



The Charlie Waller Trust Staff Handbook

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Part A: How we work
Who we are

About the Charlie Waller Trust

Welcome to the Charlie Waller Trust Staff Handbook. At the Charlie Waller Trust, we aim to create a positive culture that supports health and wellbeing and ensures that all our team can perform their duties to the best of their abilities, have opportunities for development, and have a job role that is purposeful and fulfilling.

The following policies provide a more formal and consistent approach as the Trust grows. The handbook is non-contractual and is a framework for us to:

- Communicate our values and expectations for how things are done at the Trust.
- Ensure we are compliant with legislation and provide protection against employment claims.
- Document and implement best practices appropriate to the Trust.
- Support consistent treatment of our team, fairness and transparency.
- Help managers to make decisions that are consistent, uniform and predictable.
- Support our strategy and business plan

What we do

The Charlie Waller Trust was set up by the Waller family in 1997, after Charlie died by suicide aged 28. We provide mental health training, resources and consultancy, with a focus on the systems around children and young people (families and education settings, for example). Our expert trainers give parents, carers, teachers and employers the skills and confidence to spot signs of mental health difficulties and support young people to seek help. We work in schools, colleges, universities, community settings and workplaces throughout the UK. All our work is evidence-informed and most of it is offered free of charge (our workplace offer is our only commercial provision). Charlie's story sits at the heart of the charity, and we strive to ensure young people's voices are heard throughout our work.

How we work

We are:

- **Positive:** We focus on prevention, early intervention and the importance of offering hope.
- **Proven:** Our consultancy, training and resources are all evidence-informed.
- **Practical:** We give people workable strategies and tools to care for their mental health.
- **Purposeful:** Our work is targeted where we can have the most impact.

Our Values in 2024

We work in a way which is:

- **Warm:** Positive personal connections are central to mental health; we aim to reflect that in all our relationships with beneficiaries, supporters, staff and volunteers.

- **Empowering:** We support all those we work with, and who work for us, to use their minds, hearts, energy and creativity to fulfil their potential.
- **Collaborative:** Partnership and cooperation are at the core of our work; we seek the views of those we wish to support and aim to put them at the centre of our activity.
- **Compassionate:** We recognise vulnerability in ourselves and others, especially where there is more than one reason people may be vulnerable to mental health problems, discrimination or inequality.
- **Open:** We believe in being honest about the way we work, our aspirations and where we need to improve; openness and good communication are key to good mental health.

Our Culture

You'll find a warm welcome when you come to work at the Trust. We work as a team – we love enabling individuals to shine; we work hard – we know the pitfalls of perfectionism; we take our work seriously – and we laugh a lot! We hope you'll enjoy working with us.

Purpose of this document

This handbook provides details of the policies, procedures and entitlements that apply to staff working for the Trust. Please note this document is in addition to your contract of employment which you will have received separately.

At the Trust, we aim to provide a working environment that promotes trust and collaboration, where issues are dealt with through collaborative conversations and avoid where possible the need to revert to a formal process. However, this handbook provides clarity and containment around expectations (employee and employer) and outlines the formal routes for resolution of difficulties. This handbook exists to ensure that all processes are fair and inclusive, whilst adhering to the relevant legislative framework.

Employed team members also have access to an independent HR consultant, Michelle Bailey, who can provide confidential advice on HR issues and queries. She can be contacted at michelle@peopleessentials.co.uk. In most instances, staff will raise HR queries to their line manager initially, and the line manager will advise whether communication with Michelle might be indicated. However, staff can reach out to Michelle direct if they would prefer confidential advice.

Part A: Ways of working

The Trust's leadership structure

Our staff body comprises approximately 30 substantive staff. We also have 40+ freelance mental health trainers, guest speakers (those who might deliver education

sessions regarding their lived experience but who don't have a clinical background) and lived experience partners (both our youth ambassadors and our parent/carers with lived experience of supporting a young person with mental health difficulties).

Although the Trust is not formally divided into departments, we organise ourselves into four sections for the purposes of activity and line management: charitable activity, fundraising, communications, and finance and operations.

The Trust's activities are overseen by its senior management team, which comprises the CEO, the Head of Communications, Head of Fundraising, Head of Programmes and Head of Finance and Operations. The charity operates a delegated leadership model; decision-making authority is devolved to members of the management team in relation to their area of responsibility, except for decisions carrying potential financial, health and safety or reputational risk, which are brought to the CEO, the management team meetings and/or the trustee board for discussion.

The Board of Trustees meets quarterly, is led by our Chairman, Richard Waller, and comprises 14 committed and knowledgeable individuals from a variety of backgrounds who offer a wealth of experience, strategic direction and support to the CEO and the charity as a whole. Each trustee is available for consultation regarding a different area of the Trust's activity, detailed below:

[Trustee Areas.docx](#)

Supporting wellbeing, inclusion, diversity and equity

The Trust is committed to supporting the wellbeing of its staff and to promoting inclusion, diversity and equity in all areas of our work. We proactively seek to recruit staff from all backgrounds and communities, and we value the positive impact that diverse skills, experiences and abilities have on our teams. We are working to better promote equity in relation to race, disability and other protected characteristics through all aspects of our work and have recently appointed a designated Diversity and Inclusion Support Officer to provide additional capacity around this recognised priority.

The Trust's Diversity and Inclusion Working Group meets every six weeks to oversee our efforts to enhance our activity in this space and ensures we are accountable to ourselves and our stakeholders in this piece. For more information about the group, please contact one of our co-chairs, Aoife Healy (they/them) or Hannah Vickery (she/her)-

Staff wellbeing is considered a high priority within the Trust. Kirsty Smith is our office Staff Wellbeing Champion. Part of Kirsty's role is to implement and support the health and wellbeing policy detailed below, through organisational awareness of wellbeing tools, activities and practises, which encourage colleagues to access relevant mental health and wellbeing opportunities both inside and outside of work.

Equal Opportunities Policy

Scope

This policy applies to all staff of the Charlie Waller Trust, whether permanent or temporary, to job applicants, ex-staff and to other stakeholders such as freelance staff and volunteers who work for the Trust. The policy applies equally to the treatment of our supporters and beneficiaries.

Purpose

We aim to build a good and productive working environment by encouraging, valuing and managing diversity. We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy is intended to assist in putting this commitment into practice.

We are also committed to ensuring that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect. We have a separate anti-harassment and bullying policy, which deals with these issues.

Policy

All Trust staff shall be treated equally. The Trust will not discriminate because of sex, sexual orientation, marital or civil partnership status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability, age, or pregnancy. This includes discrimination because of a perceived characteristic or because of a characteristic of someone with whom a Trust worker associates.

This policy applies to every aspect of the employment relationship, including the advertising of jobs and appointment to them, promotion and appraisal, training, conditions of work and pay, and the termination of employment.

Every Trust employee has a personal responsibility to treat fellow staff, beneficiaries and supporters with dignity and respect. If you are involved in management or recruitment, you have a duty to set an appropriate standard of behaviour and to ensure that those you manage understand and follow the policy.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a protected characteristic. The Equality Act defines the protected characteristics as being age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy, maternity, race (*which includes colour, nationality, and ethnic or national origins*), sexual orientation, religion, or belief.

Discrimination after employment may also be unlawful. For example, refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or service user in the provision of services or goods or to fail to make reasonable adjustments.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.

Indirect discrimination means putting in place a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.

Harassment is where there is unwanted behaviour related to a protected characteristic (*other than marriage and civil partnership, and pregnancy and maternity*) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. **It does not matter whether or not this effect was intended by the person responsible for the conduct.**

Associative discrimination is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does (*for example the parent of a disabled child*).

Perceptive discrimination is where the individual discriminated against or harassed does not have a protected characteristic, but they are perceived to have a protected characteristic.

Third-party harassment occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.

Victimisation is treating someone unfavourably because they have taken some form of action relating to the Equality Act. For example, because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (*for example, to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc*).

Reasonable adjustments

A reasonable adjustment is a change to remove or reduce the effect of:

- An employee's disability so they can do their job.
- A job applicant's disability when applying for a job.

If you become disabled in the course of your employment with the Trust, you are encouraged to tell the Trust about your condition. You may also wish to advise us of any reasonable adjustments to your employment or working conditions that you consider necessary or that would assist you in the performance of your duties. We will consult with you and with your medical adviser(s) (if appropriate) about possible reasonable adjustments. Careful consideration will be given to any such proposals, and they will be accommodated where possible.

What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- The workplace (making changes to overcome barriers created by the physical workplace).
- The ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion, or practice).
- Providing extra equipment or getting someone to assist the employee or job applicant.

When deciding whether an adjustment is reasonable, we will consider:

- How effective the change will be in avoiding the disadvantage the employee would otherwise experience.
- Its practicality.
- The cost.
- Our resources and size.
- The availability of financial support.

There may be circumstances where it will not be reasonable for the Trust to accommodate the suggested adjustments; however, the overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

Equal opportunities in employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy. Person specifications will avoid any unnecessary requirements (*those unrelated to effective performance*) that may otherwise have deterred applicants. The Trust is committed to positive action within the recruitment experience to support recruitment of underrepresented groups within our workforce (*for example, men and Black and Brown staff*).

We will base decisions on objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

Your responsibilities

All Trust staff are responsible for supporting the organisation in meeting its commitments and avoiding unlawful discrimination. If you experience a level of discomfort or disagreement with something that happens when you are at work (*or notice this happening to a colleague*), you are encouraged to bring it to the attention of a manager, or someone in authority as soon as possible.

It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or there is a need for additional training.

If you believe that you may have been disadvantaged on discriminatory grounds, you are encouraged where possible to raise the matter through the Trust's Grievance Procedure.

If you believe that you may have been harassed by a fellow Trust employee (*or a third party*), you are encouraged to raise the matter through the Trust's Anti-Harassment Policy.

If you raise a genuine grievance, you will be protected from intimidation, victimisation or discrimination for making a complaint. CWT staff who assist in an investigation, including by giving evidence or providing information in relation to a grievance, or who make an allegation that someone has committed an act of discrimination, will also be protected against victimisation.

Any complaint that is false or not made in good faith will be treated as a disciplinary offence. Disciplinary action up to and including summary dismissal may be taken for abuse of this policy.

Staff can be held personally liable as well as, or instead of, the Trust for any act of unlawful discrimination. Staff who commit serious acts of harassment may be guilty of a criminal offence.

Discipline

Discriminatory practices or behaviour will not be tolerated. If you discriminate against or harass any other worker in breach of this policy, you will be subject to the Trust's disciplinary procedure. In serious cases, such behaviour will constitute gross misconduct and, as such, may result in summary dismissal.

You should be aware that you may be personally liable for discrimination against a fellow Trust worker.

Equal opportunities questionnaire

To help the Trust to assess the effectiveness of this policy, you will be asked to complete an equal opportunities questionnaire.

Data

Information concerning your ethnic origin, religious or philosophical beliefs, health or sexual orientation constitutes special categories of data under data protection legislation and as such has additional protection. How the Trust processes and protects such data is set out in our [Data Protection Policy](#).

Complaints

Any complaint that is false or not made in good faith will be treated as a disciplinary offence. Disciplinary action up to and including summary dismissal may be taken for abuse of this policy.

Understanding the policy

It is important that you understand this policy fully. If you have any questions or are unclear about any part of it or its application, please speak to your manager for advice.

Monitoring

The Trust is committed to providing a non-discriminatory environment and will review this policy regularly to make sure it is effective.

Flexible and Hybrid Working Policy

Scope

This policy applies to all substantive Trust staff, whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

Introduction

The Trust recognises that flexible working can enhance the work-life balance of staff, improving motivation, performance and productivity and reducing stress. We are, therefore, committed to supporting staff requests to achieve a balance between work and other priorities outside of the workplace, including caring responsibilities, further learning, leisure activities, etc.

This policy outlines what flexible working is, how an employee can apply for a flexible working arrangement (FWA), and the procedure that the Trust follows in response to such a request from an employee.

What is flexible working?

