



**STAFF
POLICY HANDBOOK**

**APPROVED 20 APRIL 2021
AMENDED 15 AUGUST 2023**

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

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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.

CAREER BREAK

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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.

The purpose of this policy is to outline Thenue's approach to staff members who wish to further their education/travel etc. and to define the process to be followed when considering staff member requests for career breaks.

The basis of a career break is that a staff member is guaranteed re-employment with Thenue at the end of the break, provided that the staff member has adhered to the terms and conditions of the scheme. The job the staff member returns to will be of similar grade/responsibilities but not necessarily 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's image in the recruitment market;
- exemplifies Thenue's commitment to equal career opportunities for all staff.

3. ELIGIBILITY

To be eligible for a career break staff must:

- Have completed at least two years continuous service.
- Have at least 5 years' potential service prior to state retirement age on return.
- Have a satisfactory performance record (example no outstanding disciplinary action, good outcome at last personal development review).
- Have a satisfactory health and attendance record (for last 2 years be within 5% absenteeism target).
- Indicate a firm intention to return to work.

Each case will be considered on its own merits in light of personal circumstances and Thenue's operational needs, and approval given where appropriate by the Department Head.

It may not be possible to grant release in every case due to the needs of the service and release may depend on suitable replacements being available. The commencement and time allowed for each career break will be at the discretion of the Department Head.

There is no appeal against this decision via this policy, although our grievance procedures exist should a staff member need to use them.

4. LENGTH OF CAREER BREAK

A career break is available for a minimum of 6 months to a maximum period of 12 months. No more than two career breaks may normally be taken by any staff member. Anyone who takes a career break must return to work for at least 2 years between each break.

5. APPLICATION PROCEDURE

An application for a career break must be made to the Department Head at least 3 months before the date on which the career break is due to start. The staff member should complete, in full, a career break form which is available on the intranet.

Confirmation of acceptance or non-acceptance will be made in writing, to the staff member, at the earliest opportunity, normally within one month of the application being made but practical recruitment processes may delay the final confirmation.

6. EFFECTS ON TERMS AND CONDITION OF EMPLOYMENT

- 6.1 During the period of leave of absence the staff member has 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 - The Death Benefit shall continue to apply during the period of leave of absence and shall be calculated by reference to the earnings immediately before such period of absence commenced.
- 6.4 Upon return from leave of absence the staff member will be entitled to make good all contributions to the association's Pension and Death Benefit Scheme omitted during the leave of absence within a period agreed by the Scheme Trustees. In such case, the association shall also pay, over the same period, the contributions it would have been liable to pay during the leave of absence, as per the condition of the Scheme Trust Deeds and Rules.
- 6.5 During the period of unpaid leave of absence, the association will pay all professional subscriptions in respect of membership of professional bodies, if appropriate.
- 6.6 Redundancy - If redundancy should occur during a career break, the staff member will be contacted, in writing, and dealt with under the association's Redundancy Procedure.
- 6.7 Increments – staff returning from career break 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 the association's 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 the association throughout the break. A regular information pack containing any circulars, newsletters and other relevant material will be emailed to any staff member on a career break by their line manager.

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 full time work in a similar occupation in the UK during this period. If he/she should do so then he/she will automatically lose his/her right to return to work. Breaks will not be granted if the staff member uses the career break to take up employment in the same industry in the UK.

8.2 The staff member may accept alternative part-time or full-time work that is not in a similar organisation or occupation; however, prior to accepting this he/she must obtain written consent from the association. Failure to do so will result in the loss of the right to return to work.

9. POSTPONING THE DATE OF RETURN

9.1 By the Association:

If there are no suitable vacancies Thenue may postpone the date of return for up to 28 days. The staff member will be informed of the revised date in writing. If the association 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 staff member on medical grounds:

The date of return may be postponed by the staff member on medical grounds only. The maximum period of postponement allowed is 28 days. If a staff member 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 not count towards continuous service.

