which will avoid coverage under the Company insurance policy. If in any doubt as to whether particular acts or omissions will have this effect, they should consult their manager immediately.

8. DATA PROTECTION

When working from home, employees must be aware of data protection and confidentiality, ensuring that other members of their household or anyone visiting do not have access to the data they are working on, whether it is in paper form or electronic. Ensuring that screens are locked when they are left unattended and papers tidied away will help prevent any breaches. Paper documents must be disposed of securely, confidential waste disposal is available in the office. Adhering to data protection is included in the working from home declaration form. All staff members complete data protection training annually.

9. EXPENSES

The Association will not cover costs such as home insurance, broadband, heating or lighting etc. It is considered that the saving in time and money getting to/from work is a reasonable notional offset to any personal cost of working from home. The base location set out in the employees' contract will be seen as their ordinary commute (for nearly all employees this will be 423 London Road). This is regardless of how frequently that journey is made. Employees can only claim travel expenses for journeys to another location that are in excess of that commute.

10. COMMUNICATION AND MONITORING PERFORMANCE

It is important that line managers communicate regularly with employees regarding their workload and performance standards. All employees have access to Microsoft Teams for virtual meetings. If performance issues are identified this should be managed confidentially and in line with Thenue' performance management processes.

Trust between employee and manager is key and open and clear communication will provide the basis for this. Managers will set out achievable objectives that include measurements of success, to facilitate effective performance expectations and will take steps to address any issues.

11. MENTAL HEALTH & WELLBEING

There are measures in place to look after the mental health and wellbeing of employees whilst hybrid working. It is important to note that some factors that can affect hybrid workers are:

- Increased or decreased work demands which can affect the employee's ability to cope or their motivation to carry out tasks.
- A feeling of isolation or loneliness – missing the social interactions associated with being in the office or the convenience of being able to ask a colleague a question in person but now instead having to email or call.
- Finding it difficult to switch off – not taking regular breaks or checking emails when not working

These factors can be controlled by managers:

- Ensuring the Team Charter is up to date and that all team members have had a chance to contribute to its content.
- Checking in with employees regularly.
- Encouraging staff to raise any concerns they have.
- Encouraging staff to take regular breaks and to manage work life balance (for example only checking emails when working).
- Promoting employee counselling.
- Promoting any relevant information/events for staff in relation to mental health and wellbeing.
- Encouraging staff to use other communication methods rather than email to keep in touch with colleagues such as virtual meetings (MS Teams/Zoom) and telephone calls.

12. TERMINATION OF HYBRID AND 'FLEXIBLE FIRST' WORKING ARRANGEMENT

If, at any time, the hybrid and 'Flexible First' working arrangements, applied through this policy, are considered by the Association to be unsatisfactory or the requirements of the business change such that it is no longer appropriate, employees may be given 3 months' notice to return to the previous terms of employment in existence immediately before this agreement.

This policy does not envisage remote working from outside the UK, as this would involve significant additional legal and practical issues, affecting both the employee and Thenue.

Flexible First

For our Tenants, For our Customers, For each other, For our Wellbeing.

IT AND ELECTRONIC COMMUNICATIONS

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1. INTRODUCTION

- 1.1 This policy has been developed to meet statutory requirements as well as good practice guidance issued by EVH (Employers in Voluntary Housing) and FAST (The Federation against Software Theft).
- 1.2 This policy is required to provide guidance to all users on the proper use of all IT Systems and methods of communication so that the balance of both business benefit and protecting our staff from inappropriate use is achieved. Internal e-mail is necessary for the proper and efficient discharge of duties and responsibilities.
- 1.3 Whilst e-mail and Internet access offer business benefits it also has the potential for misuse. Such misuse could have serious and detrimental effects both on individual staff members and Thenue as a whole. Examples of abuse are inclusive of but not limited to harassment, the transmission of racist, pornographic or sexist material, use for any illegal activities or for personal or commercial gain. This policy applies to all staff members and users of Thenue' electronic and digital communication systems.
- 1.4 It is an essential requirement that all users of these systems consent to all of the provisions of this policy by signing the consent declaration form (available on the Intranet) agreeing to comply with all of its terms and conditions and with all applicable laws and regulations.

2. IT & ELECTRONIC COMMUNICATIONS SYSTEMS DEFINITIONS

- 2.1 Thenue' IT equipment is defined as any piece of hardware owned by Thenue. Examples of IT equipment are inclusive of but not limited to servers, PC's, thin clients, laptops, mobile phones, telephone systems, printers, photocopiers, fax machines, scanners, digital cameras, iPad, camcorders, USB devices, blue tooth devices, etc.
- 2.2 Thenue' IT Systems are defined as any software, hardware or service that is owned or subscribed to by Thenue. Examples of IT systems are inclusive of but not limited to e-mail, Internet, anti-virus, backup and remote access.
- 2.3 Personal equipment is defined as any piece of hardware or software system that interacts with any of Thenue' IT equipment or systems. Examples of personal equipment are inclusive of but not limited to a home computer accessing Thenue through remote access and connecting a personal USB memory key to a PC.

3. USE OF COMPANY FACILITIES

- 3.1 Whilst Thenue does not encourage personal use of the Internet, telephones and e-mail systems, it is permissible for staff members to use these services for occasional personal purposes. Thenue does not permit use which requires substantial expenditure of time, use during agreed working time, use for personal profit or use that makes excessive demands on Information Technology assets or causes degradation in network performance. (A summary of permitted uses can be found at the end of this policy).

Thenue may access your email use and internet history. We may do this, for example, if there was a disciplinary investigation regarding breach of our dignity at work policy, to identify any data loss

or virus infestation. This would be carried out by the ICT Manager only with prior authorisation. If you are absent from work we maintain the right to access your email inbox and voicemail to deal with any urgent business communications. We will take care not to access communications that are clearly non-business related.

4. MONITORING

- 4.1 Thenue reserves the right to monitor all IT Systems including telephone systems. Examples of monitoring are Internet Usage (content, time accessed, length of time used), Email Usage, Telephone Usage (location, length and cost of calls), Printer Usage, etc. Retrospective monitoring may also be undertaken.
- 4.2 All information held on all the organisation's systems is deemed the property of Thenue Association
- 4.3 To comply with legal processes, Thenue has a legal obligation to investigate suspected fraud, transmission, processing or storage of inappropriate material such as pornographic, sexist or racist material, and any other criminal activity.
- 4.4 Authorisation for monitoring IT Systems and telephone use will rest with the Chief Executive. Delegated authority has been given to the ICT Manager to develop, monitor and report on systems monitoring.
- 4.6 The monitoring of e-mail content, that is the text contained within the message or attachments, will only be authorised for business messages or when a breach of this guidance is suspected or has already taken place.
- 4.7 All business e-mails must contain the following information:
"This e-mail and any files transmitted with it are confidential and solely for the use of the intended recipient. If you are not the intended recipient, or the person responsible for delivering it to them, you may not copy, forward, disclose or otherwise use it or any part of it in any way. To do so may be unlawful. If you receive this e-mail by mistake, please advise the sender immediately. This e-mail and replies to it may be monitored by the System Administrator.

Thenue Association Ltd Registered office: 423 London Rd, Glasgow G40 1AG Authorised & Regulated by the Financial Conduct Authority
Registered society under the Co-operative and Community Benefit Societies Act 2014 (No 1933R(S))
Charity registered in Scotland (No SC032782)
Property Factor Registered No PF000268

To ensure this happens and for consistency our software has been set up to automatically attach this statement to all outgoing emails.

- 4.8 Thenue reserves the right to access a staff member's Inbox in his/her unexpected or prolonged absence, e.g. during sickness, in order to allow Thenue to continue to undertake the staff member's normal role.
- 4.9 All external inbound and outbound emails are filtered by an Anti-Virus and Spam filter.

5. SECURITY

- 5.1 It is prohibited to interfere with or intercept e-mail transmissions, unless it is for an authorised reason. This includes the alteration or deletion of messages or attachments without the author and recipient's consent.
- 5.2 Backup procedures are in place to ensure that all data held on Thenue's servers is backed up on a daily basis, procedures are in place for ensuring the safe custody of backed up data.
- 5.3 Users are responsible for the security of their own passwords, which protect against unauthorised access. Failure to adhere to this policy jeopardises network security and puts users at risk of potential misuse of the system by other individuals. Network users may be held responsible for all actions taken using their personal network access permissions.
- 5.4 Staff will take appropriate measures to ensure the safe custody of portable equipment when in or out with the Thenue's offices – i.e., mobile phones, laptops, projectors and the like should not be left on show in a vehicle, left unattended in a public place etc.
- 5.5 Each user will be given specific permissions to access relevant parts of the IT system. For example, only certain users will have access to the Finance folder and certain users on the Aareon QL system can perform certain tasks. Permissions can only be changed after completion of the user action form; this form has to be completed by their manager.
- 5.6 All staff members must exercise the highest degree of care not to disclose any confidential information, even inadvertently, to any unauthorised persons in or outside the association. Sometimes even the most innocent acts or requests can result in disclosure of confidential information. Staff members should always think before discussing information with a third party. If a staff member believes confidential information must be disclosed to a third party, they should consult with their Line Manager, this must be in accordance with the Data Protection Policy and Procedures.