Flexible working is any type of working arrangement that provides some flexibility to a worker on how long, where and when they work. Broadly speaking, it includes a pattern of employment which differs from the traditional 9am to 5pm full-time job. Getting the work-life balance right is increasingly important for many colleagues who have personal responsibilities and interests outside of work, and many people are seeking increased flexibility over and above other work-related benefits. As a result, flexibility in the way that colleagues undertake work can have a real and positive impact on the performance of individuals and teams.

Examples of flexible working include:

- Flexitime – the employee chooses when to start and finish work each day (*within agreed limits*) but works certain 'core hours'. This also includes taking time accrued for evening and weekend work and time off for medical appointments.
- Annualised hours.
- Compressed hours.
- Home-working – the employee regularly carries out all or part of their duties from home or outside of the normal place of work.
- Job-sharing – a full-time role is worked by two part-time staff.
- Part-time – the employee is contracted to work less than full-time hours.
- Term-time hours.
- Applications to reduce or increase working hours (FTE – full-time equivalence).

An employee is eligible to submit a request for flexible working at the time of contract discussions or at any time in their employment. It should be noted that any flexible working arrangement not arranged as part of contract discussions, is valid for 12 months and should be reviewed annually to determine if the arrangements are still necessary for the employee, and still appropriate for the Trust.

If a flexible working arrangement is in place, staff should ensure that their working hours are transparent to all within their Outlook calendars.

Working from home

The Trust acknowledges that a hybrid model of office-based and home-based working can be beneficial for staff and productive for their work role. Our approach is that we consider the best balance of office and home-based working in the light of the Trust's overall objectives and requirements, each team's requirements (see link below) and according to the roles, responsibilities and activities of each individual. Staff will agree a pattern of hybrid working with their manager. Managers may require individuals and or teams to be in the office on specific days, depending on what tasks they are doing, the requirements of the Trust and in the light of visitors to the office, including trustees. Questions or concerns should be made to your manager in the first instance.

Our office plays an important part in developing and strengthening our working community and the majority of roles will require at least a twice-weekly presence in the office; exceptions may apply for members of the team who work predominantly with freelance staff (eg the Charitable Activity [CA] team). However, as CA is central to the work of all other sections of the Trust, CA staff visibility within the office and availability for collaborative working remains vital and so CA team presence is expected on Mondays as a minimum.

Unless there are specific circumstances which must be considered under the Equality Act (2010), requests to work 100% remotely will not normally be agreed.

We require all staff to be in the office for our monthly team meeting, which is also our team 'anchor day'. Individual teams will also have most staff in (except potentially for those who have a flexible working arrangement in place) on their 'core days' outlined below:

[Teams' Core Days.docx](#)

During onboarding, you will be asked to assess your home working environment for suitability and comfort, using the Health and Safety Executive's 'Workstation Checklist', and to request any additional equipment needed following the assessment.

- Working from home excludes locations that would put the Trust's confidentiality and data at risk and locations outside the United Kingdom
- Whilst working from home all staff must adhere to the conditions in the Staff Handbook. All company policy around conduct, confidentiality and sick leave for example continue to apply regardless of location
- Employees must be able to perform the same duties, tasks, assignments when working from home as they do when working in the office
- Staff must be available to collaborate with other staff and stakeholders during contractual working hours
- Staff must not use an unsecured Wi-Fi most often referred to as free public Wi-Fi network. Unsecured Wi-Fi does not require a password to be accessed. As there is no special login or screening process, you and anyone else can use it. The primary danger when using unsecured Wi-Fi is that your web traffic can be intercepted, and malicious software can be introduced.

If you do not have a suitable space to work in, the CWT office will be your primary place of work.

This section of the policy on hybrid working from home will be subject to review and the Trust reserves the right to change its approach.

Applying for flexible working

An employee can make a statutory application for flexible working upon commencement of employment. An employee can make an application for flexible working at any time and up to two applications can be made within any 12-month period. You can also request flexible working at any time if the change is a reasonable adjustment to reduce or remove the effects of disability. You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a '*substantial*' and '*long-term*' negative effect on your ability to do normal daily activities.

A request for flexible working should be made on the 'flexible working request' form. The request should include:

- Date of the application.
- Details of the flexible working arrangements sought.
- Date the employee would like the flexible arrangement to begin.
- Details of any previous flexible working requests and the date(s) these were made.

The completed form should be submitted to your manager, who will discuss it with the CEO in consultation with the senior leadership team, considering the operational needs of the team and the organisation as a whole.

After submission of an application

Your manager will contact you to acknowledge receipt of a flexible working request form within 10 working days of receiving the form.

If any information is missing from the request form, you will be informed and asked to amend and resubmit the application.

Considering a request

All flexible working requests will be considered carefully on a case-by-case basis and a final decision will be made and issued to the employee in writing within two months of receipt of the application (*or longer if agreed with the employee*). You will not be treated differently because you have asked for flexible working arrangements.

When considering a flexible working request, the interests of the Trust are the prime consideration, but we aim to offer flexible working to staff where this does not have an adverse effect on how we operate.

A meeting will be arranged with the employee and their manager to discuss their request for flexible working. This meeting will be used to find out more information about the request, such as the changes the employee is looking for and how these could benefit or impact the business.

You will be notified in writing in good time about the date, time and location of such a meeting and can bring a work colleague to the meeting if you wish.

If your flexible working request can be approved without further discussion, there will be no need for a meeting to be held.

Agreeing a request

Following discussions, one of the following decisions will be made:

- To accept the request and establish a start date, with or without a trial period and review date. This will be confirmed by email by your line manager.
- To propose an alternative, which may require further discussion.
- To confirm a compromise agreed at the discussion.
- To reject the request, setting out the reasons, how these apply to the application and the appeal process.

Rejecting a request

A request for flexible working can only be rejected if there is a valid business reason.

This could include:

- Extra costs that will be damaging to the business.
- Inability to reorganise the work among other staff.
- Inability to recruit additional staff.
- Negative impact on work quality and/or performance.
- Negative impact on the ability to meet beneficiary, supporter or customer demands.
- Lack of work to do in the proposed working periods.
- Changes already planned for the business, eg, reorganisation.

We may receive more than one request from different staff, and it may or may not be possible to accept all requests. If we agree to a request for flexible working arrangements, this does not mean that we can also agree to a similar change for another employee.

Each case will be considered on its merits, looking at the business case in the order they have been received. We may need to take others' contractual terms into account, and we may ask you if there is any room for compromise before coming to a decision.

Making a flexible working request is a statutory right and you should not be treated less favourably at work because you make a request. If you believe you have been treated unfairly because you have made a flexible working request, you are encouraged to raise such concerns via the Grievance Procedure.

If your request for flexible working is rejected, this will be communicated in writing to you within three months of receipt of the application. The reason for turning down the request will be stated.

Appealing a decision

If a flexible working request is rejected and an employee is unhappy with the decision, then the employee may appeal the decision to the CEO, or for members of the senior leadership team, a trustee nominated by the Chair.

The appeal procedure is set out below:

- Any appeal should be sent to the CEO.
- The appeal must be lodged in writing within 10 days of receipt by you of written notice of the decision. This must state the grounds of the appeal (why you think

the decision is wrong) or additional information that should have been considered.

- The CEO may ask a trustee to hear the appeal in certain cases. An appeal hearing will be held, ideally within 15 working days of receipt of the appeal notice.

Time frames can be adjusted by mutual agreement between the employee and employer.

The outcome of the appeal will be one of the following:

- The original decision will be upheld, or
- The decision will be overturned.

Once a decision has been reached, you will be informed of it (and the reasons for it) in writing. The appeal decision will be final.

Time Off in Lieu Policy

Scope

This policy applies to all substantive Trust staff whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

Purpose

The purpose of this policy is to:

- Promote fairness and equality, providing guidance to employees and managers when actual hours of work are in excess of contracted hours of work.
- Ensure that employees are appropriately compensated for any additional hours worked.
- Promote safety in the workplace by being able to track employees easily, especially those employees working outside traditional work hours.

Introduction

On occasions, the hours worked by employees may exceed their contracted hours. This may be due to evening meetings, weekend events, or there may be an occasional unplanned yet urgent need to extend the working day (eg deadlines or other staff members off sick).

Time off in Lieu (TOIL) is defined as time taken off to compensate for planned (or occasionally unplanned) time worked in addition to contracted hours. There is no provision for overtime to be paid under TOIL. It should be noted that:

- The working of additional hours is voluntary.
- Where a job description states that the post holder is required to work at the weekend, for example, and specifically states that TOIL will be given rather than having a flexible working pattern, then TOIL in this circumstance will not be voluntary.

Authorisation

Whenever possible employees should not work additional hours and only then if it has been agreed in advance by their Head of Department. It is recognised that there are occasional exceptional circumstances, eg when a sudden deadline emerges and an employee is unable to contact the manager, in which case authorisation in advance may not be possible. The maximum amount of TOIL that someone could accrue without prior authorisation is seven hours (one working day).

Working hours

TOIL should not be accrued on a regular basis unless working outside of usual working hours (9am-5pm, Monday-Friday) is outlined in the staff member's job description (for example the fundraising events team). For most staff, it should be an unusual event rather than the norm and Heads of Function who have staff accruing TOIL on a regular basis must look at the working pattern, workload, or any training needs of the staff member, so that they can be supported as necessary. Only Heads of Function (or the CEO in their absence) or higher can authorise the accrual of TOIL.

TOIL is not intended to be used to facilitate flexible working on a daily basis. Staff who require a change to their contracted hours should apply to their line manager using the flexible working request form.

Heads of Function and line managers must plan in advance the most effective way of achieving service needs in order to minimise the need for the working of additional hours. Heads of Function should ensure that Working Time Regulations are adhered to even when staff are needed to work outside of usual hours.

Typically, no more than 14 additional hours should be worked in a four-week period. This will apply on a pro rata basis for part-time staff.

Record keeping

Additional hours should be recorded in the OUTLOOK diary as a meeting with the reason for any additional hours explained clearly. Heads of Function will require this information when approving the use of 'TOIL' as a type of 'other' leave on the HR system.

The minimum time which can be worked and counted towards time off in lieu is one hour. If less than one hour is worked in addition to contractual hours on one day, there is no time off given for this short period.

Taking TOIL

Taking back any TOIL must be agreed by a Head of Function according to service needs and should be recorded on PeopleHR. Where possible, the individual should take an alternative rest day during the same working week, or as soon as is practicable, ideally within 28 days. If this is not possible, the employee should inform their Head of Function and agree a suitable date for taking time back. If not taken within the time determined by the Head of Function, the time will be lost.

Time is accrued on an 'hour for hour basis' and will only include travel time in excess of an employee's normal daily commute.

Normally no more than one day at a time should be taken back at once, at the discretion of the Head of Function. TOIL should not be used as an alternative to taking

annual leave. If an employee wishes to take TOIL in conjunction with annual leave (ie added at the beginning or end of such leave) the effect this will have on operational needs and staffing will need to be taken into consideration before agreement is given.

Part-time employees who may be attending meetings or training as required by their role on days not usually worked, should use their Outlook calendar to record additional hours worked. The same procedure should be followed for taking time back.

There is no monetary alternative to TOIL at any point and any TOIL that is not used in line with this policy will be lost.

Where a staff member has accrued TOIL, it should be planned and used before going on maternity, paternity, adoption or shared parental leave, and TOIL should not be accrued if it won't be possible to take it back.

If a person has accrued TOIL but then takes a period of long-term sickness, in these exceptional circumstances it may be possible to carry the TOIL forward to be used during the first month of return from sick leave in agreement with the line manager.

Staff who leave their post should use any accrued TOIL before the end of the notice period. No payment will be made for TOIL accrued but not taken.

Mental Health and Wellbeing Policy

Scope

Different elements of this policy apply to different individuals involved in the Trust, including substantive staff (permanent or temporary), freelance trainers and speakers, lived experience partners (LXPs) and volunteers. Where elements apply differentially for different groups, this has been made clear.