10. RETURNING TO WORK

Staff must return to their original pattern of working after the career break. Staff must give notice of 28 days, in writing, to the Department Head of their intention to return to work. Failure to do that will be treated as a resignation.

Unless a postponement has been agreed, if a staff member fails to return to work after their career break they will lose their right to return to work. Thenue will assume that the staff member has resigned from their post which will be effective from the end of their career break.

When the staff member 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 HOUSING ASSOCIATION LTD RESERVES THE RIGHT
TO ALTER OR WITHDRAW THE SCHEME AT ANY TIME**

CODE OF CONDUCT FOR STAFF

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We have two codes of conduct; one for Board Members and the other for staff. Both aim to ensure that all members of staff and Board members operate the highest standard of integrity at all times. The Board of Management and all members of staff need to be above any criticism or suspicion in terms of the propriety or integrity of their conduct.

This policy shall be reinforced by:

- A commitment from all staff and Board members to the spirit of the policy in and through the code of governance and this code of conduct.
- A commitment from all staff and Board members to declare any potential conflict of interest.
- A commitment to take steps to avoid conflict of interest by not participating in decision making where a potential conflict has been declared; and
- A commitment to the annual review and update of a conflict of interest register, at the first opportunity after each year's Annual General Meeting.

1. INTRODUCTION

1.1 No Code of Conduct can hope to spell out the appropriate behaviour for every situation staff might face, nor should it seek to do so. In the final analysis, staff are relied upon to make a judgement on what is right and proper in any particular situation. The following guidance will assist when faced with a difficult decision: -

- a) Is anyone's life, health or safety endangered by my action?
- b) Does my action 'feel' right? Does it meet my personal code of behaviour? Could I justify my action to a customer, Board member, or close colleague?
- c) Is my action legal, and does it comply with our policy and approved practice?
- d) Does my intended action appear reasonable? Would I be able to justify it to the news media?
- e) Would I be compromised if my manager, fellow staff members, Board members, or friends knew my intended action?

1.2 Ethical dilemmas occur in many aspects of business life. In order to operate this Code of Conduct effectively, the following are in place: -

- a) A register of interests of individual staff which discloses, at a minimum, their other employment, positions of public responsibility, membership of any other related organisation and any financial interests which may relate to the work of the Association.
- b) A policy on expenses for staff.
- c) A code of governance for Board members.
- d) A register for recording any gifts or hospitality offered or received.

2. GENERAL CONDUCT

Staff are expected to carry out their duties in accordance with the employer's policies and procedures. High standards of personal conduct are expected of staff members. Staff should show courtesy, efficiency, reliability, sobriety and punctuality. Guidance from the Terms & Conditions of Employment is shown below to assist decision making in such circumstances.

- 1. Handling information:** In the course of their employment staff members may have access to confidential information about our organisation, staff members, customers, partners and anyone else in relation to our business. They must not reveal this information to anyone or remove confidential correspondence or documents from the work premises unless they are authorised to do so by a senior officer or the Board of Management and this must be in accordance with the Data Protection Act 2018 (DPA 2018) as set out in the Data Protection Policy and Procedures.
- 2. Social networking:** We respect staff members' right to a private life and that includes joining any social networking sites they want. However, information posted on these sites is classed as public and not private. As a result, they are not allowed to reveal confidential information relating to us, our customers, partners, suppliers, Board members, staff members and so on. They are also not allowed to post any comments on people and events connected to us, or make any remarks which could possibly bring us into disrepute. Any actions could result in disciplinary action, including dismissal.
- 3. Email & Internet:** Thenue Housing has a more comprehensive IT & Electronic communication policy which should be referred to. In brief, the use of Thenue Housing's IT equipment and internet services are open to all staff for private use within agreed guidelines contained in the policy. Staff must sign a declaration on their first day of employment with Thenue confirming that they have read and understood the IT & Electronic communication policy.
- 4. Telephone:** 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 itemised telephone bill.
- 5. Interest in contracts and appointments:** Staff members must, as soon as possible, tell their line manager in writing, if they discover we have, or plan to enter into, a contract or an appointment; and they have a financial or private interest in that contract or appointment. This interest can be direct or indirect (which includes some situations where they are not a party to it but their relatives or friends are).
- 6. Publications and lectures:** Staff members may not publish any material or deliver any lecture relating specifically to us or our business without getting approval beforehand. They should ask for this approval in writing from the senior manager or Board of Management.
- 7. Using official premises:** Staff members may not use official premises for unofficial purposes at any time without getting the approval of the Chief Executive beforehand.
- 8. Tendering & Procuring:** Fairness and impartiality is required. All orders and contracts must be awarded on merit, by fair competition. Staff must not disclose confidential information on tender costs, and where possible, and where alternatives exist, should