6. COMMUNICATION SYSTEMS

- 6.1 Email should not replace normal face-to-face and telephone communications when these are more appropriate or effective.
- 6.2 It is essential to the effective and smooth communications within Thenue that e-mail is not used to abdicate the responsibility for communicating messages that should realistically be done in person. E-mail must not be used for vindictive, harassing or abusive comment or criticism.
- 6.3 Like any other communication of business documentation it is important to re-read e-mails to ensure accuracy and readability on the part of the recipient prior to sending.

7. E-COMMERCE

Use of the Internet or e-mail for ordering goods or services for business reasons is subject to Thenue's standard financial and authorisation procedures. Personal purchases are permitted but should be limited to non-working time and should not impact adversely on the effective operation of the servers.

8. FAILURE TO COMPLY WITH THE POLICY

- 8.1 Any user of these systems, whose actions breach the principles of this policy, or any other Association policy or regulation, may be subject to limitations or removal of electronic privileges as well as other disciplinary actions. In serious cases this could be regarded as gross misconduct, which would lead to dismissal under the agreed disciplinary procedures.
- 8.2 The fact that personal use of these facilities is in certain circumstances legitimate does not mean that such use is an automatic benefit or right.

IT & ELECTRONIC COMMUNICATIONS - SUMMARY OF PERMITTED USES

1. WHAT IS PERMITTED

- 1.1 Use of the software functions delivered to your desktop for the purposes of your duties within Thenue.
- 1.2 Use of the system is also permitted in connection with any studies or further education you are undertaking with the support and approval of Thenue.
- 1.3 The use of Outlook to send and receive private messages is permitted provided that this is done in your own time or does not involve more than minimal use of your working time or of Association IT resources. If in doubt consult your IT Administrator for permission.
- 1.4 Browsing of the Internet for other than Association business but only in your own time and should not involve the downloading of material.
- 1.5 In accordance with staff conditions of service, "the controlled use of official telephone lines for private use is allowed within reason. All non-local use must be advised in advance and paid on receipt of telephone bill".

2. WHAT IS NOT PERMITTED

- 2.1 Accessing any part of the system not specifically allocated to your use. This includes use of any other staff member's password to gain access of the system.
- 2.2 Unauthorised alteration to the system delivered to you or the software allocated. Each piece of the software on the system has been purchased and is licensed to Thenue and Thenue has a legal duty not to use it to a greater extent than licences permit.
- 2.3 Unauthorised uses or copying of software for home use will be interpreted as theft.
- 2.4 Sending, knowingly receiving or accessing inappropriate or offensive material of any kind. This is particularly relevant to browsing the Internet or sending or receiving E-mail. Inappropriate material includes material expressing extreme views of a racist, sexist or libellous or insulting nature or sexual, pornographic or violent messages images or material of any type.
- 2.5 Hacking or attempting to access any data, record or parts of the system to which you do not have authorised access is not permitted, nor is causing malicious damage to the systems or software.

The system is protected from external intrusion by various software.

- 2.6 Introducing into the network or on your PC any type of software of any kind not supplied by Thenue. This includes any freeware material from the Internet, material sent to you by friends or otherwise. The introduction of such material carries inherent dangers for the security and legality of our system. However innocent the material may appear to you no matter its source such introduction to the system is not permitted without authority from the System Administrator.
- 2.7 Use of any P2P (peer to peer) software for the purposes of downloading copyright material.
- 2.8 Use of any IM (instant messaging) software such as MSN, Yahoo Messenger,
- 2.9 Making use of the Thenue internet connection to listen to the radio or to stream video unrelated to your normal role.

LEARNING AND DEVELOPMENT

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1. INTRODUCTION

Thenue recognises that the association operates in a fast-changing environment and that ongoing investment in staff learning and development is essential. This policy sets out Thenue's aims and objectives for both staff and Board members (including potential Board members) staff training and the framework for implementing these.

2. AIMS AND OBJECTIVES – STAFF

Thenue's aims in relation to staff learning and development are underpinned by our commitment to continuous improvement and learning through our 'personal development review' system. Our aims are:-

- 2.1 To ensure staff are equipped to achieve the highest possible standards of service delivery to tenants and clients, maximise efficiency in the management of the association's business and capitalise on the opportunities available to it.
- 2.2 To develop the full potential of individual members of staff, particularly those who have had less opportunity to gain formal qualifications and those who require to develop further knowledge and skills appropriate to their post.
- 2.3 To support all staff in pursuing continuing professional development which enhances their ability to carry out their responsibilities and/or supports their career development.
- 2.4 Achieve the objectives and targets for the association, its sub-committees, area associations and tenant co-operatives set out in the Internal Management Plan.
- 2.5 To build upon our Investor in People (IiP) accreditation

3. OBJECTIVES - STAFF

Thenue will:

- 3.1 Agree on an annual basis, staff learning and development strategies and priorities.
- 3.2 Assess organisational learning needs and adopt training plans to meet these.
- 3.3 Assess team training needs through team reviews, identify training activities and targets for meeting these and monitor progress.
- 3.4 Assess the needs of individual staff for training and professional development through regular staff appraisals, identify individual training plans and targets, and monitor progress.
- 3.5 Encourage the professional development of staff by offering opportunities to extend knowledge, experience and skills in the workplace and by attendance at external

courses and events.

- 3.6 Promote career development for staff by supporting them in obtaining appropriate formal qualifications or through facilitation of job shadowing or job swaps where appropriate.

4. IMPLEMENTING THE POLICY FOR STAFF

In order to support the implementation of its training policy, Thenue will:

- 4.1 Approve an annual budget for staff training, further education and development.
- 4.2 Subscribe to appropriate agencies which provide training and educational services and resources.
- 4.3 Use the staff intranet to highlight various training announcements.
- 4.4 Organise in-house training programmes, briefing sessions and conferences.
- 4.5 Release staff to attend internal and external training events.
- 4.6 Offer opportunities for job shadowing where appropriate
- 4.7 Recognise the value of peer training and its importance in personal development for staff.
- 4.8 Require staff to evaluate all training attended and to share knowledge.

5. REPORTING

The Board of Management will receive appropriate reports of training activities and achievements and shall approve the annual training and development budget.

LONE WORKING

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1. INTRODUCTION

Thenue Association Ltd aims to limit lone working where reasonably practicable. Where lone working is necessary, we will take all reasonable steps to make sure you are safe while you work for us. Within Health & Safety (H&S) law you should not be put at any greater risk if you are lone working compared to someone who is not. We have a duty to assess lone working risks and take any reasonable, practical measures to reduce and where possible, eliminate these. You have a duty of care to co-operate, provide us with relevant information and abide with the measures that have been put in place.

2. SCOPE OF POLICY

This policy and the relevant procedures applies to all employees, managers, governing body members, contractors, volunteers and workers.

3. LEGISLATION

Although there is no single piece of legislation that explicitly applies to lone workers, there are a number of legislation that apply indirectly, these are:

- Health and Safety at Work Act 1974
- The Corporate Homicide Act 2007
- The Management of Health at Work Regulations 1999, Regulation 3 and 13
- Protection from Harassment 1997

4. DEFINITION OF A LONE WORKER

There are many definitions of a lone worker however, we will use the HSE definition, describing a lone worker as someone who **“works by themselves without close or direct supervision”**. In the organisation, a lone worker is likely to include:

- Working outside normal office hours, even on a one-off basis.
- Working with the public on your own or away from colleagues.
- Working on your own, in an office, at home or some other location.
- Working in other’s homes or premises.
- If you travel alone as part of your job (this does not include commuting).
- Working in the reception area alone, and isolated from the rest of the organisation.
- Working in the office but, away from colleagues.
- Any other situation identified through the risk assessment process.

5. EMPLOYER RESPONSIBILITIES

As your employer, we have a responsibility to make sure you are safe while you work for us and this includes any time you are lone working. To do this, we will:

1. Make sure risk assessments are carried out and reviewed regularly or as and when required.
2. Provide procedures for working safely based on the risks identified in the risk assessment.
3. Monitor lone workers and implement a robust system to ensure a lone worker has returned to

their base or home once their work is completed.

4. Make sure you are provided with appropriate and relevant training.
5. Have reporting systems in place to record, investigate and review any near misses and incidents.
6. Report near misses/incidents on behalf of you if you are unable to do this.
7. Review near misses/incidents, this will include a review of the risk assessment and working procedures.
8. Inform HSE using RIDDOR procedures (if required).
9. Make sure you have appropriate supervision.
10. Provide you with appropriate aftercare and support (in the event of any incident).
11. Make sure you are issued with a copy of this policy.
12. Review this policy and update it as is appropriate
13. Involve you when considering potential risks and control measures.