Purpose

The purpose of this policy is to outline the organisation's approach and commitment to mental health and wellbeing at work. This includes:

- Promoting positive mental health for all staff
- Recognising and addressing sources of stress in the workplace
- Supporting staff who are experiencing difficulties with their wellbeing or poor mental health

Introduction

Whilst most of us have good mental health and wellbeing most of the time, our mental health can change. There may be times when we are 'thriving', times when we start to struggle, and times when we develop a diagnosable mental health condition.

Promoting and protecting the mental wellbeing of the workforce is important for individuals' physical health, social wellbeing and productivity. Many factors in the workplace influence the mental wellbeing of individual staff, particular departments, or the organisation as a whole. Addressing workplace mental wellbeing can help strengthen the positive, protective factors of employment, reduce risk factors for mental ill health and improve general health. It can also help promote the employment

of people who have experienced mental health problems and support them once they are at work.

Responsibility

We believe that we all have a responsibility to look after our own wellbeing and advising our manager (or primary substantive team contact for freelance staff, LXPs and volunteers) when we might need extra help.

Primary substantive team contacts for freelance staff, LXPs and volunteers:

- For freelance staff primarily working in education and community settings: Christina Sell
- For freelance staff primarily working in families team: Annabelle Easton
- For freelance staff primarily working in workplace team: Jo Lea
- For lived experience partners (including youth ambassadors): Emily Kippax
- For volunteers: Kirsty Smith

Delivery of the actions within this policy require a collective approach, and you will be supported by your line manager, primary contact or a freelance peer supporter in the first instance. Other key people who are directly involved in our wellbeing at work approach include Kirsty Smith, who is the wellbeing champion (you can read more about the scope of the wellbeing champion role here: [Wellbeing Champion - Role Profile updated Nov 23.docx](#)), Abigail Hirshman, our Workplace Director who has advised on the policy development, and Dr Hannah Vickery, the CEO, who has overall responsibility.

General principles

As an employer, we aim to create and promote a workplace environment that supports and promotes the mental wellbeing of all staff. We acknowledge that certain working conditions and practices can negatively affect staff mental wellbeing, including aspects of work organisation and management, and environmental and social conditions that have the potential for psychological as well as physical harm.

We commit to:

- Giving new staff including freelancers, and volunteers, a comprehensive induction programme providing an understanding of the organisation, the established policies and procedures, and the role they are expected to carry out.
- Giving all staff the opportunity to influence how they do their jobs where possible, scope for varying their working conditions as far as possible, and opportunities to develop and fully utilise their skills.
- Manage conflict effectively and ensure the workplace is free from bullying and harassment, discrimination and racism.
- Establish good two-way communication to ensure collective involvement, particularly during periods of organisational change.
- Provide mechanisms for raising concerns and seeking help when individuals are struggling with their own wellbeing.

For substantive staff, we also commit to:

- Offering staff the opportunity to work flexible hours and/or work from home when in line with our [Flexible Working Policy](#) (i.e., following discussion and agreement with managers, consideration of equity across the team, taking into account the best interests of the Trust including, but not limited to, where the requested home working is compatible with the full and efficient performance of their role within the Trust).
- Set staff realistic targets that do not require them to work unreasonable hours.
- Ensure all staff have clearly defined job descriptions, objectives and responsibilities and provide them with good management support, appropriate training and adequate resources to do their job.
- Ensure all managers carry out 1:1 meeting on a monthly basis and Performance and Development Reviews (PDR) on a 12-monthly basis to identify any learning and development needs and opportunities for growth and progression.

Promoting positive mental health for all staff

We commit to offering a range of initiatives that increase social connection and wellbeing amongst our substantive and freelance staff groups (including LXPs), as well as our volunteers. Feedback on suitable activities will be sought on an annual basis but will generally (*in line with previous feedback*), include the following for substantive staff and office volunteers:

- Social activity.
- 'Giving back' activity.
- Relaxing/meditative activity.

There will be up to four social events held each year during worktime in addition to up to two evening events. Attendance at these events is optional, however where these take place in worktime, those who choose not to attend will be expected to carry out their normal working duties.

For freelance staff including LXPs, in recognition of how isolating the freelance role can be, from 2025 we will also provide the following spaces. Attendance is optional and would therefore not be paid:

- Rotating facilitation of quarterly peer connection opportunities for freelance trainers/speakers
- Rotating facilitation of quarterly LXP reflective spaces

We recognise the impact organisational culture can have on staff wellbeing and engagement and offer 6-weekly training events on sessions to address key workplace/people issues. These will include but not be limited to:

- Training on equity, diversity and inclusion (EDI).
- Mental health awareness.
- Supporting colleagues in distress.

Addressing stigma at work

All new substantive job roles will be designed with a view to ensuring they consider key features that enhance wellbeing at work including (*but not limited to*) purpose, autonomy and support. All existing roles will be reviewed to ensure they are designed for positive wellbeing.

All team members will have the opportunity to attend one mental health and wellbeing event delivered by one of our freelance training team in any given 12-month period. Booking this will need to be done in advance, seeking both management permission for time away from work and permission from the trainer that a colleague can sit in on the session.

We will routinely update our list of support services, either those provided by the Trust or through external services and invite substantive and freelance staff to add additional providers they have found helpful.

Recognising and addressing sources of stress in the workplace

All staff working for, or engaged with the Trust as a volunteer, will be encouraged to complete a wellbeing action plan and to share this with their manager or key point of contact in the Trust. With permission, a copy will be kept on the employee/ volunteer file so this can be accessed by the new manager or key contact, or the staff member if they wish to update it.

All managers and key contacts will receive training in managing for better mental health at work, where they will be trained to spot the signs of poor mental health and ensure any issues that impact on staff wellbeing and productivity are dealt with at an early stage.

All new substantive job roles and our employment processes will be audited to ensure they do not increase risk of the key workplace stressors, as identified by the Health and Safety Executive: demands, change, support, role, relationships and control.

We will ensure that all managers are familiar with the key issues relating to workplace stress. Substantive staff will be invited to complete a stress risk assessment if they believe issues at work are affecting their mental health and work with their manager on what can be done to mitigate these.

Supporting staff who are experiencing poor mental health

We will treat all matters relating to individual staff and their mental health problems in the strictest confidence and share on a 'need to know' basis only with consent from the individual concerned.

Substantive staff

Staff who are experiencing difficulties with their wellbeing and might need extra support can access a series of funded therapy sessions in accordance with the Trust's Policy for Accessing Funded Therapy.

Where appropriate, we will enable staff to access occupational health support to ensure the issues they experience are considered in light of their job role and any health restrictions.

When a staff member is off work as a result of difficulties with their wellbeing or their mental health, we will work with them on an effective and healthy return to work, including making reasonable adjustments where necessary.

If you are a substantive member of staff experiencing difficulties with your wellbeing, please reach out to your line manager to reflect on or complete your wellbeing action plan, to discuss what we can do to help in the workplace, how you can access support, and to complete a stress risk assessment if indicated. If you would prefer not to discuss with your line manager, please reach out to our wellbeing champion or the CEO.

Freelance staff including LXPs and volunteers

Individuals experiencing poor mental health whilst engaged with the Trust as a freelancer, LXP or volunteer can access optional informal peer support from identified members of the freelance team who can be contacted directly by the individual seeking support and/or via reaching out for support to your primary substantive team contact. The peer support offer will be provided in 2025 by Lisa Thomson, Ros Rea, Sarah Ashworth and Tracy Wright. These peer supporters can provide:

- A reflective space for freelance team members after difficult training sessions or difficult interactions within a volunteer capacity.
- Brief peer support for freelancers/ LXPs/ volunteers with their own mental health. This could involve being a listening ear and working through a CWT wellbeing action plan (for sharing with their primary contact with consent).

It should be noted that although the freelance peer support team are clinically trained, they cannot deliver clinical intervention in this context and would be signposting to services/support as needed.

If you are a freelancer or volunteer experiencing difficulties with your wellbeing, please reach out directly to a member of our freelancer peer support group. Contact details of the freelance peer support are available from this link: [Freelance wellbeing peer support team contact details.docx](#); in order to ensure a timely response to requests to support, please do contact individuals directly rather than contact via a shared group Teams chat. The peer support freelancer will support with reflecting on or completing your wellbeing action plan and to consider how you can access support local to you. With consent, your wellbeing action plan will be shared with your primary contact in the substantive team so they are aware of things that can help.

Policy for Accessing Funded Therapy

Scope

This policy applies to substantive staff working for the Trust (permanent or temporary). It does not apply to freelance trainers and speakers, lived experience partners (LXPs) or volunteers. It outlines that the Trust will offer some support to employees to access additional mental health treatment if needed. All staff will be fully supported in an empathetic and non-judgemental approach to have the opportunity to experience positive mental health. Access to funded therapy through the trust does not devalue or limit an employee's right to access other beneficial services. Employees are encouraged

to continue to seek psychological support available through the NHS or private medical insurance as applicable.

Purpose

As part of our mental health and wellbeing policy, we aim to create a culture that supports wellbeing. We also recognise that mental health difficulties can be experienced by us all and that many things can impact on our mental health including genetics, environment, traumatic events and adversity, and a multitude of other factors. We appreciate that whatever the reasons contributing to why a staff member might be struggling with their own mental health, employees may not have access to or have limited access to psychological support. As a first step, we encourage all substantive staff members to discuss this with their manager to consider what support/changes can be made within the workplace and to gain support in accessing funded therapy; however, we do respect that this may not always be possible, and employees can choose to keep their experiences confidential and still access financial support for therapy without disclosing this to their manager or anyone else.

Responsibilities

The Trust takes responsibility to ensure every employee has the means and support when struggling with a mental health difficulty. This includes support for the cost of talking therapies where these are not available via the NHS.

CEO and managers: To ensure they support their employees by recognising when they are struggling and supporting them in a pro-active way through the process of accessing funded therapy if appropriate.

Staff: To be aware that six one-hour sessions of funded therapy, within any given 12 month period, is an option when you are struggling with a mental health difficulty and to confide in your manager, where possible, who will help you to gain access to suitable psychological therapies. If you would prefer not to tell your line manager, you can still access funded therapy independently sending the invoices to the office for payment as detailed below and we would encourage that you reach out to our wellbeing champion to discuss your wellbeing action plan instead of your line manager.

Family members: Our policy does not include family members. However, we recognise that if a spouse or partner is experiencing mental health difficulties, this may affect a Trust employee and impact adversely on their work for the Trust.

Process

Staff can either:

- Discuss seeking therapy with their manager or the CEO, who will assist in guiding them in choosing a therapist. In giving any such guidance, the manager, CEO and the Trust are not assuming any responsibility for the competence or suitability or performance of the chosen therapist, whether that therapist is on the curated list or otherwise.
- Find a therapist via reputable directories including [BABCP](#), [BACP](#), [BPS](#), [UKCP](#) and the [Counselling Directory](#) or similar and ensure that the therapist is BABCP/BACP/UKCP accredited (*not just registered*).

Appointments can be made during working hours and the time does not have to be made up, but we do ask that, wherever possible, therapy sessions are taken either on a non-working day (for staff who work part-time) or at the start or end of the working day.

Fee rate is up to £120 per hour. Cancelled sessions cannot be paid for.

The therapist should invoice accounts@charliewaller.org direct for their services. If an employee wishes to remain anonymous, then the invoice can state 'Charlie Waller Trust employee' and not include a name.

Working sustainably

The Trust is committed to ensuring that our workplace minimises its environmental impact. Every member of the Trust can help us with this endeavour by using only the resources that are needed, in terms of heating, lighting, equipment and consumables. Colleagues are asked to consider whether it is necessary to travel as much as we did prior to the pandemic. Whilst in-person meetings will be valuable for some types of contact, the normalisation of virtual meetings, conferences and training in recent years has opened our eyes to the possibility of getting together at a distance and, in some cases, to the benefits of doing so. We are also keen to promote sustainable travel options in our daily commuting to work and offer a Bike to Work scheme as part of our employee benefits package.