avoid the use for private purposes of any firms working for the Association.

9. **Employment matters:** Staff involved in making appointments should ensure that these are based on merit alone. Personal preferences should not influence judgements to be made. The law and our employment procedures must be observed scrupulously and impartially, subject always to the duty to act fairly.
10. **Political campaigning & Public activities:** It is crucial that staff carry out their work without any bias towards any political or other group. Staff must follow the lawful expressed policies and procedures of the Association, and must not allow their own personal or political opinions to interfere with their work or impartiality. None of the above impinges on their rights to be an active citizen or, for example, an active trade unionist and act in such capacity. 'Regulated Lobbying' is an official Scottish Government term, and as such, must be recorded in the Scottish Government's Lobbying Register.
11. **Declaration of Interest:** Staff members must ensure their private or personal interests do not influence their decisions, and that they do not use their position to obtain personal gain of any sort, either for themselves directly, or for their families, friends or associates. Staff members must declare any actual or potential conflicts of interest arising from previous sections of this code in the Association's register of interests.
12. **Public statements:** For guidance, Staff members must be aware that their comments on issues which may be subject to debate must be limited to professional advice, fact, legal and financial implications. This prevents Staff members being considered to be participants, or biased, in campaigns or politics, which directly affect their employer.
13. **Relationships – Board:** Close personal familiarity with Board members could be prejudicial to the good running of the organisation, and should be avoided. Staff members should not use informal channels to influence the Board on Association business. Any staff member who finds that their friendship or close relationship with a Board member may cast doubt on the objectivity of their decision-making should advise the Chief Executive or their line manager. When to advise will be a matter of judgement for the individuals concerned, but it should certainly be before there is a likelihood of them leaving themselves open to allegations of bias or favouritism. (Individuals can discuss in confidence their own situation with the Rowan Employee Counselling Service on 01738 562 005).
14. **Relationships – Staff:** Any personal relationship between staff members should be declared to the appropriate line manager and also noted on the annual declaration form.

DIGNITY AT WORK

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1. INTRODUCTION

Thenue Housing 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 Housing 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 Housing. 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 Housing 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 Housing.

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 Housing 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, Head of Housing (Counter Signatory), Corporate Services Manager, Corporate Services 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 Head of Community Housing Services is the Lead Counter Signatory for any Disclosure Scotland applications. If a check shows anything of concern, the Head of Housing will review this and where appropriate seek legal advice before any decision regarding the employment of the individual is taken. The Corporate Services Manager and Corporate Services 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 Housing 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

Disclosure Checks

- d. Retirement Housing Assistants – Basic Disclosure
- e. Community Regeneration Project Worker – Enhanced Disclosure

FLEXIBLE WORKING POLICY

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1. INTRODUCTION

Thenue Housing recognises that a flexible working policy will help to ensure compliance with the right to request flexible working brought in by the Employment Act 2002 and Work and Families Act 2006. The policy helps to ensure equality and fairness throughout the process and aid staff members work life balance. Staff members have the right to request changes to their working hours or place of work under the statutory right in the Employment Rights Act 1996 to request flexible working.