6. EMPLOYEE RESPONSIBILITIES

You also have responsibilities, which we expect you to fulfil. These are as follows:

1. Act responsibly in your work with us at all times.
2. Not intentionally provoke or inflame a potentially aggressive situation.
3. Not knowingly put yourself at risk.
4. Remove yourself from any situation you do not feel comfortable and/or safe in.
5. Report all incidents and near misses, by following our reporting procedures.
6. Complete the near miss/incident report form, (if you are able to do so).
7. Attend training when this is provided.
8. Take part in the formal risk assessment process.
9. Whilst working in a lone working situation carry out an informal/dynamic risk assessment as and when necessary.
10. Know, understand, abide and follow this policy and the procedures.
11. Speak to your line manager if you are unsure of anything.
12. Ensure your emergency contact person is provided with your line managers' contact details in line with organisation procedure.
13. Follow Thenue' safe working arrangements detailed in the Lone Working Procedure.
14. Remove yourself from any situation where you feel unsafe or uncomfortable and move to a place where you feel safe, reporting to your line manager.
15. Follow the emergency procedures below when lone working if required:
 - Fire Emergency
 - Business Continuity
16. Make sure arrangements are in place so that someone else is aware of your whereabouts at all times.

7. TRAINING

All staff will be trained in lone working to increase awareness of the potential risks and to control and reduce these as far as is reasonably practical.

8. MANAGING RISKS

The overall purpose of risk management is to identify, eliminate, reduce, and control risks.

It is recognised that lone working can present increased risks to staff. It is therefore the responsibility of both of us to manage these.

In practice this means that we will carry out lone working risk assessments which will identify any potential risks. We will also consider the following during the exercise:

- The remoteness of the workplace.
- Potential communication problems.
- The likelihood of a criminal attack.
- Potential for verbal and physical abuse.
- Consideration of lone workers' potential feelings of isolation, stress and depression.
- Whether or not all equipment, materials, etc can be handled safely and securely by one person.
- Whether or not the person is medically fit and suitable to work alone.
- How the lone worker will be supervised.
- How the lone worker will obtain help in an emergency such as an assault, vehicle breakdown, accident, illness or fire.
- Whether or not there is adequate first-aid cover.

In conducting the lone working risk assessment we will:

- Give consideration to the additional risks to expectant mothers and young persons.
- Where practical have the person that own the risk conduct the risk assessment, where this is not possible or practical they will as a minimum be involved in the process and in the development of safe working methods.
- Maintain a file of all lone working risk assessments.
- Make sure those working alone are provided with adequate information, instruction, and training to understand the hazards and risks and the safe working procedures associated with working alone.

A formal risk assessment will take place prior to all known lone working situations however, it is important that you are aware and are comfortable to undertake a dynamic risk assessment in any lone worker situation you may find yourself in. If you feel you require guidance on this, please speak to your line manager.

9. NEAR MISS AND INCIDENT REPORTING

It is vital that you report any near miss situations or actual incidents as soon as it has occurred to your line manager. If it is not possible to report immediately, it must be reported within 12 hours of occurring. Your line manager will make sure the appropriate steps are taken to share this information with the organisation and any governing bodies, if required, and that the risk assessment is updated if appropriate. All near miss and incident information must be reported to the Health and Safety Administrator, along with a near miss and an incident form completed. The form is available on the intranet. Once you have reported the incident to your line manager the following will happen:

- Your line manager will have an informal, private discussion with you and discuss any support where appropriate.
- Your submitted near miss/incident form will be reviewed by your line manager. If it is not possible for you to complete this, your line manager will complete this with input from you.

- Your line manager will share any appropriate information with the organisation and any governing bodies, if required, and inform you if the risk assessment should be reviewed.
- A review of the control measures will take place.
- Any updated information will be issued to you.

OCCUPATIONAL DRIVING

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1. INTRODUCTION

- 1.1 Thenue operates a Health and Safety Management System, which comprises a broad range of documented policies, procedures and arrangements for the effective control of risks to the health, safety and welfare of staff members and others who may be affected by the association's undertakings. This document forms part of the overall Management System and sets out the association's specific arrangements for the management of the risks associated with occupational driving.

2. LEGAL RESPONSIBILITIES

- 2.1 The Health and Safety at Work etc Act 1974 requires the association to ensure, so far as is reasonably practicable, the health and safety of all staff members while at work. We also have a responsibility to ensure that others are not put at risk by our work-related driving activities.
- 2.2 Under the Management of Health and Safety at Work Regulations 1999 we have a responsibility to manage health and safety effectively. We therefore need to carry out an assessment of the risks to the health and safety to our staff members, while they are at work, and to other people who may be affected by their work activities. The Regulations require us to periodically review our risk assessment so that it remains appropriate.
- 2.3 We are required to consult with our staff members, and where applicable, their health and safety representatives, on the health and safety issues covered in this policy.
- 2.4 Health and safety law does not apply to commuting, unless the staff member is travelling from their home to a location which is not their usual place of work.
- 2.5 We are required by law to advise occupational drivers of the Road Traffic Act 1988 (RTA 88) which makes it illegal for any person to drive or attempt to drive whilst under the influence of alcohol. We have made all staff aware of this and also have made them aware of the applicable legal alcohol limits for Scotland.
- 2.6 A similar duty exists within the Highway Code in relation to drugs & medicines. You must not drive under the influence of drugs or medicine. For medicines, check with your doctor or pharmacist and do not drive if you are advised that you may be impaired. You must not drive if you have illegal drugs or certain medicines in your blood above specified limits.

3. DUTY TO MANAGE THE RISK

- 3.1 The principal piece of Health & Safety legislation in the UK is the Health and Safety at Work etc. Act 1974. This Act places a general duty on employers to ensure the health, safety and welfare of their staff members and to protect others who may be affected by their undertakings.
- 3.2 To allow employers to discharge these broad duties, a range of topic specific Regulations have been produced, most of which are based upon the principal of 'Risk Assessment'. This principal is intended to ensure that a 'pro-active' approach is taken to controlling potential workplace risks, as opposed to merely 'reacting' when Health & Safety failures

occur.

- 3.3 The Management of Health and Safety at Work Regulations 1999 require employers to carry out a “General Risk Assessment”, which should identify all areas of harm which may affect personnel, determine whether this harm is likely, and determine measures to reduce the likelihood of the harm occurring. While no specific regulations exist in relation to occupational driving, the Road Traffic Act sets the minimum legal responsibilities for the driver. Nonetheless, the duty to assess and effectively manage the risks to staff members comes under the scope of the Management of Health and Safety at Work Regulations. This effectively places a duty on the organisation to carry out an assessment of the risk associated with occupational driving to staff members and to take suitable and sufficient precautions to eliminate or adequately control the risks.
- 3.4 A specific Occupational Driving Risk Assessment will be reviewed annually identifying the hazards associated with driving for work and the control measures. The risk assessment will consider the following: driver, vehicle, journey, emergencies, carrying passengers, inclement weather and stress.

4. **ROLES AND RESPONSIBILITIES**

- 4.1 Board of Management: The Board of Management is responsible overall for health and safety and for ensuring that all reasonable resources are made available for implementation of policy, procedures and resources which.
- 4.2 Chief Executive: The Chief Executive is responsible for ensuring that this policy is implemented, communicated to all staff members and adhered to and that relevant staff members are made aware of available resources. He is responsible for ensuring that all occupational driving-related incidents reported to him are dealt with in an appropriate manner. He therefore becomes responsible for informing the Board of Management of any occupational driving-related incidents, and of any significant failures in this policy or its implementation.
- 4.3 Line Managers: Line Managers are responsible for ensuring that staff members under their control are made aware of this policy. They will ensure that open lines of communication are maintained between themselves and staff members under their control, to allow the implementation of this policy. They become responsible for ensuring that all occupational driving tasks have been organised and planned (e.g. vehicle checks, driver competence, journey planning, driver training etc.) in such a manner as to reduce the risk to the lowest possible level and dealt with in an appropriate manner.
- 4.4 Staff members: Staff members are responsible for taking reasonable care for the Health and safety of themselves and of other persons who may be affected by their acts or omissions at work. They become responsible for reading this policy and all associated procedures where necessary. Staff members are responsible for making appropriate Line Managers aware of any circumstances which may increase the risk when driving for work. Staff members are also responsible for identifying any side effects of medicines, both prescribed and over the counter, on their driving ability.