Within the Trust, we are committed to making small changes where we can. For example, we avoid single-use disposable items, we encourage staff to bring their own mugs to meetings (rather than providing paper cups), and we provide only meat-free options when catering for events. For more information, or to share your ideas regarding sustainability, please reach out to our CEO, Dr Hannah Vickery, who is also our sustainability lead.

Communicating constructively

A positive working environment depends on professional, respectful and timely communication between colleagues and between staff and stakeholders (for example, beneficiaries, donors, trustees, volunteers and supporters).

Please note that we are required to respond to emails from supporters and trustees within 48 working hours. If you are on leave or away from your emails for another reason, please ensure you set up an Out of Office auto-reply specifying when you will next be able to reply to emails.

If emails are received out of hours, there is no expectation to respond to them until you are next at work.

Please take care to send emails only to those for whom they are intended. 'Reply to all' should be used very cautiously, as it can lead to emails inadvertently being sent to the wrong people and to inboxes being unnecessarily overloaded. Further tips on avoiding email overload can be found here: <https://email-charter.github.io/>.

If you have good news or other information that you would like to share with the whole Trust staff community, we would be happy to include this in our next Kingfisher Newsletter – please email the information to Lucy Llewelyn.

Where to take queries and suggestions

The Trust's [organigram](#) and '[who does what](#)' documents are very useful tools for identifying who to go to about what. If you have queries or suggestions that relate to any of our activities, we encourage you to contact the person with the relevant responsibility directly.

For staffing matters, please contact your line manager in the first instance, or the relevant 'Head of' for matters that your line manager is unable to assist with. For issues you would like to raise with the CEO or if you are not sure which member of the charity's management team to approach, please do reach out to the CEO directly.

Coming together as a community

Whole team meeting

Whole Team Meetings are held monthly, usually on the first Monday of the month. All substantive staff are invited and are expected to attend if they can. Meetings are used to share information about new opportunities and challenges that the Trust is facing and provide a chance to input to discussions about the direction of travel. The slides from previous meetings are accessible here [Whole Team Meetings](#).

You are likely to also be invited to regular meetings of the teams you work with. Please ask your line manager if you are not sure which meetings you should attend, or contact the following people if you are interested to know more about their group:

- Clinical Lived Experience Advisory Group (CLEAG) – Abigail Hirshman (chair)
- Resources Working Group – Christina Sell (chair)
- Training Materials Working Group – Sarah Ashworth (chair)
- Diversity and Inclusion Working Group – Hannah Vickery (chair) or Aoife Healy (minutes)
- Sustainability Working Group – Hannah Vickery (chair) or Kerryn Cyfka (minutes)

Social events

Socially, we meet quarterly for an optional activity outside of the work environment but that takes place within working hours. For staff who elect not to attend, usual working practice is expected. The social events are organised by Amy Martin and please do share any ideas you might have with Amy for inclusive activities.

Reimbursement and benefits

Staff Salary and Benefits Policy

The Trust believes that professionalism should sit at the heart of our values and operations and that the Trust should be run efficiently and effectively as a business. In no way does this conflict with our charitable purpose; good management, good staff and good values are mutually reinforced. Experience shows that committed, professional employees, supported by a strong Trustee Board, produce exceptional outcomes for our beneficiaries and the cause that we serve.

We attract and retain staff who want to make a difference in the field of mental health, who believe in our vision and values and who derive fulfilment from the impact of our work. This is backed up by a positive and supportive team culture, a good working environment and support for mental health and wellbeing.

A clear and fair salary policy for use by the CEO and senior team means that our Board, beneficiaries, supporters and employees can be confident in our approach to staff salaries and the non-pay benefits that are crucial to staff satisfaction. The Trust is committed to using the money we have available for remuneration and staff benefits effectively, considering our size and charitable status. We also take into consideration the imperative to retain valued staff within a mission-driven organisation such as ours. The process of recruiting new staff costs considerable time and money, and worse, it can divert focus from our core aims. High staff turnover can adversely affect our charitable and fundraising activities due to a loss of institutional memory and disruption of working arrangements. When new posts are created or existing team members leave, our salary policy should be flexible enough to enable us to appoint high quality candidates, whilst also being clear and consistent.

When setting and reviewing salaries, our Board follows the five principles of good pay set out in ACEVOs Good Pay Guide:

- *Transparency* – being open about how pay is set.
- *Proportionality* – being fair and consistent.
- *Performance* – ensuring that the salaries we pay work for the Trust and the beneficiaries it serves.
- *Recruitment and retention* – attracting good people and keeping valued staff within the organisation.
- *Process* – ensuring that the principles of our salary and staff benefits policy are supported by appropriate procedures and policies.

How we set our salaries

Our salary policy reflects market rates for equivalent roles at equivalent-sized organisations in the sector. Salary levels are based on an assessment of job descriptions and person specifications which are linked to individual skills and experience. Salary ranges at each job level are benchmarked against similar organisations in the sector and by reference to the benchmarking database provided by our external HR consultant.

All staff contracts state that 'Your remuneration package and performance will be reviewed annually at the discretion of the Trust. There is no automatic entitlement to an increase in the remuneration.'

Staff pay is reviewed annually by the Chair and Treasurer in conjunction with the CEO, who will take into account, amongst other things, inflation, charity performance and financial affordability for the Trust. The salary review will also be informed by our annual appraisal process. Individuals who demonstrate exceptional performance can be put forward for an increase in salary, within their existing salary band, as part of the annual review of salaries carried out in November/December each year. Your manager will make the case for an increase if appropriate, and if this is supported by the CEO, it will be put forward as a recommendation to the Chair and Treasurer.

Promotion and progression

As a small organisation, there are relatively few opportunities for staff to be promoted within the Trust. However, we will consider on an individual basis if a team member can take on more responsibilities, cover temporarily for someone else, apply for a new role internally or be offered the opportunity to gain new skills and experience. These decisions are informed by our appraisal process.

Pay equality

The Trust strives to be an equal opportunity employer. This means our intention is to treat all staff equitably regarding the terms and conditions of employment offered, including pay.

Non-pay benefits

These are employee benefits that are non-monetary but provide something that is valued and can contribute to employee engagement and wellbeing as well as recruitment and retention.

We currently offer:

- Flexible working policy – we're committed to helping you find a healthy work-life balance.
- Generous annual leave allowance - pro rata 25 days annual leave (increasing to 30 days after five years' service), PLUS bank holidays PLUS the period between Christmas and New Year.
- A workplace pension scheme to support you with saving for your retirement, with a minimum pension contribution matched by the Trust of 5%. Additional pension contributions will apply depending on length of service where matched by staff contributions (6% after 2 years, 7% after 5 years).
- Access to a 'Mental Health and Wellbeing Plan' – helping staff to stay mentally well and to support them through periods of poor mental health. This includes support for the cost of talking therapies where these are not available via the NHS.
- Opportunities to experience our charitable activities and impact at first hand by attending training and events and through involvement in relevant projects.
- Learning and development opportunities specific to job roles and on mental health and wellbeing topics.
- Coaching (offered to CWT pro bono, depending on team member and need).
- Social events and team days.
- Bike to work scheme.
- Time off for volunteering - maximum 1 day per year.

- Unpaid leave/sabbatical, particularly if this supports personal or professional development (offered after two years in post).

We will review non-pay benefits and retain flexibility to meet the needs of our team in the light of changing circumstances. This will be at the discretion of the CEO and senior team, subject to Board approval.

New staff

New staff will be offered a salary that takes into account the nature of the role, the skills and experience they bring to the role, pay equality and affordability. Jobs will be advertised with a salary range to allow for differing skill levels and experience to be considered when appointing staff. When the Trust makes a job offer, the applicant is told what the salary will be. Once they accept the job, the understanding is that the applicant has accepted it at the stated salary. As part of our commitment to fair and equal pay, we will not normally negotiate on salary outside the advertised range at the point of offer.

Employees will be eligible for inclusion in an approved pay increase at the review which follows satisfactory completion of the standard probation period. In cases where probation has been extended beyond the review, and this is later passed, the pay increase would apply from the date of passed probation.

Salary ranges (full-time equivalent)

Salary ranges are set using job evaluation factors including:

- Education
- Proven ability
- Managerial/supervisory responsibility
- Accountability
- Initiative/independence of action
- Complexity
- Relationships
- Direction
- Pressure of work
- Working environment

[Illustrative salary framework.docx](#)

Part B: Absences from work

Shared expectations

Holiday

Annual Leave Policy

Scope

This policy applies to all substantive Trust staff, whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

Purpose

The Trust aims to build a good and productive working environment by encouraging Trust staff to take their full holiday entitlement each year and to plan their holiday in advance in accordance with the needs of the Trust.

Holiday entitlements

Full-time staff are entitled to 25 days' annual leave per year in addition to Bank and Public Holidays, and the three-day closure period between Christmas and New Year.

Part-time staff are entitled to a pro rata proportion of the full-time entitlement dependent upon the number of days/hours worked per week. When calculating part-time pro rata entitlement, Bank and Public Holidays will be included. This ensures that if you work part-time, you will be treated fairly, regardless of the days on which you work (*as the majority of public holidays fall on a Monday*).

Length of service increase

Up to 5 days additional annual leave entitlement will apply as follows:

After 2 years employment	+2 day
After 3 years	+1 day
After 4 years	+1 day
After 5 years	+1 day

The increases will be applied (pro-rata if part way through the holiday year) in the quarter following the date the milestone is reached. For example, if a member of staff reaches 2 years length of service in May, the additional leave will be applied from 1st July (Quarter 3) and will be pro-rated to the remainder of the year.

The holiday year

The holiday year runs from 1 January to 31 December. All holidays should be taken within this period.

Holiday entitlement not used by the end of the holiday year will usually be lost. In exceptional circumstances, and with the written approval of your manager, a maximum of five days holiday may be carried over until 31 March in the following holiday year. Any carried forward holiday will be lost if it is not taken by 31 March. No payment in lieu of lost holiday will be made (*except on termination of employment*).

However, if you have been unable to take your holiday entitlement in a particular holiday year because of sickness or injury, you are entitled to carry up to 20 days' holiday (*less any holiday actually taken in the holiday year*) forward to the following holiday year.

Joining and leaving the Trust

If you join or leave the Trust, your leave entitlement will be calculated on a pro rata basis in accordance with the proportion of the holiday year that you have worked.

We may require you to take some, all, or none of your outstanding holiday entitlement during your notice period. You are entitled to a payment in lieu of any accrued but untaken holiday entitlement on the termination of your employment. If you have

exceeded your holiday entitlement, a deduction will be made from your final salary payment. For the purposes of calculating such a payment in lieu or such repayment, a day's paid holiday shall be taken to be your annual salary divided by 260.

Procedure for booking holidays

Holidays may only be taken with prior agreement from your manager. You should give your manager your proposed holiday dates in writing, requested via the People HR system. A minimum of 10 days' notice of your request to take holiday should be given wherever possible. Your manager will then confirm your dates if appropriate, taking into account considerations such as office cover and team workloads.

Holidays are to be taken at a time that is convenient to the Trust and does not disrupt the smooth running of the charity. We reserve the right to require you to alter the dates of your holiday should the needs of the Trust require it.

If you take holiday without prior authorisation or fail to return to work at the end of a period of authorised holiday without good reason, this will be unauthorised absence from work and may result in disciplinary action, up to and including dismissal, being taken against you.

Sickness absence

General absence provision

If, for whatever reason, you are unable to work or are delayed in starting, you (or someone on your behalf) must inform your manager by telephone, text, WhatsApp, email or Teams by 9am (or as soon as possible thereafter), giving brief details of the reason and when you expect to be at work again. You should not leave a message with a colleague. If your manager is unavailable, you should contact the CEO. You may be asked to explain later in more detail when the opportunity arises. Managers should inform the rest of the organisation of the team member's absence using the office Teams channel.

Sick Leave Policy

Scope

This policy applies to all Trust staff whether permanent or temporary. It does not apply to other staff, such as freelance staff or volunteers.