2. BACKGROUND

We understand that it is important for staff members to establish a work – life balance as many individuals have personal responsibilities outside from work. Flexible work may allow more freedom for staff members to organise their employment to fit in with other parts of their life.

3. LEGAL FRAMEWORK EMPLOYMENT

Rights Act 1996

In August 1996 the Employment Rights Act was introduced to set out statutory employment rights of workers and staff members.

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 Rights Act 1996, Employment Act 2002, Work and Families Act 2006 and Flexible Working Regulations 2014.
- Aims to provide workers with the opportunity to request to change their standard working arrangements to strike a better balance between their home and work responsibilities and for Thenue Housing to retain talent and skills in the workforce and react effectively to changing market conditions.
- Details the flexible working procedure that must 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 Rights Act 1996 every staff member with 26 weeks continuous service has the right to request a change to their contractual terms and conditions of employment. A staff member can only make one statutory request within a 12 month period.

6. GENERAL

To be eligible, staff members must:

- Be a staff member.
- Have worked for their employer for a continuous period of 26 weeks from the date of application.
- Not be an agency worker.
- Not have made another application to work flexibly under the right 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 Housing's 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.

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 will be 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's 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 & Corporate Services 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 Heads of Department following each meeting, without undue delay.
- 3.6 Where appropriate, the Health and Safety Committee will draft and revise policy, procedures and arrangements, 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 Heads of Department or the Management 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's 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's 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.

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. 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 days annual leave (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's 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's 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 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 Housing.

Flexible First

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

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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's 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's 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's 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's 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 Housing 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 Housing 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 associations 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 Housing 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.

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. Make sure you are provided with appropriate and relevant training.

4. Have reporting systems in place to record, investigate and review any near misses and incidents.
5. Report near misses/incidents on behalf of you if you are unable to do this.
6. Review near misses/incidents, this will include a review of the risk assessment and working procedures.
7. Inform HSE using RIDDOR procedures (if required).
8. Make sure you have appropriate supervision.
9. Provide you with appropriate aftercare and support (in the event of any incident).
10. Make sure you are issued with a copy of this policy.
11. Review this policy and update it as is appropriate
12. 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. Carry out an informal/dynamic risk assessment as and when necessary.
10. Know, understand 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.

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 purpose of risk management is to identify, eliminate, reduce, and control risks. This means:

1. Where possible, eliminate risks and/or hazards or the likelihood of them occurring.
2. Reduce the effects of the risks as far as is reasonably practicable and appropriate.
3. Isolate the risk or hazard.
4. Control the working practice, through appropriate measures.

We conduct the formal risk assessment process for the different operations we perform as a business. Where necessary, further specific risk assessments will be carried out depending on the job function. The risk assessment will:

- Adequately assess the H&S risk to staff.

- Identify what tasks/roles results in a lone worker.
- Identify what hazards lone workers could face.
- Assess/discuss the level of severity against and likelihood of each risk.
- Assist in implementing appropriate and proportional risk control measures.
- Establish appropriate procedures for serious and imminent danger, including emergency response procedures.
- Provide information to you on risks and control procedures.
- Highlight any particular groups at risk.
- Provide for an opportunity for information to be shared to assist in continuing to control and reduce risks.

The risk assessment will be written in a formal style and you will be issued with a copy of this. Further copies can be obtained from the intranet. If you are unable to locate the risk assessment, please speak to your line manager. 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 of 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.

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. POOL CARS

- 5.1 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.

- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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's system of Personal Development Reviews (PDR) offers a formal method of communication for staff regarding their work throughout the previous year, and an opportunity to clarify Thenue's standards, expectations and strategic and operational objectives for the forthcoming year. Each member of staff contributes to Thenue's overall success as an organisation through achieving standards of customer service and agreed outputs.
- 1.2 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 in turn meeting the development potential and training needs of the individual. We aim, through the process to build commitment and enthusiasm from the individual through a participative approach and to improve our success as an organisation.
- 1.3 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 interview. 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 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.
 - 2.4 Before the interview the member of staff having their review will make a self-assessment of their contribution.
 - 2.5 The manager may seek a range of opinion from internal and external customers (but not tenants), with respect to performance. Every staff member will have a formal assessment once a year with a review during the year.
- Annually**
- 2.6 The Chairperson will first review the Chief Executive, with assistance from the Vice Chair. Following this interview the Chief Executive will review each of the Department Heads and the process will then cascade through the line management structure with each member of staff having their review completed within an agreed timescale.