5. OCCUPATIONAL DRIVING PROCEDURES

When driving for work employees are expected to adhere to the specific Occupational Driving Procedure which covers:

- Checks – journey, security, safety, licence validity, endorsements, type of vehicle, breakdown, inspection, mileage expenses, fines for road, car park or low emissions zones.
- Driver expectations – adhering to road traffic laws, awareness of differences in vehicles (bicycle, electric, petrol), time of day, weather, feeling tired, medication side effects, length of journey, unfamiliar location, illness, smoking, influence of drugs and alcohol, mobile phone usage, Satnav, eating and drinking, passengers, inclement weather, wearing lanyards.
- Employer expectations – managers assessing the need for an employee to drive, managers not expecting employees to drive whilst unwell, managers not expecting communication whilst employee is concentrating on driving.
- Reporting and monitoring – accidents, incidents, near misses.
- Training.
- Review.

6. POOL CARS

- 6.1 Thenue provides the use of pool cars for business purposes. The purpose of the car is to assist all staff carry out their tasks and duties, and the pool car should always be used in the first instance, rather than a staff member reverting to their own vehicle. Mileage claims from staff using their own vehicles will only be entertained when the pool car is unavailable.
- 6.2 The use of a pool car is strictly for business use and only authorised staff may use them. A vehicle is only available to staff members who hold a current and valid driving licence and who have completed an approved driver form.
- 6.3 As all vehicles are insured by the association, any conviction for driving offences or any driving endorsement or fines incurred while staff members are in possession of the vehicle must be reported immediately. Staff members are personally liable for any such fines or fixed penalties.
- 6.4 All accidents or incidents involving the vehicle, however minor, must be reported. Any staff member failing to report will be subject to disciplinary action in accordance with the association disciplinary procedure.
- 6.5 Any staff member, who is considered to be acting carelessly or recklessly in the use of a pool vehicle, or in breach of the terms of this policy or associated procedures, will be subject to disciplinary action in accordance with the association's disciplinary procedure.

PERSONAL DEVELOPMENT REVIEW (PDR)

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1. INTRODUCTION

1.1 Thenue' system of Personal Development Reviews (PDR) is designed to offer a structured opportunity to regularly 'check-in' with staff throughout the year, to listen to their ideas for improvement as well as to consider their work performance, identify any support needs and development aspirations, and agree goals and objectives for the year ahead. Important to this process is staff feedback and views as well as consideration of Thenue' standards, expectations and strategic and operational objectives for the forthcoming year. Each member of staff contributes to Thenue' overall success as an organisation through achieving standards of customer service and agreed outputs.

The fundamental purpose of PDR is to improve the association's performance through maximising individual and team performance and motivation. In addition, it becomes a plan for relating that staff member's job role to organisational objectives and values, in turn meeting the development potential and training needs of the individual. By encouraging a participative approach, we aim to build commitment and enthusiasm from the individual, enhance their ownership and drive and to improve our success as an organisation.

1.2 It is wholly inappropriate for managers to view the PDR process as a mechanism to admonish or reward particular staff. Rather the PDR process should be collaboration between staff member and manager.

2. THE PDR PROCESS

2.1 All staff participate in the Personal Development Review system. All staff have the responsibility for the outputs agreed at the PDR. The process includes an element of 'self-appraisal' so that the individual is encouraged to assess his or her own contribution and development.

2.2 We put our emphasis on informal open-minded discussion and planning taking place, rather than rigid adherence to form filling. The assessment of an individual's performance is based on achievement of outputs, an element of personal skills, customer satisfaction and extension of job boundaries.

2.3 Before the review meeting the member of staff having their review will make a self-assessment of their contribution.

Annually

2.4 Each year, the Executive Team will develop a business plan to deliver the company's strategic objectives. This annual business plan will inform the departmental objectives for each Team and help shape individual staff's goals and objectives related to their post agreed with their line manager and departmental Director.

Post Check-in

- 2.5 The line manager will prepare a report on agreed objectives, training and development needs with agreed timescales for implementation. The staff member will have an opportunity to comment further before signing and returning the report, which will have a confidential status.

Disagreement

- 2.6 There is an opportunity for any staff member to note disagreement, if he or she is not satisfied with the final report from their line manager. Initially this should be raised verbally by the employee with their line manager. If the employee remains dissatisfied, they should raise the matter with their line manager's next line-manager to offer some degree of comment, evaluation and arbitration. This should be carried out formally, at a re-convened meeting involving all three people. If appropriate, at the end of this process the Chief Executive may intervene to conclude the process.

Record Keeping

- 2.7 Generally, the check in for each employee will be held quarterly and be completed using the performance review options on Thenue' HR system.
- 2.8 Following conclusion of each 'check-in' the agreed outcomes in relation to learning and development should be emailed to the People & Culture Manager in order to assist in the production of an organisational learning and development plan.

PERSONAL RELATIONSHIPS AT WORK

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1. INTRODUCTION

- 1.1 We recognise that employees may form friendships and sometimes personal relationships with colleagues or those connected with their work. While we do not wish to interfere with these relationships, Thenue is duty bound to ensure that all staff behave appropriately, adhere to our standards of conduct set out in our policies and, avoid behaviours which could lead to allegations of impropriety.
- 1.2 This policy sets out Thenue' expected standards regarding personal relationships connected to work. We ask that you speak to your line manager if you are unsure of the standards expected of you. If the expected standards set out below are not met, we will manage any breaches following our disciplinary procedure.
- 1.3 This policy applies to all staff, workers and volunteers within Thenue. The policy and procedure are non-contractual. Thenue may change it at any time as is appropriate. Should changes be made, we will communicate these to you a minimum of four weeks before they take effect.

2. DEFINITIONS

Personal Relationship

For the purposes of this policy, the term personal relationships is defined as any relationship, from friendship through to two people 'being in a relationship together.'

3. POLICY AIMS:

- To be clear on our standards and expectations concerning personal relationships at work.
- To manage any situations out with the expected standards in accordance with this policy.
- To manage situations that may arise in a fair, consistent and appropriate way, and comply with all relevant discriminatory legislation.

4. WE EXPECT YOU WILL:

- Not allow any close personal relationships with a colleague, contractor, client, customer or supplier to influence your conduct, judgement or decisions while at work.
- Declare a close personal relationship with a colleague or any other person connected to your employment to your line manager. If the relationship is between a manager/supervisor, we expect this to be declared to a more senior manager and the Director/Chief Executive.
- Respect your surroundings, your colleagues and Thenue.
- Not behave inappropriately during working hours, nor outwith working hours with any matters connected or associated with your employment.
- Be aware of your behaviour in any social media interaction connected to personal relationships at work.
- Follow the highest standards of behaviour at conferences and all other internal or external events where you are there in connection with Thenue.

5. YOU CAN EXPECT THENUE:

- To treat any information concerning a personal relationship connected to your work in the strictest of confidence. This will also be recorded on the personal files of both employees if both of you are staff or volunteers of us.
- To discuss the situation with those involved, this will be done by an appropriate senior manager. We may move one or both employees to another job in another department/section/team or, consider other working arrangements in line with the needs of the organisation. In these circumstances, Thenue will discuss options with both employees and seek to reach an agreement regarding the transfer of one or both employees.
- If appropriate measures or working arrangements cannot be put in place, Thenue may terminate the employment of one or both as a last resort.
- To apply similar principles to an employee who is in a close personal relationship with a client, customer, contractor or supplier, in particular where the employee's job has the authority or a close connection with the individual. We expect the relationship to be declared to the employee's line manager. In these circumstances, Thenue may move the employee to another job in another department/section/team or, consider other working arrangements in line with the needs of the organisation or, as a last resort may terminate the contract of employment with the employee.
- In situations where a close personal relationship with a Governing Body Member or, another volunteer, a client, customer, contractor or supplier, the Governing Body Member/volunteer will be excluded from any discussions connected to the person they have a personal relationship with. If this is not possible or appropriate, the Governing Body member may be required to step down from their position.

6. TERMINATION

If termination of employment is the last and final consideration available after other avenues have been explored, the following fair process will be followed: [please amend as appropriate to fit the needs of your organisation, if amendments are made please make sure a fair process is followed in line with ACAS]:

- The employee will be invited by the employer to put forward suggestions for a suitable alternative working arrangement that meets the needs of our business.
- The Senior Officer will take all suggestions and consider them.
- The Senior Officer will produce a comprehensive and succinct report outlining the business reasons why it is not appropriate to continue with the employment relationship.
- The employee will be invited to a formal meeting in writing. Along with the letter, the employee will also receive the senior officer's report and any other information the panel will have available to them.
- At the meeting, they will have the right to be accompanied by a trade union representative or workplace colleague, and both parties (the employer and employee) will be given the opportunity to put forward their case.
- The meeting will be conducted by those with authority to dismiss Chief Executive.
- The Chief Executive will deliberate (in private) over the information put before them before making a decision.