Purpose

The purpose of this policy is to ensure that the Trust is aware of circumstances where an employee is not fit to attend work due to ill health, how this is reported and managed and to set out entitlement to sick pay.

Introduction

As an employee, it is your duty to attend work when you are fit to do so; you must make every effort to do this. However, we recognise that on occasions this may not be possible due to ill health. We expect staff to use their own best judgement, in

conjunction with advice from their GP or hospital, and in consultation with their manager to decide upon their fitness for work.

Notifying the Trust of sickness, injury, or other reasons

The rules set out above under general absence provision applies when notifying the Trust of your absence from work due to ill-health. Your line manager is responsible for updating your absence record on People HR. A failure to notify your manager without good reason may lead to your sick pay entitlements being affected. If you have any disability which has a bearing on your work, you should inform your manager of this, so that they may ensure you have the necessary adjustments where practicable, to enable you to do your job.

You should keep your manager fully informed of your progress on a regular basis, the regularity and mechanism for which you will agree between you, including the cause and expected duration of your absence. If your absence lasts for seven days or more (including weekends), you must submit a Fit Note from a Registered Healthcare Professional to your manager. Further Fit Notes will be required to cover all your period of absence.

The Fit Note system requires the registered healthcare GP or registered healthcare professional to confirm that you are either not fit for some work or you might be fit for some work.

If the registered healthcare professional indicates you might be fit for some work, this means that you may be well enough to work in general, but some tasks might not be suitable in view of your health condition. The registered healthcare professional might also recommend ways in which the Trust can support you, for example:

- A phased return to work
- Altered hours
- Amended duties
- Workplace adaptations

The Fit Note does not include a fully fit for work option.

If you fall ill, or are injured on holiday, you should notify your manager immediately if you wish this to count as sick leave.

In other circumstances, such as absence arising from menstruation or menopause, you should notify your manager (or an agreed alternative manager), about your wellbeing and discuss any adjustments that might be made to accommodate your condition, such as those listed above. While we recognise that these conditions are not an illness, absences arising from them will be paid under the Trust's sick pay scheme.

Return to work

On your return to work, if your absence is longer than three working days, your manager will arrange to have a return-to-work discussion with you, normally within three working days of your return. They may ask whether you are fully recovered, whether the illness/condition is likely to reoccur, and whether there is any help or reasonable adjustments you may require at work.

If you or your health professional believe your absence is due (in part) to work-related stress, your manager will invite you to undertake a stress risk assessment. This will help you to identify the areas which are of most concern and how you and your manager can work together to reduce the impact this may have on your health and wellbeing.

Entitlement to sick pay - Statutory Sick Pay

The Trust pays Statutory Sick Pay (SSP) in accordance with the Government's SSP scheme to all eligible staff (including those within their probationary period). To receive SSP you must follow the notification and certification procedure described above.

Under the SSP scheme, we generally pay SSP when you have been absent from work for four days or more (including weekends) for up to 28 weeks within a three-year period. After 28 weeks, any sickness benefit entitlement will be paid directly to you from the Department of Work and Pensions (DWP). Any payments received from the DWP should be notified to your manager so that corresponding deductions can be made from any sick pay/salary you may be receiving.

Contractual holiday will accrue during a period of sickness. Your statutory entitlement of 28 days' holiday including Bank and Public Holidays (or a pro rata proportion if you work part-time) is unaffected by any period(s) of sickness absence.

CWT sick pay scheme

After the first month of your employment with the Trust, you are eligible to be considered to receive CWT sick pay. The Trust reserves the right to withhold CWT sick pay if you fail to follow the notification and certification procedure described above or for any other reason that the Trust's Board of Trustees, in their absolute discretion, considers justifies withholding CWT sick pay. CWT sick pay is not payable if you are absent from the office for another reason, for example, holiday, parental leave or shared parental leave, maternity leave, paternity leave, adoption leave or other special leave.

The table below outlines the parameters within which the Trust may decide, in the absolute discretion of its Board of Trustees, to supplement your entitlement to SSP up to your normal salary, or to half pay in a period of properly notified and certified continuous sickness absence following immediately after the first period, less deduction of any social security benefit received by you. If the maximum 180 days of supplemented sick pay is reached, you must have returned to work for one year before you are eligible to receive any further CWT sick pay.

Length of service	Full pay	Half pay
First month	*	*
2-5 months	First 30 days of absence	*
6-12 months	First 60 days of absence	60-90 days of absence
12 months and above	First 90 days of absence	90-180 days of absence

* Statutory sick pay, where eligible, will be paid

The above CWT sick pay may, under exceptional circumstances, be withdrawn or extended at the discretion of the Trust's Board of Trustees.

All payments will be subject to the presentation of medical certificates that are satisfactory to the Trust.

Medical examination by an independent healthcare professional

You may be required at any time during your employment (including during sickness absence) to attend a medical examination by a doctor nominated by the Trust. The purpose of such a medical examination is to obtain information on how your health affects your ability to do your job and any suggestions as to how we can assist you. The nominated doctor may disclose the results of his/her examination to your manager and you will also be entitled to see the nominated doctor's report. All reasonable expenses associated with obtaining the doctor's report will be borne by the Trust.

If your manager or the Trust's nominated doctor feels that they would be assisted by information from your GP, specialist, or other medical practitioner responsible for your medical treatment, you will be asked for permission to contact such practitioner. Under the Access to Medical Reports Act 1988 and the Data Protection Act 2018, you have a right to refuse to consent to a medical practitioner disclosing your medical records or preparing a report for the Trust. You have the right to have a copy of the report before it is forwarded to the Trust. However, if you do refuse, the Trust may not be able to assist you as fully as would be possible with full medical information. In addition, the Trust will have to act on the basis of the limited information that it has.

If we are in any doubt about your ability to carry out your duties when returning from illness, we may require you to attend a medical examination, which will be paid for by the Trust.

Abuse of sick pay scheme

If the Trust considers that you are abusing the sick leave policy it may take disciplinary action, up to and including summary dismissal, against you. In such circumstances it also reserves the right to deduct an appropriate amount from your salary to reflect the number of days' absence that you have taken in breach of the policy.

The Trust reserves the right to withhold payment of any sick pay if we reasonably consider you are abusing the Trust's sick pay scheme.

We reserve the right to terminate your employment at any time during your absence from work even though at the time of giving notice you remain entitled to sick pay under the Trust's sick pay scheme.

Sickness management procedure

Scope

This policy applies to all substantive Trust staff, whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

Purpose

We recognise that there may be times when staff are unable to attend work due to ill health. Such absences may be short term, short term and persistent, or long term. We aim to work with each employee to manage sickness absence appropriately with a view to facilitating a return to work as soon as practicable.

On occasion, we recognise that staff may attend work when they are not well enough to do so; this is known as presenteeism and can have a negative impact on individuals,

colleagues and the Trust as a whole. In addition, staff sometimes use allocated time off rather than taking sick leave or continue to work outside of working hours. This normally results from staff feeling under pressure and having excessive workloads and/or not wanting to disclose their ill health. Our aim is to encourage staff to be transparent about their health needs and to take sickness absence as required.

Introduction

Work is good for our mental and physical health and good work promotes positive staff engagement. On a population basis, those in work have better physical and mental health than those not working, and evidence suggests the longer an employee is on sick leave the less likely they are to return.

Managing ill health and disability is a crucial aspect of ensuring that you are supported to achieve the health benefits of work, and that managers have the necessary guidance to facilitate the management of disruptions in the employee's relationship to work in order to maintain individual and organisational wellbeing and effectiveness.

Objectives of Sickness Management Procedure

We aim to work supportively with each employee to manage both short-term and long-term sickness absences appropriately, with a view to maintaining a constructive dialogue within the framework of this procedure.

If we have reason to believe that any absence is not genuinely sickness absence, disciplinary action, up to and including dismissal, may be taken against you. Such absences will be dealt with under the Disciplinary Procedure.

Persistent and frequent sickness absences

Introduction

Your attendance is normally monitored and reviewed by your manager. Following any sickness absence longer than three working days, your manager will conduct a return-to-work discussion within three working days of your return to work and discuss any issues arising from your absence. These issues may relate to any support needs you might have to support managing your workload, the frequency of your absence from work, the number of days you are absent or the pattern of your absence.

In certain circumstances, it might be necessary to adopt a more formal approach if your attendance level continues to be unsatisfactory (for example, a score of 100 or above using the Bradford factor scale). The procedure for this is set out below.

Sickness absence meetings

At each of the stages explained below, you will be asked to attend a meeting with your manager to discuss your attendance level. You will be given five to 10 working days' notice of the time and date of the meeting. You will be informed in writing of your attendance level and the reasons why your manager wants to discuss it with you. In all cases, you are entitled to be accompanied in meetings by a colleague of your choice or a trade union official. If you or your chosen colleague is unavailable on the date suggested, the meeting will be rearranged to a more convenient date within a further five working days. During the meeting, you may confer with your colleague. Your colleague may talk to your manager at the meeting but may not answer questions on your behalf.

Failure to attend a meeting

It is important that you take all reasonable steps to attend the meeting. If you are unable to attend for a legitimate reason, the meeting will be rescheduled to a later date. However, we do reserve the right to proceed in your absence if the meeting is postponed at your request on more than one occasion. In addition, if you fail to attend a meeting without a reasonable explanation, we may, if appropriate, proceed with the meeting and issue you with a warning or notice of dismissal in your absence. Failure to attend simply means you give up the opportunity to explain your absence level.

Outcome of the meeting

Following a meeting under this procedure, further investigation may be necessary if, at the meeting, new matters were raised that had not been previously considered. The outcome of the meeting will be confirmed to you in writing as soon as possible (ideally within five working days of the hearing). The different sanctions are set out below.

Stage 1: Written warning

During the meeting, the reason for your absences will be discussed. You will be invited to explain your absence level. We will discuss the impact that your absence level is having on the Trust. You will be advised of the need to reduce your absence level.

A review period will be agreed during which your absence level will be monitored. You will be informed of what we expect attendance to be during this period. You will be advised that if there is insufficient improvement in your attendance levels, further action under this procedure may be taken.

If appropriate, your manager will issue you with a first written warning.

You may be requested to supply medical certificates for all future periods of absence regardless of their length.

You will be advised of your right of appeal (see below).

Stage 2: Final written warning

If there is insufficient improvement (or a deterioration) in your absence level during the review period, you and your manager will meet again to discuss your continuing poor attendance level and whether there is any more help that they can provide. Following this, your manager will issue you with a final written warning.

The warning will contain:

- The reason for the warning (the details of the poor attendance).
- The length of the second review period during which your absence level will be monitored.
- The attendance level expected during this period.

You will be advised that if there is insufficient improvement in your attendance levels, it is likely to result in the termination of your employment and notification of your right to appeal.

You may be requested to supply medical certificates for all future periods of absence regardless of their length.

Stage 3: Dismissal

If there is insufficient improvement (or a deterioration) in your absence level during the review period, you, your manager and the CEO will meet again to discuss your continuing poor attendance level.

During the meeting, the reason for your absences will be discussed. You will be given an opportunity to explain your absence level.

If your manager and the CEO are not satisfied with your attendance record, you will be dismissed with notice. You will be notified of the reason for your dismissal. You will be advised of the date on which your employment will terminate.

You will be advised of your right of appeal (see below).

Duration of warnings

Written warnings will remain valid for 12 months. If, during these periods, there has been no cause for further action under this procedure, the warnings will normally cease to be valid after the time stated has elapsed. However, if a pattern of poor attendance emerges, it may be appropriate to extend the period for which a current warning remains valid. After warnings have expired, they will be removed from your personnel file.

Appeal procedure

You have the right to appeal against a warning or dismissal on the grounds of poor attendance. The appeal procedure is set out below:

- Any appeal should be sent to the CEO.
- The appeal must be lodged in writing within five days of receipt by you of written notice of the outcome of the meeting. This must state the grounds of the appeal (why you think the decision is wrong).
- The CEO may nominate a senior manager or trustee to hear your appeal and will do so if they have been materially involved with the matter at an earlier stage. An appeal hearing will be held ideally within 15 working days of receipt of the appeal notice.
- You will have the right to be accompanied at an appeal hearing by a colleague or a trade union official of your choice.