Post Interview Arrangements

- 2.7 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. Only the staff member, the line manager and the Chief Executive will have access to the review report.

Disagreement

- 2.8 There is an opportunity for any staff member to note disagreement, if he or she is not satisfied with the final report. Initially this should be raised verbally by the person being reviewed with their line-manager, and secondly on the summary of interview outcomes form. The next stage in this process is for line-manager's next line-manager to offer some degree of comment, evaluation and arbitration. This is to 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 raise this with the Board of Management or its delegated representatives.

- 2.9 The provisions set out in this policy do not over-ride the provisions of the grievance procedure, as set out in the conditions of service.

Record Keeping

- 2.10 The completed and signed Summary of Interview Outcomes & the Learning & Development plan must be signed and saved to the SAGE HR system as should the 6 month review documents. The electronic form will be private and confidentially held on the system with other staff member personal information. Paperwork will not be held, however, staff members may retain their signed original form.
- 2.11 Outcomes from the Learning and Development section must be emailed to the Corporate Services Manager in order to assist in the production of an organisational learning and development plan.

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 Housing 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 Housing 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 Housing's 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) available at www.clearingtheairscotland.com.
- 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 Housing.
- Prohibits smoking or use of e cigarettes throughout the working premises. 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 in a place that is not covered by the smoking ban.
- Details how Thenue Housing 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.

Passive smoking exposure outwith the organisation's premises

- 3.2 As per Thenue Housing's 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 Housing's premises including company cars
- Non-compliance with Thenue Housing's Smoke-Free Policy will be dealt with by following our non compliance procedures outlined below. Thenue Housing 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 Housing will not hold tobacco-related investments, or accept sponsorship or donations from tobacco companies.
- Any questions, comments or concerns regarding the Smoke Free Policy should be raised with Thenue Housing. Breaches of the policy should be reported to your line manager.

5. NON COMPLIANCE

Disciplinary procedures shall be followed if a staff member does not comply with this policy. Those who do not comply with the smoking law are also liable to a fixed penalty fine and possible criminal prosecution.

6. CESSATION SUPPORT

Thenue Housing 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 or the smokefree helpline on 0800 022 4332 to receive your 'quit kit' or find your local NHS stop smoking service. 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 Housing 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 Housing's 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, MENTAL HEALTH AND WELLBEING

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1. INTRODUCTION

Thenue is committed to taking reasonable steps to assess the risks and reduce the likelihood of employees suffering from work-related stress and other adverse mental health conditions. Although stress in itself is not an illness, it can be a contributory factor in many conditions and can cause both physical and mental illnesses. Stress on its own can also result in poor mental health of employees even if the effects are not severe enough to result in a medical diagnosis. 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

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: Demand; Control; Change; Support; Role; Relationships

Full descriptions of the standards and typical behaviours which can be a sign of stress are available from the HSE website www.hse.gov.uk.

It is important to distinguish the difference between stress and pressure. In most work situations some pressure is healthy, but, stress is when a person experiences too much pressure and the effect of the pressure becomes negative.

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 adaption of work to people and people to their jobs”. (International Labour Organisation ILO/WHO 1950)

Wellbeing: a state of being with others, where human needs are met, where one can act meaningfully to pursue one’s goals, and where one enjoys a satisfactory quality of life.” (Economic and Social Research Council)

Stress: In a medical or biological context stress is a physical, mental, or emotional factor that causes bodily or mental tension. Stresses can be external (from the environment, psychological, or social situations) or internal (illness, or from a medical procedure).” (William C. Shiel, MD)

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”.