- The decision will be communicated in writing to the employee within 3 days of the decision being made; this letter will also provide details of how to appeal.
- The employee will be paid all accrued annual leave, TOIL and flexi not yet taken to the date of termination. As well as any payment in lieu of notice as set out in their contract of employment if a decision to dismiss is made.

RECRUITMENT

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1 INTRODUCTION

- 1.1 We recognise that staff are our most important asset and successful recruitment is crucial to our success. We seek to recruit the right people at the right time, in the most effective way using recruitment and selection systems that are fair, consistent, valid and value for money.
- 1.2 Recruitment should be treated as a key public relations exercise as the way it is managed affects our image, and consequently our ability to attract and appoint high calibre staff. This policy has been designed to provide a flexible framework, which promotes good practice, adopts a proactive approach to equality and diversity issues and supports fully our core business.
- 1.3 Recruiting, training, managing staff and ultimately replacing leavers is costly and time consuming, therefore it is essential that we have effective processes in place both to ensure that we recruit candidates of the highest calibre and also minimise turnover levels.

2 AIMS

In the recruitment process our aims are to:-

- attract applications from a sufficient number of candidates with appropriate skills, qualifications and experience for consideration for employment
- use fair and effective methods for the appointment of candidates
- ensure that recruitment procedures are clear and adhered to by both staff and Board
- develop an excellent workforce committed to our aims, values and service delivery standards
- ensure that we meet legislative requirements, demonstrate statutory compliance, and strive to reach best practice as an employer

3 POLICY PRINCIPLES

- 3.1 Our Equality and Diversity policies will be observed throughout the recruitment and selection process. We recognise the value added to the organisation by the input of people from diverse backgrounds, with varying experiences and skills. We value people from all sections of society and aim to have a workforce that reflects the local population and the communities with which we work.
- 3.2 When a post within the organisation becomes vacant, we will conduct a job analysis prior to recruiting to determine whether or not the post has to be filled; any adverse effects of not filling it; and whether the work could be distributed amongst existing staff.

- 3.3 We aim at all times to recruit the person who is most suited to the particular job. Recruitment will be solely on the basis of the applicant's knowledge, skills, experience and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job.
- 3.4 Vacant posts will normally be advertised both internally and externally. In cases of restructuring or redundancy where it may be necessary to consider in the first instance any existing staff under threat of redundancy prior to opening the post up to others. Short-term appointments of less than a year e.g. maternity leave/parental leave cover may be advertised internally and filled by internal candidate transfers, where appropriate to do so, or by candidates engaged from suitable employment agencies.
- 3.5 Compliance with the requirements of the GDPR will be paramount in the gathering and use of personal information supplied by candidates.

4 THE RECRUITMENT PROCESS

- 4.1 Posts will be advertised in the media most suitable to the post being recruited. Candidates applying for employment with Thenue will be able to access an application pack by email, telephone, in writing or by downloading from our website or that of the recruitment organisation.
- 4.2 Selection and recruitment will follow as soon as possible after the closing date and candidates will be advised of interview dates in the job advert.
- 4.3 Candidates will be shortlisted and interviewed in line with agreed procedures and records of the process kept to ensure a fair and consistent selection.
- 4.4 Essential criteria will be applied in the first instance to shortlist candidates. Candidates who match all the essential criteria will normally be called to interview. In the event of a large response we may then use the 'desirable' criteria to fairly reduce the number of candidates called to interview. Internal candidates, applicants from under-represented groups and candidates identified with a disability in accordance with the Equality Act 2010 who match the essential criteria will be guaranteed an interview.
- 4.5 Candidates invited to interview and unsuccessful candidates will be informed simultaneously of the result of their applications. Unsuccessful candidates are normally offered the opportunity for feedback on their applications. We are unable to provide feedback to those candidates that have not been invited to interview.
- 4.6 Successful candidates will be selected on merit through shortlist, testing and interview in accordance with the person specification and our standard short listing and interview assessment forms.
- 4.7 A conditional offer will be issued to the successful candidate subject to: the receipt of satisfactory references, original qualification certificates, proof of eligibility to work in the UK and a satisfactory basic disclosure (for all new employees) or Protection of Vulnerable Groups check (where appropriate).

- 4.8 The recruitment procedures must be referred and adhered to by staff involved in the filling of a vacancy.
- 4.9 If an external applicant disagrees with the process of applying for employment or with the decision made by the organisation they will be encouraged to use our Complaints Procedure. If already employed by Thenue the candidate should use the grievance procedure.

5 MONITORING

- 5.1 All monitoring forms will remain anonymous and confidential. Any and all information contained therein will be used only for collation of statistics for monitoring against equal opportunities.
- 5.2 Application forms and recruitment documentation are stored confidentially for a minimum of four months and up to a maximum of one year.

Any Disclosure Scotland or Protection of Vulnerable Group scheme checks taken up must be stored in accordance with the [Disclosure Scotland - protecting vulnerable groups and disclosure checks policy](#)

SETTLEMENT AGREEMENT POLICY

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1. BACKGROUND

- 1.1 This policy applies to all employees of Thenue Association. It complies with Thenue's obligations under the Scottish Housing Regulator's (SHR) Regulatory Framework 2019, (standard 5), and is also in accordance with Thenue's Control of Payments and Benefits to Board Members and Staff Policy.
- 1.2 Under this policy, all entitlements, payments and benefits arising from the contract of employment are permitted. Conversely, payments proposed to be made to employees that are outside the terms of their contract of employment are not normally permitted. Some such payments, such as voluntary severance payments, can be approved, provided that certain conditions are met.
- 1.3 It is Thenue's policy that whenever a voluntary redundancy or other voluntary severance payment is proposed to be made, Thenue will require the employee to whom the payment is proposed to be made to enter into a Settlement Agreement with the association, in order to protect its interests. Settlement Agreements are one way in which Thenue and employees (or former employees) mutually agree to deal with local disputes and business challenge issues which otherwise have the potential to reach an Employment Tribunal or court. Settlement agreements are voluntary. Parties do not have to agree them or enter into discussions about them if they do not wish to do so. Equally the parties do not have to accept the terms initially proposed to them. There can be a process of negotiation during which both sides make proposals and counter proposals until an agreement is reached, or both parties recognise that no agreement is possible.
- 1.4 The purpose of this policy is to establish the process for agreeing and making such payments.

2. CONDITIONS FOR MAKING VOLUNTARY SEVERANCE PAYMENTS

A voluntary severance payment can be made to an employee outside the terms of their contract of employment provided that the following conditions are met:

- The payment arises directly from a decision to bring the employee's employment to an end.
- The payment is approved by the Chief Executive in conjunction with the association's Chair.
- The payment is reported at the next available meeting of the Board of Management.
- The total sum of the payment/benefit does not exceed, in the opinion of our specialist legal/employment advisor, the upper limit achievable (weeks' pay basis) within Thenue's arrangements on redundancy pay or what the employee may receive if they were successful at a subsequent court or employment process (not including any contractual payments, such as notice pay and outstanding holiday pay).
- Payment does not exceed the equivalent of one year's salary for the employee.
- That this payment is instead of (rather than additional to) any redundancy entitlement.

3. NATURE AND USE OF SETTLEMENT AGREEMENTS

- 3.1 A Settlement Agreement is a legally binding contract entered into between Thenue on the one hand, and an employee, or former employee (or in exceptional circumstances, an unsuccessful job applicant who feels they were discriminated against) on the other hand, when they agree to settle a potential employment tribunal claim, or other court proceedings. Such an agreement can only be signed by two parties: the person to whom a payment is proposed to be made, and the association. It cannot be signed, for instance, by a group of employees.
- 3.2 Such agreements will waive the employee's rights to bring any potential claims covered by the agreement, effectively in return for the payment that is agreed to be made under the agreement. The terms of such agreements are mutually agreed through discussion and negotiation, and are normally confidential, so that if agreement is not reached following discussion, and an employment tribunal or other court proceedings follow, the negotiations are not normally admissible as evidence in these hearings.
- 3.3 Settlement Agreements are normally used to bring an employment relationship to an end in a mutually agreed way. Any manager who has received appropriate training and taken appropriate advice from Thenue's legal advisers or EVH may initiate a 'protected conversation' with an employee about a possible Settlement Agreement. Any "protected conversations" (namely conversations that are protected by virtue of s111A of the Employment Rights Act 1996) with employees should be carefully considered and appropriate advice taken from legal advisers or EVH as required.
- 3.4 Under section 111A, pre-termination negotiations can be treated as confidential even where there is no current employment dispute or where one or more of the parties is unaware that there is an employment problem. The confidentiality provisions of section 111A are subject to there being no improper behaviour.
- 3.5 If the Board of Management wish to initiate such discussions with the Chief Executive, they will be undertaken by the Chair and/or any other board member, supported, if appropriate, by an employment advisor, after prior authorisation from the Board of Management. Where the Chief Executive is the subject of the protected conversation then the Scottish Housing Regulator (SHR) must be notified ahead of any conversation taking place, in order to comply with their Notifiable Event Guidance. Where such discussions are initiated by the employee, the Chief Executive must seek final approval from the Board of Management prior to concluding the outcome of such discussions.
- 3.6 In arranging and conducting such discussions, and confirming any agreements in writing, the Chief Executive should have regard to the guidance set out in the ACAS publication, "Settlement Agreements: A guide", and to any requirement for specific advice from Thenue's specialist employment advisors.
- 3.7 Where such discussions are through face to face meetings, the employee may be accompanied by a work colleague or trade union representative, should they so wish.
- 3.8 If discussions end in agreement to conclude a Settlement Agreement, a formal written agreement will be required. External specialist professional advice must always be taken about the form of such agreements (either from EVH or the association's legal advisors). In order to be valid, the employee must have received their own independent legal advice; this adviser must be named in the agreement, and have current indemnity insurance covering the risk of a claim by the employee. Thenue will make a contribution towards the costs of

obtaining this independent advice, generally up to £300 plus VAT.