The outcome of the appeal will be one of the following:

- The original decision will be upheld; or
- The severity of the decision will be reduced; or
- The decision will be overturned completely.

Once a decision has been reached, you will be informed of it (and the reasons for it) in writing. The appeal decision will be final.

Implementation of a dismissal decision

In cases of dismissal, your employment will cease at the end of your notice period. If an appeal is upheld and your employment has already terminated, you will be reinstated, and your pay and benefits will be made up for the period from the end of your notice period to the date of your reinstatement.

Long-term sickness

Introduction

The above procedure is not appropriate for individuals who are on long-term sickness due to the different nature of the absence and the sickness. The impact of long-term sickness on the Trust is different to short-term sickness as it is predictable but nonetheless disruptive as it covers a long period of time.

Contact

During long-term sickness absences (by which we mean more than four weeks for the same illness, whether continuous or aggregate), your manager will meet with you to review your diagnosis, prognosis, and any assistance which we may be able to provide.

The frequency of these reviews depends on what is appropriate in the circumstances given your condition and progress towards recovery/improvement. If meetings are not appropriate, your manager will keep in contact with you by telephone or in writing.

Medical referral

In cases of long-term sickness, we may refer you to a doctor for medical examinations described in the Sick Leave Policy. On your recovery/improvement, your manager will meet with you to discuss your up-to-date medical position and any support we can provide to assist your return to work. This will take into account medical advice.

Dismissal on medical grounds

If the prognosis is that you will not be able to return to work for the foreseeable future or within a reasonable timeframe, taking into account any support we are able to provide, it may not be possible for your employment with the Trust to continue. In which case, your manager will meet with you if you are fit enough; otherwise, your manager will write to you. At the meeting or in the letter, your manager will:

- Discuss your prognosis.
- Explain the reason why the Trust cannot support your continued absence.
- Review the support which has been provided to date.
- Consider alternative positions and, if applicable, explain why they are not appropriate for you.
- Warn you that you may be dismissed on medical grounds.

You will be given the opportunity to put forward suggestions which will be considered by the Trust. If no further support can be provided and you are unable to return to work, your employment with the Trust will be terminated on notice. You will be advised of the reason for the termination and the date of the termination of your employment with the Trust. You will be notified of your right to appeal (see below).

Appeal

You have the right to appeal against a decision to dismiss you on medical grounds.

The appeal procedure is set out below:

- Any appeal should be sent to the CEO.
- The appeal must be lodged in writing within 10 days of receipt by you of written notice of the outcome of the meeting. This must state the grounds of the appeal

(why you think the decision is wrong). If you wish to rely on any medical opinion, a copy of the appropriate report should be submitted with your appeal.

- The CEO may ask a trustee to hear the appeal in certain cases. An appeal hearing will be held, ideally within 15 working days of receipt of the appeal notice.
- You will have the right to be accompanied at an appeal hearing by a colleague or a trade union official of your choice.

The outcome of the appeal will be one of the following:

- The original decision will be upheld, or
- The decision will be overturned.

Once a decision has been reached, you will be informed of it (and the reasons for it) in writing. The appeal decision will be final.

Parent/carer absences

The Trust's parent and carer absences are all in line with statutory guidance. Please see the government website (linked below) for an outline of the expectations for both employees and the Trust as the employer. All the below apply to all substantive Trust staff, whether permanent or temporary. They do not apply to other staff such as freelance staff or volunteers.

[Adoption Leave Policy](#)

[Maternity Policy](#)

[Paternity Policy](#)

[Shared Parental Leave Policy](#)

[Unpaid Carers Leave](#)

Special Leave Policy

Scope

This policy applies to all substantive Trust staff, whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

This policy does not apply to:

- Holiday
- Sick leave
- Maternity leave, paternity, shared parental, parental or adoption leave

The above types of leave are separate and independent from leave under this policy and are covered by specific policies included in this Staff Handbook.

Purpose

The Trust recognises that from time to time, staff may require leave for matters other than the reasons set out above. This can include during a bereavement or a difficult period that requires time outside the workplace, public service responsibilities or serving as a member on a jury.

The purpose of this policy is to set out the circumstances in which the Trust will grant special leave, the procedure for applying for it, and whether it will be paid or unpaid.

Introduction

There are many reasons for a person requiring special leave; often this arises due to a bereavement or serious illness of a close relative. At these times, we want to ensure individuals feel supported and are given reasonable time to respond in a way that suits the situation and their circumstances. We recognise that people respond to these events in different ways, and the guidelines below are intended to show the minimum paid leave an employee is entitled to in different circumstances.

The procedure

If you wish to request special leave, you should put this in writing via an email to your manager explaining the reason for your request and expected duration. Where possible, your request should be made at least 14 days in advance unless otherwise stated below. Your manager will reply as soon as possible to this request and no longer than five working days from your request.

In an emergency, you may request special leave initially by telephone. Where this is needed because of a bereavement or where it is difficult for you to make contact, a relative or friend may contact the Trust on your behalf.

The details should be confirmed by you in writing on your return to work.

Compassionate leave

On the death of a close relative or partner, you will be entitled to up to five days' paid leave. 'Close relative' means partner, parent, child, brother, sister or any person in loco parentis. The Trust realises you may be particularly close to other individuals, and it will consider requests for compassionate leave on the death of other close relatives. In these circumstances, you should explain that relationship to your manager.

If you wish to attend a funeral of a less close relative, colleague or friend, you will be allowed a half day's unpaid leave, unless the distances involved, or the timing make one day more appropriate. As this leave is unpaid, you may choose to take holiday as an alternative. Managers will, however, have discretion to look at individual circumstances surrounding compassionate leave.

Dependency leave

Where you are the main or principal carer for a child, a disabled or elderly relative (a 'dependant'), up to five days (in any rolling 12-month period) of paid leave will be given to cover urgent domestic situations relating to the dependant. Examples include accidents, sudden illness, unforeseen breakdown of care arrangements, closure of school/nursery. You must provide evidence of the need for leave. The purpose of the leave is to deal with the immediate emergency only and to make arrangements for the

longer term. These should be recorded on PeopleHR as 'Other event' and added as 'Dependency leave'.

Emergencies

The Trust will allow up to a maximum of three days' paid leave for emergency situations not covered in the preceding paragraphs. Examples include fire, flood, power cuts and burglary.

Time off for public duties

Requests for time off to undertake public duties will be assessed on an individual basis.

The maximum special leave for other public duties is up to five days of paid leave per calendar year, matched with an equal number of unpaid days' leave. (For example, if the annual commitment is four days, two days will be paid leave and two days will be unpaid leave.) You may choose to take holiday instead of unpaid leave to match the paid special leave.

If you are required to attend court as a witness, you will generally be granted paid leave for this purpose on production of a witness summons. However, if you are a named party to the proceedings, the leave will be unpaid.

Jury service

If you are called for jury service, you will be entitled to time off for this purpose. A copy of the jury service notification must be sent to your manager as soon as possible. You must claim the appropriate allowances from the court and provide details of these to the Finance & Operations Manager in the form of official court receipts. On production of these receipts, the Trust will pay the balance of your usual salary. If you are released early from jury service, you should immediately report to work.

In certain circumstances where we believe it will significantly impact on our operational activities, we may ask you to delay or postpone your jury service.

Part C: Other useful information

Staff raising concerns

Grievance procedure

Scope and purpose

A grievance is a concern or complaint raised by an employee about any aspect of work, including terms and conditions, health and safety, the working environment, relationships with colleagues and bullying and harassment (*this list is not exhaustive*). The purpose of the Grievance Procedure is to enable all staff who consider they have a grievance or complaint arising from their employment with the Trust to have it dealt with promptly, at the earliest possible opportunity. Anyone with a genuinely held concern should use this Grievance Procedure to try and resolve it. This will be without prejudice to their position at the Trust. It applies to all staff, irrespective of job or grade, whether permanent or temporary.

Other policies of reference

- If the grievance is concerned with [harassment or bullying](#), it is important you also read the Trust's policy on these matters.
- If the matter is concerned with [whistleblowing](#), there is a separate CWT policy on this, which you should read.

Procedure

If you wish to raise a formal grievance, you should write to your manager setting out your grievance and the reasons for it, focusing on the key points, and providing any facts or material you may have in support of it. Where your grievance is against your manager, or if you believe the matter is too personal to discuss with them, you should approach the CEO to discuss an alternative. If the grievance relates to the CEO, it can instead be raised with the Chair of Trustees. This process will be confidential and if there is a need to talk to any other parties to take the matter forward, your permission will be sought and obtained before this would take place.

Your manager, the CEO, or the Chair will invite you to a meeting held without undue delay considering the time necessary to carry out the investigation to discuss the grievance and how it might be resolved. It is important that you take all reasonable steps to attend this meeting. If you are unable to attend the meeting for a legitimate reason, it will be postponed and reconvened at a later date.

You have the right to be accompanied at each stage of the Grievance Procedure by a work colleague or trade union representative. Your colleague or representative will be allowed to address the meeting to present and sum up your case; respond on your behalf to any views expressed at the meeting; and to confer with you, if necessary, requesting a short adjournment in private for this to take place. They do not, however, have the right to answer questions on your behalf. If the colleague of your choice is unavailable, the Trust will rearrange the meeting once to a more mutually convenient date within the next five working days.

You must take all reasonable steps to attend all meetings. However, if you are unable to attend the meeting for a legitimate reason, it will usually be postponed and

reconvened at a later date. If you fail to attend without explanation, the Trust may, if appropriate, proceed in your absence.

At the meeting, you will be given the opportunity to explain your grievance more fully, including how you think it should be resolved. Further investigation may need to take place, and the meeting may be adjourned to another date to allow this to happen. Consideration might also be given to mediation as a means of resolving the issues and an adjournment may also be necessary to allow this to happen. In either of these circumstances, the grievance meeting will be reconvened after these actions have been concluded to discuss their outcome with you and whether they have any implications for your grievance.

Following the final meeting, we will advise you in writing of the outcome of your grievance, normally within 24 hours. If this is not possible, you will be informed of any extra time needed to complete the process. The letter will include a reminder of your right to appeal if you are not content with the outcome to your grievance.

Appeal

Following the first stage as described above, if you believe the matter has not been resolved to your satisfaction, you can appeal the decision in writing within 10 working days. The appeal will be heard by the CEO or, if the CEO has been previously involved with the case, the Chair of Trustees or, if the Chair has been involved, a trustee nominated by the Chair.

Within 10 working days of the receipt of written confirmation that the grievance is not resolved, the person dealing with the next stage of the grievance will arrange a meeting to hear the matter. You may be accompanied by a colleague of your choice or a trade union representative. You will again be given the opportunity to explain your grievance fully at this stage and the grounds for your appeal. Further investigation may take place, and such action as is considered appropriate will then be taken.

We will advise you in writing of the outcome of your grievance within 10 working days from the date of the final appeal meeting.

General procedural matters

At any stage in the Grievance Procedure, either you or the Trust may involve any individuals who may be able to assist in resolving the matter (HR advisor, for example).

A record of the meeting will be taken, and you will be entitled to a copy of this on request. Recording equipment may not be used in the meeting by either you or your colleague.

There is a separate policy on whistleblowing should you need to report any illegal or improper conduct within the Trust.

Whistleblowing Policy

Scope

This policy applies to all Trust staff, whether permanent or temporary, as well as freelance staff and volunteers who work at the charity.

Purpose

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the Trust is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the Trust or the way in which the organisation is run, without fear of reprisal. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Introduction

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for staff who raise legitimate concerns about specified matters in the public interest. These are called 'qualifying disclosures'. A qualifying disclosure is one made by an employee who has a reasonable belief that:

- A criminal offence,
- A miscarriage of justice,
- An act creating risk to health and safety,
- An act causing damage to the environment,
- A breach of any other legal obligation,
- Or concealment of any of the above

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. You have no responsibility for investigating the matter – it is the Trust's responsibility to ensure that an investigation takes place.