Sutherland -v- Hatton (2002) pronounced that the legal test for cases of alleged ill-health caused by occupational stress is “*whether this kind of harm to this particular employee was reasonably foreseeable*”

Barber -v- Somerset Council (2004) concluded that an employer was only fulfilling [their] duty of care if [they] “*kept actively and reasonably up to date with developments in Health & Safety and guidance on stress*”

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.

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own policy. Information regarding how your data will be used and the basis for processing your data is provided in Thenue’s employee fair processing notice.

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 certain employees may suffer ill-health as a result of undue stress at work or from external factors. However, it will generally be assumed that an employee can withstand the normal pressures of the job for which they are employed unless the employee indicates otherwise or there are plain indications (e.g. from colleagues or other initiatives detailed within this policy) of occupational stress or other mental health considerations. All information provided by an employee in terms of their availability to cope with the demands of the job will be taken at face value, unless there is good reason to think to the contrary.

Thenue will aim to develop a system and culture of supervision, teamwork and staff interaction which aims to support and protect all employees and take a proactive approach to reducing stress and promoting mental health and wellbeing awareness in the workplace. To this end, all managers and staff will be made aware of the following indicators of mental health issues (including stress) within individuals and groups:

Indicators of mental health issues in individuals	Indicators of stress or conditions not conducive to good mental health within groups / departments
<p>1) Emotional – Negative or depressive feelings, disappointment with self, increased emotional reactions, loneliness or withdrawn, loss of motivation commitment and confidence, mood swings.</p> <p>2) Mental – Confusion, indecision, inability to concentrate, poor memory, significant decrease in productivity, decrease in motivation, decrease in enjoyment of life.</p> <p>3) Changes from normal behaviour – Changes in eating habits, increased smoking, drinking or drug taking ‘to cope’, mood swings effecting behaviour, changes in sleep patterns, twitchy nervous behaviour, changes in attendance.</p>	<p>1) Disputes and disaffection within the group</p> <p>2) Increase in staff turnover</p> <p>3) Increase in complaints and grievances</p> <p>4) Increased sickness absence</p> <p>5) Increased reports of stress</p> <p>6) Difficulty in attracting new staff</p> <p>7) Poor performance</p> <p>8) Customer dissatisfaction or complaints</p>

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's 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

A 'mental health' training needs analysis will be carried out and appropriate training provided to individuals and groups of employees. This will include consideration of:

- General mental health awareness training for all staff
- Mental Health First Aider training for a key person(s)
- 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
Commitment will be given that Thenue 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.
- 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 is a very individualised condition and, as a result, it is unfortunate that even with the above measures being put in place some employees may nonetheless find themselves experiencing a stressful period in their lives. 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 should arrange to meet with the staff member within 3 days to discuss the issues.
- The line manager will give the employee a stress questionnaire to complete.
- The employee completes the questionnaire and returns this to the line manager.

- The line manager completes any appropriate sections.
- A second meeting is arranged to discuss the questionnaire, identify ways of managing the issues, and any support or interim arrangements that may assist the employee's recovery.
- If appropriate the employee may be referred to an occupational health specialist, an employee counselling service or any other appropriate service.
- At the conclusion of the meeting an action plan will be completed to summarise discussions and what actions will be taken by the organisation, line manager and employee.
- If the employee is absent as a result of stress the absence will continue to be managed in line with Thenue's absence management procedures, the employee will be provided with the questionnaire to complete

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 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's 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

Additional Sources of Information

Healthy Working Lives <http://healthyworkinglives.com/>

HSE

<http://www.hse.gov.uk/stress/>

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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's 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 over indulgence 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's 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's 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 (Corporate Services Manager)

10. SUPPORTING AGENCIES

- Turning Point Scotland
Tel: 0800 652 3757
- National Drugs Helpline
Tel: 0300 123 6600

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