- 3.9 If a Settlement Agreement is entered into with an employee then the SHR must be notified under the SHR Notifiable Event Guidance.
- 3.10 A Thenue Settlement Agreement can only be signed by authorised persons following a specific resolution of the Board of Management to that effect.

4. EQUALITIES IMPACT

- 4.1 We do not see this policy as having any direct impact upon the protected characteristics contained within the Equality Act 2010. We will however be mindful in the way we select those unresolved disputes/business challenge issues to route via the Settlement Agreement method. We will also be mindful of the way in which we present this option to employees and the language we use when discussing any proposition with them. By extension we will avoid holding any assumptions as may be viewed to be discriminatory, and/or taking actions which in themselves could be perceived as victimising the employee(s) concerned.
- 4.2 We will also take account of the advice contained within the EVH “Pre-termination Discussions & Settlement Agreements” Information Note (May 2019); along with the information contained within the relevant ACAS Guide (December 2018).

SMOKE-FREE POLICY

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1. INTRODUCTION

- 1.1 Thenue recognises, as an employer, it has a duty under the Smoking, Health and Social Care (Scotland) Act 2005, the Health and Safety at Work Act 1974 and Workplace (Health, Safety and Welfare) Regulations 1992, to ensure, so far as is reasonably practicable, that its working environment for all staff members is healthy and safe. It has been recognised that passive smoking can cause diseases therefore preventing it can save lives.
- 1.2 This policy has been introduced as Thenue' response to the Smoking, Health and Social Care (Scotland) Act 2005 as well as its duty of care for the health and welfare of all staff members and customers.

2. LEGAL FRAMEWORK

Smoking, Health and Social Care (Scotland) Act 2005

- 2.1 The Smoking, Health and Social Care (Scotland) Act came into force in Scotland on 26th March 2006. The law imposes a total ban of smoking and affects most public premises and also includes workplaces and work vehicles.
- 2.2 The Act also makes non-compliance a criminal offence and imposes fines of £50 for individuals and £200 for managers owners who allow smoking within their premises and/or fail to display warning notices and/or fail to stop staff members, customers and visitors from smoking. Refusal or failure to pay may result in prosecution and a fine of up to £2,500. The law is enforced by the Environmental Health Officers who can inspect any non-smoking premises unannounced and impose fines on individuals and employers. All enclosed and partially enclosed public premises are covered by the law (Appendix A) with a few exemptions (Appendix B).
- 2.3 There are however no legal obligations placed on employers to provide smoking facilities in any premises excluded from the Act.

Health and Safety at Work Act 1974

- 2.4 The act imposes a general duty on employers to ensure health, safety and welfare at work for their staff members or workers. As a result, employers must resolve complaints from their staff members or workers about their health and welfare being put at risk from working in a smoky environment.

Health and Safety (Workplace) Regulations 1992

- 2.5 The regulations require employers to ensure that there are arrangements in place to protect non-smokers from discomfort caused by tobacco smoke in rest areas.

3. POLICY PRINCIPLES

3.1 This Smoke-Free Policy:

- Guarantees all staff members, workers, contractors, customers, visitors, staff from other agencies, governing body members and members of the public, air free of tobacco smoke within all premises of Thenue.
- Prohibits smoking or use of e cigarettes throughout the working premises.
- Withdraws completely the provisions of smoking rooms.
- Details how Thenue will deal with non-observance of smoking restrictions in relation to workers, customers, visitors and contractors.
- Offers a voluntary support for staff members who smoke in their cessation effort and discusses the prevalence of new smoking cessation aids such as electronic cigarettes.

3.2 As a result of the Smoking, Health and Social Care (Scotland) Act 2005, Thenue imposes a total ban of smoking in all its premises in any common or work areas, including vehicles owned, leased or hired by the organisation. Private cars used to transport colleagues, clients or visitors in relation to business are also covered by this policy. Anyone who wishes to smoke must do so in the designated outdoor smoking area stipulated by Thenue located outside near the CHLC rear emergency exit door where a bin is in place, or in any place that is not covered by the smoking ban.

Passive smoking exposure outwith the organisation's premises

3.3 As per Thenue' Health and Safety Control Manual, section 3.11: *"Where staff members are exposed to passive smoke outwith company premises or vehicles while on company business, they will be entitled to request a smoke-free environment in which to continue their business. Where no such environment is available, the staff member will be entitled to cease work within the area. In such circumstances, the staff member will report such situation to their Line Manager without delay, who will take the appropriate action"*.

4. IMPLEMENTATION

- No Smoking signs will be clearly displayed in Thenue' premises including company cars.
- Thenue has no smoking areas or ashtrays within their premises.
- Non-compliance with Thenue' Smoke-Free Policy will be dealt with by following our non-compliance procedures outlined below. Thenue also wishes to stress that the non-compliance with the smoking law is a criminal offence as per the Smoking, Health and Social Care (Scotland) Act 2005 and that fines and prosecution may be applied to individuals and employers by the Environmental Health Officers.
- Thenue will not hold tobacco-related investments, or accept sponsorship or donations from tobacco companies.
- Smoking will only be allowed in the designated external areas. Smoking outwith these areas will be regarded as a breach of this policy.
- Any questions, comments or concerns regarding the Smoke Free Policy should be raised with Thenue. Breaches of the policy should be reported to your line manager.

5. NON COMPLIANCE

- 5.1 All employees, workers, contractors, customers, visitors, staff from other agencies, governing body or committee members and members of the public are informed that Thenue operates a Smoke-Free Policy in all its premises, developed to ensure a safe working environment. The displayed No Smoking signs are designed to inform and remind everyone of this. Whilst it is Thenue' belief that most people will respect the policy, we have put in place procedures to deal with non-compliance. Any person not complying with the ban commits an offence towards the organisation as well as the law. It is therefore our intention to enforce this policy and impose sanctions on people that choose not to comply with it.
- 5.2 The Smoke-Free Policy applies to all employees and workers across the organisation. It is the responsibility of employees and workers to adhere to this policy. Line managers are responsible for enforcing the policy and will be trained on implementation issues. Any acts of non-compliance with this policy will be dealt with in accordance with Thenue' Disciplinary Procedures. For employees, a refusal to comply with a Smoking Ban will be treated as misconduct or gross misconduct, dependent on the coverage of the Smoking Ban in external workplace areas, and the presence of any flammable materials present inside or outside the premises. Breaches of the Smoke-Free Policy with reference to health and safety procedures or legislative provisions will attract the appropriate level of discipline up to and including dismissal. This measure is to ensure the provision of a safe working environment as well as compliance with the law.
- 5.3 Any contractor, customer, visitor, staff from other agencies or other members of the public who refuses to comply with the provisions of the Smoke-Free policy will be asked to leave the premises immediately. Further refusal will result in the withdrawal of contracts with individual contractors, as well as informing their employers of their non-compliance, the potential withdrawal of services to our customers and barring visitors or members of the public from our premises. Persistent refusal will trigger an application of our normal procedure for dealing with antisocial behaviour. Governing body members who refuse to refrain from smoking in accordance with the Smoke-Free Policy would be dealt with in accordance with their Code of Conduct.

6. CESSATION SUPPORT

Thenue recognises that passive smoking adversely affects the health of all employees. However, it does recognise that the Smoke-Free Policy can impact on smokers' working lives.

In an effort to help employees adjust to the changes they will be supported through:

- Being encouraged to seek advice on modifying their smoking behaviour or quitting smoking.
- Supplies of self-help information will be made available on request.
- Periodic campaigns will be undertaken to encourage smokers to stop and to publicise the support available.
- Sources of support are Scotland's national stop smoking helpline, Smokeline, which is available by calling 0800 848484. Alternatively, you can contact them via their website canstopsmoking.com. You can also contact the Department of Health website www.smokefree.nhs.uk for Your GP and local pharmacies can also offer assistance and advice with smoking cessation.