If you make a protected disclosure, you have the right not to be dismissed, subjected to any other detriment or victimised because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the Trust should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.

No employee or other person working on behalf of the Trust will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure, our disciplinary procedure will be used, in addition to any appropriate external measures.

Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue a concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the CEO or the Chair of Trustees.

Procedure

This procedure is for disclosures about matters other than a breach of your own contract of employment. If you have any concerns about equal opportunities, harassment or bullying in the workplace, please raise these in accordance with the Trust's Equal Opportunities Policy or the Anti-Harassment and Bullying Policy. If you wish to raise a matter about your own personal circumstances, please use the Grievance Procedure.

Stage 1

In the first instance, any concerns should be raised, orally or by email, to the CEO, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The CEO or person in charge of the investigation will notify you of the expected timeframe for the investigation.

The Trust will make every effort to keep your identity confidential if this is desired. In normal circumstances, the Trust will only disclose your identity to those investigating your concerns if it is necessary to do so and will discuss this with you in advance. However, confidentiality cannot be absolutely guaranteed in the light of the need to investigate fully any such report. If it is not possible to preserve your confidentiality, the Trust will take all reasonable steps to protect you from any victimisation or detriment as a result of having made a disclosure.

You are encouraged not to make anonymous reports as this makes disclosures more difficult to investigate, or in some cases impossible. Nonetheless, anonymous disclosures will be investigated if it is possible to do so. Your statement will be considered, and you will be asked to comment on any additional evidence obtained. The CEO will take any necessary action, including reporting the matter to the Chair of Trustees and any appropriate government department or regulatory agency. The CEO will also invoke any disciplinary action required. On conclusion of any investigation, you will be told the outcome and what the Trust has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Stage 2

You should escalate the matter to the Chair of Trustees if you are concerned that the CEO is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person.

The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries, and make their own report to the Board.

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any workplace wrongdoing. It is therefore hoped that external reporting will not be necessary. However, in very serious circumstances, or following an internal report that has not been addressed, it may be appropriate for you to report your concerns to an external body. The Government has prescribed a list of appropriate

bodies for such external reports, for example, the Environment Agency and the Health and Safety Executive. You can find the full list in [The Public Interest Disclosure \(Prescribed Persons\) Order 2014](#) (PDF).

A full list is also available from an independent whistleblowing charity called Protect (telephone number 020 3117 2520; or use the contact form on the Protect website www.protect-advice.org.uk). Protect will also give confidential advice to you regarding the disclosure of wrongdoing in the workplace.

Data protection

When an individual makes a disclosure, we will process any personal data collected in accordance with the [Data Protection Policy](#). Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Misuse of the policy

The Trust is committed to ensuring that staff who report genuine concerns using this policy are not subjected to a detriment or otherwise victimised for having done so. However, any disclosures made maliciously, vexatiously, or with a view to personal gain or where you do not have a reasonable belief that you are making the disclosure in the public interest will not be protected as described above. In addition, such disclosures may result in disciplinary action, up to and including dismissal, being taken against you.

Financial and governance matters

Protecting people and data

Lone Working Policy

Scope

This policy applies to all Trust staff, whether permanent or temporary, as well as in-person volunteers. This policy does not apply to our freelance trainers or lived experience partners, although they are encouraged to have similar mechanisms in place as self-employed individuals.

This policy covers circumstances when staff may work in the office outside regular office hours and therefore be in the premises on their own. It also includes guidelines on safety and dealing with external stakeholders outside regular office hours whilst working alone. Finally, it also extends to lone working when conducting activity on the Trust's behalf outside of the office.

Purpose

The purpose of this policy is to help ensure that the staff of the Trust are safe when working alone in the office or when engaging in charity activities alone.

[Lone Working Policy](#)

Safeguarding Vulnerable People Policy

Our commitment to safeguarding

The Charlie Waller Trust (CWT) makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe. There is an open and transparent culture which enables any team member to raise concerns.

The Charlie Waller Trust believes that:

- Our employed staff, freelance staff, speakers, associates and volunteers have both an individual and organisational responsibility for safeguarding.
- Safeguarding is embedded and represented throughout our governance, leadership and culture.
- All individuals have an equal right to protection from abuse and neglect.
- Our recruitment, induction, training, management and appraisal procedures must ensure that staff and volunteers are suitable and supported to implement safeguarding best practice.
- Our safeguarding policy should be responsive to change, reviewed as necessary and is available to the public.

Introduction

CWT comes into contact with children, young people and vulnerable adults through the following activities: talks, training and educational courses in schools, colleges, universities and workplaces, as well as through fundraising events including those organised by the office staff, volunteer committees and/or those organised externally

(e.g., Flackstock). Our Safeguarding vulnerable people policy sets out the standards which we are committed to upholding throughout our work.

This policy seeks to ensure that CWT undertakes its responsibilities with regard to the protection of children, young people and vulnerable adults and will respond to concerns appropriately. The policy establishes a framework to support employed staff, freelance staff and volunteers in their practices and clarifies the CWT's expectations.

In addition to ensuring that there is an appropriate policy in place, CWT will assess the risk of all its activities in relation to vulnerable people via our risk register and both this and the safeguarding vulnerable people policy will be reviewed annually.

Definitions

Safeguarding

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children, young people and/or vulnerable adults wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse

This is a form of maltreatment of a child, young person or vulnerable adult. Someone may abuse or neglect a child, young person or vulnerable adult by inflicting harm, or by failing to prevent harm. Children, young people and/or vulnerable adults may be abused in a family, or in an institutional or community setting by those known to them or, more rarely, by others (e.g., via the internet). They may be abused by an adult or adults, or another child or young person or children or young people. Abuse can include incidents or patterns of incidents of controlling, coercive or threatening behaviour or violence between those aged 16 or over who are or have been intimate partners, or family members, regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse (further detail below):

- Psychological
- Physical
- Sexual
- Financial
- Emotional

Scope

This safeguarding vulnerable people policy applies to CWT employed staff, mental health trainers, speakers, associates and volunteers working on behalf of CWT. Its scope is broad-ranging and, in practice, it will be implemented via a range of policies and procedures within the organisation. These include:

- Recognising, Reporting and Responding to Safeguarding Concerns Procedure (see below).
- Grievance and Disciplinary Procedures – to address breaches of procedures/policies.
- Lone working policy, mitigating risk to staff and visitors to the office and those working in isolation elsewhere.
- Equal Opportunities Policy – ensuring safeguarding procedures are in line with this policy, and in particular, ensuring that the safeguarding vulnerable people policy

and procedures are inclusive and do not discriminate against any individuals or groups.

- Data protection – how records are stored and access to those records.
- Confidentiality – ensuring that service users are aware of the duty of all staff to disclose any concerns relating to the safeguarding of children, young people and vulnerable adults.
- Complaints Procedure.
- CWT employed staff, freelance staff and volunteers' induction.
- CWT employed staff, freelance staff and volunteers' training.

Roles and responsibilities

Safeguarding is everyone's responsibility. **All staff** (employed staff, freelance mental health trainers, speakers, associates and volunteers) should understand that safeguarding affects all aspects of the organisation and have a duty to follow the procedure laid out in this policy and related policies, and to pass on any welfare concerns using the required procedures.

We expect all employed staff, freelance staff and volunteers to promote good practice by being an excellent role model, contribute to discussions about safeguarding and to positively involve people in developing safe practices. However, in order to ensure all concerns or allegations are handled appropriately, CWT has a number of designated positions and specific job roles. These are outlined below:

Trustees

The Charity Commission expects that they must take reasonable steps to protect from harm people who come into contact with the charity.

The Trustees have responsibility to ensure an appropriate policy is in place and to ensure sufficient resources (time and money) are allocated so that the policy can be implemented effectively.

Designated Safeguarding Officer (DSO; Beth Towler)

The Designated Safeguarding Officer is the main point of contact for anyone requiring safeguarding advice or support and for any safeguarding referrals.

They have a responsibility to ensure action is taken, recorded and fully reviewed, and that the policy is accessible, implemented and monitored. They will have received level 3 safeguarding training and as part of their role will:

- Support and feed into any investigations where permissible.
- Alert the Designated Safeguarding Lead of any significant safeguarding concern, contributing to decision-making and ensuring appropriate follow-up to manage and reduce risk.
- Give feedback to the Senior Management Team about safeguarding concerns and emerging issues.
- Develop and disseminate guidance, procedures, and signpost teams to relevant resources guidance.
- Provide advice and guidance on safer recruitment to those recruiting staff or volunteers, including the induction period.

Designated Safeguarding Lead (DSL; Dr Hannah Vickery)

The Designated Safeguarding Lead is responsible for the mainstreaming of safeguarding across all operations. They will have received level 3 Safeguarding training and as part of their role will:

- Report to the Board of Trustees regarding the Trust's safeguarding activity.
- Report any safeguarding concerns that have resulted or could have resulted in harm to the Charity Commission.
- Contribute to decision-making and ensure appropriate follow-up to manage and reduce risk.

Line managers and directors

Line managers and directors must support their teams to follow all appropriate safeguarding procedures and provide additional support and advice for a member of staff with any safeguarding concern. They will ensure that:

- All new staff and volunteers are fully inducted/trained to the appropriate level in safeguarding practices.

Suspected abuse by a paid or unpaid member of staff, mental health trainer, speaker, associate, or volunteer

Reporting

If a crime has been committed and there is an immediate risk of danger, the police must be contacted immediately on **999** or **112**.

There are several ways in which CWT could be notified of a safeguarding concern.

These include:

- Notification from a third party or anonymous source
- Notification by an organisation representative
- Notification by a paid or unpaid member of staff, mental health trainer, speaker, associate, or volunteer.

If a person suspects abuse by member of staff, freelance staff or volunteer, they must report the incident immediately to the Designated Safeguarding Officer (DSO), as outlined in our Recognising, Reporting and Responding to Safeguarding Concerns Procedure. The DSO will investigate the incident to clarify the following:

- Identify that the concern is being treated as a safeguarding concern
- The nature of the allegation or suspicion
- Details of the child, young person or vulnerable adult involved
- Any relevant information relating to the person against whom the allegation is made
- Details and times of the incident if appropriate
- Details of any others involved and/or any witnesses
- Any other evidence in relation to the allegation or suspicion.

Responding

CWT recognises its duty to report concerns or allegations against its employed staff, freelance staff or volunteers within the organisation or by a professional from another organisation. Any allegation of abuse made against employed staff, freelance staff or volunteer will be taken seriously. CWT assures all employed staff, freelance staff and volunteers that it will fully support and protect anyone who in good faith reports their

concerns about a colleague's practice.

We will fully cooperate with organisations when following their own procedures for reporting cases, or suspected cases of harm/abuse and when supporting those who may have been harmed. We will:

- Record all information and make a note of the time frame agreed with the organisation and/or authority.
- Where appropriate and required, a CWT representative will attend a meeting to resolve the issue or share the outcome.
- Only share information in order to follow safeguarding commitments.

If the allegations are below the threshold of significant harm (see below), the matter will be dealt with through the CWT disciplinary policy. A serious incident, whether actual or alleged, which results in or risks significant harm, will be reported immediately to Social Services, prior to being dealt with through the CWT disciplinary policy.

In addition, if a serious incident takes place, the DSL will report the incident to the Charity Commission.

Concerns about a child, young person or vulnerable adult within a setting

If a CWT member of staff, freelance staff or volunteer is working within an organisation, it is their duty to take note not only of major incidents, but also of signals which give cause for suspicion or concern. It is also their responsibility to report any concerns to the organisation's designated member of staff and to adhere to the specific guidelines set out in each organisation's safeguarding policy.

When speaking with the child, young person or vulnerable adult, the CWT team member must respect the wishes of those who do not consent to having their information shared.