7. USE OF ELECTRONIC CIGARETTES

Electronic cigarettes are being widely used to aid smoking cessation. Electronic cigarettes release varying amounts of nicotine in a warm water mist, which simulates the flavour of a real cigarette. Electronic cigarettes are not covered under the Smoking, Health and Social Care (Scotland) Act 2005 as they were not in existence when the legislation was introduced. Some employers have taken the view that as electronic cigarettes produce water vapour rather than smoke, they can be used indoors legally.

Thenue understands that there is still research to be completed on the safety and effectiveness of electronic cigarettes as a smoking cessation tool. Our employees should therefore use electronic cigarettes during rest breaks in designated smoking areas. We do not deem it appropriate to use electronic cigarettes on Thenue' premises, as they could cause annoyance to colleagues and be perceived as 'real' cigarettes if used in areas where there is contact with customers, along with colleagues, visitors and contractors. We would ask that all those that the policy applies to respect this application of the rules and do not expect any breaches of the rules to take place.

STAFF FORUM REMIT

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1. INTRODUCTION

The idea of a staff forum is much more than a requirement to keep staff updated on business changes. It is an opportunity to discuss staffing issues with staff who have a particular interest in developing and improving working practices. Frontline employees know so much about the business that not talking to them at regular intervals is a serious business omission.

The staff forum allows staff from all areas and all grades within the business to share new ideas, challenge existing practices and keep informing the business and moving it forward.

2. ROLE OF THE FORUM

- To provide a voice in any consultation or negotiation for those members of staff who are not union members (The Union have a place at the table for any negotiations and represent their members there).
- To share best practice and problem solve issues which affect staff as a whole
- To provide staff the opportunity to contribute to the development & review on any policy and procedural issues relating to staff and staffing matters
- To be one of the consultative forums for developing and retaining our Investors in people accreditation
- To lead in the development & delivery of any health & wellbeing initiatives proposed over the year.
- To contribute ideas and suggestions in relation to Corporate Social Responsibility initiatives (e.g. collections for local Food Banks, sponsoring good causes, nominating an annual charity)

3. MEMBERSHIP OF THE FORUM

Membership of the forum is open to all staff but there is a limit of 12 members. Each member must be prepared to represent a number of staff who may or may not be from their own section/department. This involves seeking views from these members prior to meetings to ensure those views are represented, feeding back outcomes from meetings and following up any actions as agreed. The Union rep and the Chief Executive will have standing invitations to forum meetings.

4. MEETINGS OF THE FORUM

The forum will meet at least 3 times a year or more frequently if staffing matters dictate this.

Smaller working groups may also be established from within the membership and beyond to take forward specific issues if this is required.

STRESS MANAGEMENT

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1. INTRODUCTION

In the UK, stress or other related conditions, such as low mood or anxiety, are the most common reasons for absence from work and it can affect anyone. We appreciate that there can be various causes or triggers that contribute to people feeling stressed and unable to cope. At Thenue we are committed to taking reasonable steps to mitigate the risk of our employees suffering from stress, especially work-related stress and to promoting a culture that supports a healthy work/life balance and provide a safe working environment for all our staff.

Stress can be debilitating and can be a contributory factor in many conditions. Thenue recognises the need to promote a culture of good mental and physical health in its duty of care under the requirement of the Health and Safety at Work Act 1974.

2. BACKGROUND

Concern about stress in the workplace is not new. The Health and Safety Executive (HSE) introduced Stress Management Standards a number of years ago and implemented tools to accompany them which have developed over the years. The management standards cover six key areas:

Demands - this includes issues such as workload, work patterns and the work environment.

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

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

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

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

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

In considering the best way to manage stress we will refer to and utilise the HSE resources and guidance and other sources available at HSE website www.hse.gov.uk.

3. POLICY AIMS

This policy aims to:

- Develop and promote an open culture of mental health and physical wellbeing awareness, communication and risk management
- Help staff to understand the wider issues associated with mental health, its management, the identification of problems (including the possible effects of health on work and work on health) and appropriate coping mechanisms.
- Provide managers with a clear process to use should an employee report that they are suffering from work-related stress and other adverse mental health conditions.
- Provide details of the proactive measures Thenue will implement to help reduce and, where possible, eliminate stress and its causes

4. LEGAL FRAMEWORK

Although there is no specific legislation on stress the following are relevant through case law.

- **Health & Safety at Work Act 1974**
Under section 2 (1), employers have a duty to 'ensure, so far as is reasonably practical, the health, safety and welfare at work of all...employees'
- **Management of Health and Safety at Work Regulations 1999, as amended**
Requires that employers make a suitable and sufficient assessment of the risks to the H&S of its employees to which they are exposed whilst they are at work and this includes stress.

5. DEFINITIONS

The following are definitions which will be applied in the context of this policy:

Health: A state of complete physical, mental and social well-being, not just the absence of disease or infirmity." (World Health Organisation)

Occupational Health: the promotion and maintenance of the highest degree of physical, mental and social well-being of workers in all occupations by preventing departures from health, controlling risks and the adaptation of work to people and people to their jobs". (International Labour Organisation ILO/WHO 1950)

Mental Wellness: as defined by the World Health Organisation, is "a state of well-being in which the individual realises his or her own abilities, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to his or her community."

Stress: According to the World Health Organisation, "Stress can be defined as a state of worry or mental tension caused by a difficult situation. Stress is a natural human response that prompts us to address challenges and threats in our lives. Everyone experiences stress to some degree. The way we respond to stress, however, makes a big difference to our overall well-being.

The HSE's formal definition of **work-related stress** is "The adverse reaction people have to excessive pressures or other types of demand placed on them at work".

Proactive measures: aims to prevent the harm caused by stress and other adverse mental health conditions by taking action before it occurs.

Reactive measures: actions which will respond to any stress or mental health related situation to minimise harm once it has occurred and assist in preventing it occurring again.

6. CONFIDENTIALITY

Thenue will ensure that employees experiencing stress are dealt with in the strictest of confidence, in line with related policies and good practice.

7. LINE MANAGER RESPONSIBILITIES

Line managers play a key role in managing stress, mental health and wellbeing within the workplace. It is vital to the success of this policy that managers have a thorough understanding of what can cause stress and mental health issues and what to be aware of to help identify early signs.

Line manager's responsibilities include:

- Attending stress awareness and mental health training
- To be aware of the signs of mental health issues (including stress) and to intervene where necessary
- Promote the organisations culture of a physically and mentally healthy organisation
- To manage staff effectively to minimise them experiencing stress
- Where issues of stress arise, intervene as early as possible
- To ensure that a stress risk assessment is conducted with their staff
- Ensure staff contribute to the organisation's stress questionnaires
- To take steps to help employees maintain a state of good mental health e.g. encourage rest breaks, and holidays.

8. EMPLOYEE RESPONSIBILITIES

Thenue recognises that any of our employees may suffer from mental ill-health at times and we will do all we can reasonably do to help, where possible. While we generally have resilience to life and work pressures, we appreciate that this may not always be the case and the level of resilience may differ from person to person. We will ask employees to tell us when they are feeling stressed and unable to cope and will endeavour to create a working environment where our people feel it is a safe space for them to do so.

Thenue will be proactive in promoting good mental health and physical wellbeing in the workplace.

Employees will be encouraged to:

- Raise any concerns regarding stress or perceived mental health or general wellbeing issues affecting themselves or colleagues at the earliest opportunity
- Participate in Thenue' measures to assist in reducing stress and improving the mental health and wellbeing structure.
- Be aware of the HSE Risk Management standards on Work Related Stress
- Inform management of any work process that appears to be putting undue stress on staff.

9. MANAGING STRESS, MENTAL HEALTH AND WELLBEING

9.1 Proactive Measures

When one of our employees is suffering from stress, we will take steps to help them as early as possible. This may be by talking to one of our Mental Health First Aiders or to their line manager or to sign posting them to one of the two free counselling services we offer. Rowan Consultancy or Headstrong one to ones. We will also work with them to complete a Wellness Action Plan so we can better understand how they feel and what steps they feel we can take to help alleviate the feeling of debilitating stress.

- **Stress Risk Assessments**
Thenue will commit to conducting and reviewing Stress Risk Assessments on a periodic basis, based on the HSE's Management Standard on work related stress. This will assist in identifying any 'at risk' areas within the organisation.
- **Analysing Information**
We will analyse staff absence data and other relevant employee information on a regular basis as a means of early identification of where stress or mental health issues may be a

contributory factor to the absences. Based on information obtained, we will consider lessons to take on board and changes to be made, establishing an action plan with timescales for delivery, review and monitoring by our Operational Management Team and Executive Team.

- **Promoting the Wellbeing of Employees**

Thenue is committed to facilitating a culture of promoting physical and mental health in the following ways:

- Provide stress awareness, mental and emotional health sessions for staff.
- Ensure that staff take any allocated breaks.
- Manage staff holiday entitlement in order that leave is taken throughout the year at reasonable intervals.
- Promote the benefits of physical activity for both physical and mental health.
- Ensure that staff are not working excessive hours on a regular and prolonged basis.
- Provide opportunities for employees to be active throughout their working day where possible and appropriate

9.2 **Reactive Measures**

Stress can affect anyone and can do so in different ways. This may be caused by work or personal circumstances, or a combination of both.

9.3 **Managing Individual Stress Concerns**

The following details the process that will be used by Thenue should an employee raise concerns of stress.

- Manager becomes aware that an employee is experiencing stress.
- The manager will understand the sensitivity of the situation and will arrange to meet with the staff member as early as possible, e.g. within the first 2 weeks from their first day of absence, if applicable, to discuss the issues and identify what steps Thenue can take to help.
- We will signpost the staff member to our Mental Health First Aider and/or our free counselling via Rowan and Headstrong. If appropriate the employee may be referred to an occupational health specialist, although we appreciate that at this early stage and a rest away from work related matters may be more helpful, with regular contact arrangements being established between the member of staff and their manager, in line with our Attendance Management procedures.
- If the employee is absent as a result of work-related stress, steps will be taken at an early stage to address and alleviate the cause of the stress, where possible

NB: If the employee's line manager is a contributing factor to the employee's stress, another appropriate manager e.g. a manager one level above, or the People and Culture Manager, will conduct the meetings.

If it is identified that the stress is being caused by another employee then appropriate investigations may be required in line with Thenue' Grievance Policy.

If through discussions with an employee a line manager becomes aware of a stress, mental health or wellbeing risk they will raise this in the appropriate way to ensure it is addressed at an organisational level. This will be done while maintaining the employee's confidentiality.

9.4 **Occupational Health**

If deemed appropriate an employee may be referred to an occupational health specialist to assist in the absence management and help identify any actions that could be taken to assist in the employee's recovery.

9.5 **Employee Counselling Service**

All employees have access to the Rowan Employee Counselling Service

www.rowan-consultancy.co.uk

01738 562005

Or

Headstrong (Scotland) Limited

www.headstrongminds.com

0141 255 2123

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SUBSTANCE MISUSE

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1. INTRODUCTION

This policy has been devised to assist Thenue in managing situations of alcohol and substance misuse affecting the employee's ability to carry out their duties. Thenue has a duty to provide high service standards of at all times and it is acknowledged that alcohol and substance misuse is likely to have an adverse effect on this.

This policy will set out Thenue's standards and expectations in relation to alcohol and substance misuse and the level of support that will be offered should such a situation arise.

2. POLICY AIMS

- Clarify Thenue's position on ongoing alcohol and/or substances misuse at work whilst on duty.
- Explain Thenue's position on illegal activity concerning alcohol and substance misuse.
- Provide guidance and boundaries on appropriate assistance and support to employees being affected by alcohol or substance misuse.
- Adhere to the legal obligations of Thenue as set out under Health & Safety legislation.
- Clarify the circumstances in which disciplinary procedures will be instigated.
- Provide guidance for managers to manage alcohol and substance misuse.
- Clarify the distinction between dependent and non-dependent misuse of alcohol or substances.

3. DEFINITIONS

For the purposes of this policy the following definitions apply:

- **Alcohol Misuse:** when a person drinks in a way that is harmful, or they are dependent on alcohol. (www.nhs.uk)
- **Substance Misuse:** Intoxication by/or regular excessive consumption of and/or dependence on psychoactive substances, leading to social, psychological, physical or legal problems. It includes problematic use of both legal and illegal drugs (including alcohol when used in combination with other substances) www.nice.org.uk

4. DISCIPLINARY PROCEDURES

In circumstances where Thenue's disciplinary procedures are instigated in relation to this policy, the outcome may include dismissal.

5. LEGAL FRAMEWORK

- Health & Safety at Work Act 1974
- Misuse of Drugs Act 1971

Health and Safety

Thenue recognises its duty under the Health & Safety at Work Act 1974 to ensure as far as is reasonably practical the physical and psychological health, safety and wellbeing of all employees. If it is felt that an

individual poses a risk to the health, safety or wellbeing of themselves or anyone else as a result of alcohol or substances, immediate action will be taken to remove the individual from the environment, most likely by sending the individual home, or seek emergency medical assistance. If it is not safe for the individual to make their own way home alternative travel arrangements must be made.

All employees have a responsibility to ensure the health, safety and wellbeing of others is not put at risk. If an employee has reason to believe that a colleague is misusing alcohol or substances, they must inform their line manager immediately.

Illegal Activity

Thenue respects an individual's right to a private life, however Thenue works within the community with a purpose of improving the lives of those who live there. As a result, Thenue will not tolerate any instances of illegal activity concerning or associated with substances. Any employee found to be involved or connected to illegal activity will be managed under Thenue' disciplinary procedure which will likely result in dismissal.

Alcohol and the Workplace

The consumption of alcohol at work is not normally permitted. However, at special events, where the employee is not driving and only with the approval of the Governing Body alcohol may be permitted.

Driving at Work

Drinking alcohol or taking substances can affect people in different ways. Should an employee drink alcohol or take a substance (legal or illegal) which impairs their ability to drive and then undertake any occupational driving this will be deemed as breach of conduct and will be dealt with under our Disciplinary Policy. This will also be reported to the police.

Before any driving at work takes place, a dynamic risk assessment should be conducted. This should be completed by the driver and should include any alcohol or substance consumption. This is particularly relevant 'the morning after the night before'. If an employee is in any doubt as to whether they are safe to drive they should not do so.

If an employee suspects another staff member has consumed alcohol or substances or they have reason to believe the person may not be safe to drive, they have a responsibility to report this immediately to a manager. The manager will deal with the situation appropriately which will include informing the police. Should malicious allegations be made this will be treated very seriously and will be subject to formal disciplinary action.

6. MANAGING ALCOHOL MISUSE

Thenue will manage alcohol misuse depending on its nature. Alcohol misuse will be dealt with under the following categories:

- 1) Alcohol overindulgence
- 2) Alcohol dependence

Where concern arises regarding alcohol overindulgence that results in socially unacceptable or dangerous behaviour but which is not related to a physical or psychological dependence, this will be

treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where concern arises regarding alcohol dependency and interferes with an employee's ability to carry out their duties, this will initially be considered as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, programme not completed, or no dependence is diagnosed Thenue will instigate the disciplinary procedure.

7. MANAGING SUBSTANCE MISUSE

- **Legal Substances**

Where concern arises regarding overindulgence in legally obtained substances which results in socially unacceptable or dangerous behaviour. This also relates to prescription medication, whether required short or long term. Such situations will be treated as a conduct issue and will be dealt with under the organisation's disciplinary procedures.

Where an issue arises concerning legal substance dependency which has been obtained legally and interferes with an employee's work, this will initially be managed as an ill-health issue and managed in accordance with the appropriate procedures. However, where there is no improvement, support is not accepted, a programme completed or no dependence is diagnosed Thenue will instigate the disciplinary procedure.

- **Illegal Substance Misuse**

Thenue will not tolerate the consumption or possession of illegal substances in any circumstances. This will always be considered to be gross misconduct.

- **Illegally Obtained Legal Substances**

Thenue will not tolerate illegal activity concerning legal substances. Any employee who is suspected of being involved in any such activity will be dealt with in accordance with Thenue's disciplinary procedures as gross misconduct.

- **General Illegal Activity**

Any employee suspected to be involved in illegal activity concerning substances will also be reported to the police.

- **Police Involvement**

In circumstances where the police are involved in an investigation concerning any employee, Thenue will continue with their own investigation and act on this accordingly regardless.

8. DEPENDENCY

In circumstances where an employee is suspected of having an alcohol or legal substance dependency Thenue will provide reasonable support. In the first instance the line manager will have a meeting with the employee and make a referral to a counselling service. The manager will then have follow-up meetings on an appropriate and regular timescale to determine the progress the individual is making.

Where there are performance issues relating to the dependence appropriate performance plans will be put in place in accordance with Thenue' under performance procedures as detailed in the disciplinary procedures. Where the improvement is not adequate or support via a counselling service is not adhered to, normal disciplinary procedures will be instigated which may result in dismissal.

9. CONFIDENTIALITY AND GENERAL DATA PROTECTION REGULATIONS

Employees with alcohol or substance misuse problems who are referred for support, whether voluntarily or mandatory will be dealt with in the strictest confidence.

This information will be handled in line with Thenue' obligations under the current data protection regulations and our own. Information regarding how your data will be stored can be obtained by contacting the Data Protection Officer (People and Culture Manager)

10. SUPPORTING AGENCIES

- [Turning Point Scotland](#)
Tel: 0141 420 6969

[Scottish Drugs Services Directory](#)

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