Nevertheless, the team member should make it clear that there may be instances where they cannot make an assurance of confidentiality such as where safety may be at risk.

In addition, the individual should discuss the concern with the Trust's DSO and we will require notice from the organisation that the concern is being acted on as outlined in the Recognising, Reporting and Responding to Safeguarding Concerns Procedure.

Communications training and support for staff, freelance staff and volunteers

CWT commits resources for induction, training of staff (paid and unpaid), effective communications and support mechanisms in relation to safeguarding.

Induction will include:

- Discussion of the Safeguarding Policy, confirmation of understanding and agreement to abide by the policy.
- Discussion of other relevant policies, confirmation of understanding and agreement to abide by the policies.
- Ensuring familiarity with reporting processes, the roles of the CEO and other designated persons (and who acts in their absence).

All employed staff, freelance staff or volunteers who, through their role, are in contact with children, young people and/or vulnerable adults will be expected to access safeguarding training at a level appropriate to their role. For substantive CWT staff and

volunteers, this will be provided for those who require it; for freelance staff, they are expected to access this independently as self-employed staff.

Managing information

Information will be gathered, recorded, and stored confidentially, according to the Data Protection Act 2018. All employed staff, freelance mental health trainers, speakers, associates or volunteers must be aware that they have a professional duty to share information with other agencies in order to safeguard children, young people and vulnerable adults. The public interest in safeguarding children, young people and vulnerable adults may override confidentiality interests. However, information will be shared in order to follow safeguarding commitments, as judged by the CEO.

Communicating and reviewing policy

All employed staff, freelance staff or volunteers will read the policy and confirm they have done so, and it will be available on the CWT website.

This policy will be reviewed by the Board of Trustees annually and when there are changes in legislation.

Types of abuse

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, misuse of medication, misuse of restraint or otherwise causing physical harm. Physical harm may also be caused when a parent/carer feigns the symptoms of or deliberately causes ill health to a child, young person or vulnerable adult for whom they are caring.

Emotional abuse

Emotional abuse is the persistent emotional ill treatment of somebody such as to cause severe adverse effects on their emotional development and wellbeing. It may include threats of harm, deprivation of contact, humiliation, intimidation or harassment.

Sexual abuse

Sexual abuse is forcing or enticing someone to take part in or observe sexual activities to which they have not consented or could not consent or were pressured into consenting.

Discriminatory abuse

Discriminatory abuse includes sexist or racist remarks or comments based on a person's impairment, disability, age or illness and other forms of harassment, slurs or similar treatment.

Neglect and acts of omission

Neglect and/or acts of omission describe the persistent withholding or deprivation of the means of meeting daily needs. It can involve withholding or failure to provide food, clothes, warmth, medical care, medicines, personal care and hygiene and access to appropriate health, social care or educational services.

Financial or material abuse

Financial or material abuse includes theft, fraud, exploitation, pressure in connection with wills, property inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

The signs of abuse

Abuse of a child, young person or vulnerable adult may arise through neglect or through harm or by failure to prevent harm. Abuse can take place in a variety of settings by people known to them or by strangers.

It is the responsibility of employed staff, freelance staff or volunteers to be alert to the possibility of abuse and to be aware of the signs and indicators of abuse. The following factors should act as indicators in situations of potential or actual abuse:

Unexplained or suspicious marks, bruises, fractures, burns/scalds and injuries to the mouth and eyes.

- The person is in a poor physical condition or has delayed speech and language development.
- Inappropriate sexual awareness.
- A statement that they have been victimised.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Difficulty making friends.
- Preventing from socialising with others.

It should be recognised that this list is not exhaustive and the presence of one or more of these indicators is not proof that abuse is taking place.

What is significant harm?

A serious incident is an adverse event, whether actual or alleged, which results in or risks significant:

- Harm to the people the charity works to support, employed staff, freelance staff, volunteers or others who come into contact with the charity through its work.
- Loss of the charity's money or assets
- Damage to the charity's property
- Harm to the charity's work or reputation.

Recognising, Reporting and Responding to Safeguarding Concerns Procedure

Recognising a safeguarding concern

A safeguarding concern may arise in several ways. The following are examples of how a safeguarding concern may come to your attention:

- You may witness abuse or harm taking place.
- A child, young person or vulnerable adult or other person may tell you that they have suffered abuse or harm or are fearful of suffering abuse or harm.
- You may notice behaviour which gives rise to a suspicion that a child or adult at risk has been harmed or is at risk of harm.

Abuse may be carried out deliberately or unknowingly. Abuse can be a one-off incident or repeated, ongoing ill treatment. It is not the Trust's responsibility to decide whether harm has occurred. However, it is our responsibility to look out for signs of abuse and harm and act if there are any concerns. You should therefore ensure that you are aware of the risks of abuse and harm. Definitions of abuse can be found above.

Responding to safeguarding concerns

CWT recognises its duty to report concerns or allegations against its staff (paid or unpaid) within the organisation or by a professional from another organisation. Any allegation of abuse made against a member of staff, freelance staff or volunteer will be taken seriously. CWT assures all staff, freelance staff or volunteers that it will fully support and protect anyone who in good faith reports their concerns about a colleague's practice.

If someone tells you that they or another person has been harmed or are at risk of harm:

- Listen carefully
- Avoid asking detailed or leading questions, but do try to confirm basic information about who, when, where, what and whether they are at imminent risk of harm.

Explain to them that:

- You take what they are saying seriously
- You cannot make an assurance of confidentiality, and you will need to share the information with a designated member of staff who is a trained and experienced person and will be able to take the right actions.

Do not attempt to intervene directly in relation to a safeguarding concern or provide your personal contact details.

Reporting safeguarding concerns

Follow procedure as outlined on flowchart below.

These procedures only apply to safeguarding concerns. If you are unsure whether something is within the scope of these procedures, seek advice from the DSO or DSL. If there is a complaint that does not relate specifically to the welfare of vulnerable people, they should follow the procedures set out in CWT's Complaints Policy.

DSO - Designated Safeguarding Officer (Beth Towler) – beth.towler@charliewaller.org
or call 44 (0) 1635 869754

DSL - Designated Safeguarding Lead (Dr Hannah Vickery) -
hannah.vickery@charliewaller.org or call 44 (0) 1635 869754

Concern about a vulnerable person

If a crime has been committed and/or there is an immediate risk of danger, the police must be contacted immediately on **999 or 112**.

For concerns related to CWT employees, freelance Mental Health Trainers, Speakers, Associates and Volunteers working on behalf of CWT, and activity related talks, training and educational courses in schools, colleges, universities, community settings and workplaces, **inform the CWT DSO immediately**. See contact details above.

For concerns related to a child, young person or vulnerable adult within a setting, **immediately report any concerns to the organisation's designated member of staff** and adhere to the specific guidelines set out in each organisation's safeguarding policy, also **inform the CWT DSO**. See contact details above.

The DSO will inform the DSL and assess concern to determine appropriate response and ensure all information is recorded.

Concerns allayed

Concerns remain

Is there evidence that abuse or harm has occurred or is at risk of occurring?

Yes

No

The concern does not constitute a safeguarding concern.
DSO to record decision

Consider following the CWT complaints policy

The DSO will contact the relevant authorities to disclose information within 24 hours. If the abuse or harm appears to be of a criminal nature, the DSO will also contact the police immediately.

The DSO will ensure all information is recorded and make a note of the timeframes agreed with the organisation and authority. The DSL will determine whether the chair of the Trustee Board requires notification.

For concerns related to CWT employees, freelance Mental Health Trainers, Speakers, Associates and Volunteers working on behalf of CWT, we will inform necessary parties and withdraw permission for a person to engage in activity with children, young people and/or vulnerable adults, and/or they would be moved to another area of work.

For concerns related to a child, young person or vulnerable adult within an external setting (e.g., school, college, workplace etc.) the DSO will follow up with the organisation to confirm they have taken action.

For concerns related to CWT employees, freelance Mental Health Trainers, Speakers, Associates and Volunteers working on behalf of CWT, the DSL will consider following the CWT disciplinary policy.

DSO to record outcome

DSO to engage and follow up with all parties involved in investigation.

The DSO and the DSL will take the appropriate action at the conclusion of the investigation. This could include dismissal, continued employment with no further action or continued employment subject to provisions (such as further training/intervention and observations). The DSL may notify the Charity Commission.

Helpline: <https://thirtyoneeight.org/help-and-resources/safeguarding-helpline/>

DSO not available?

Contact the DSL (Dr Hannah Vickery) on 44 (0) 1635 869754.

Non-recent historic allegations of abuse

Any disclosure or concerns that relate to abuse must be taken seriously and acted upon in line with the procedures outlined in this policy.

The following content details additional context to the steps of the DSO (as outlined in the flowchart):

Contacting the relevant authorities

Decisions about whether or not to report concerns to authorities must be kept under review while the concern is being handled, in case the provision of additional information indicates that such decision may need to change.

If we are concerned that a person is at immediate risk of harm, we will take steps to ensure that the person is not in immediate danger (for example by contacting the emergency services). Depending on the information we receive, we will consult the organisation initially, but we will not delay in taking action if that might increase the risk of harm.

Reporting will not be avoided on the basis that it may harm CWT's reputation or give rise to litigation.

Engage and follow up with all parties involved in the investigation

a. Being under investigation can be very stressful and we will consider the wellbeing of CWT members of staff, mental health trainers and speakers. As well as regular communication, we will arrange any meetings in a private and comfortable location.

b. The DSO will follow up after three days if they have received no feedback on action taken by relevant authorities.

c. The DSO will follow up after three days if they have received no feedback on action taken by organisation.

Data Protection Policy

Staff Data Protection Policy

The Trust seeks to put in place measures which ensure that we act fairly and lawfully in relation to data protection. Responsibility for ensuring that the Trust has an appropriate policy that is implemented and is compliant with the General Data Protection Regulation (GDPR) lies with the Board of Trustees. Operational responsibility for this is devolved by the Board of Trustees to the CEO of the Trust, who reports to the Board of Trustees quarterly.

The principles adopted by the Trust for processing data and how we will apply them are as follows:

- Lawfully, fairly and in a transparent manner: this policy, the related operational plan, the risk register and the Legitimate Interest Assessment document have been prepared in accordance with and fulfil this principle.
- Collected for specific, explicit and legitimate purposes: the Trust will only collect staff data for the specific purposes referred to in this policy.
- Adequate, relevant and limited: the Trust will not collect staff data beyond what is necessary to accomplish those specific purposes. The Trust will not use data for purposes other than those for which it was collected, without prior consent.
- Accurate and up to date: the Trust will seek to verify and/or update personal data periodically and will accept requests for amendment of the data held.
- Kept for no longer than is necessary: except where otherwise stated, the Trust will not store staff data in identifiable form longer than is necessary to accomplish its purpose or as required by law.
- Secure: the Trust will apply high technical standards to make our data processing secure.

Data Protection Statement

Scope

This statement applies to all prospective, current, and former Trust staff, volunteers and freelance staff (together the 'data subjects').

The Trust is the data controller. The Trust has appointed a data protection officer, namely the Head of Communications.

The Trust collects and processes personal data relating to its staff to manage the employment relationship. It collects data on freelance contractors to fulfil contractual obligations and on volunteers to facilitate their volunteering. The Trust is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

What information does the Trust collect?

The Trust collects and processes a range of information about you. This includes:

- Your name, address and contact details, including email address and telephone number, date of birth and gender.
- The terms and conditions of your employment.
- Details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers and with the Trust.
- Information about your remuneration, including entitlement to benefits such as pensions or insurance cover.
- Details of your bank account and National Insurance number.
- information about your marital status, next of kin, dependants and emergency contacts.
- Information about your nationality and entitlement to work in the UK.
- Information about your criminal record (if any).
- Details of your schedule (days of work and working hours) and attendance at work.

- Details of periods of leave taken by you, including holiday, sickness absence, family leave and sabbaticals, and the reasons for the leave.
- Details of any disciplinary or grievance procedures in which you have been involved, including any warnings issued to you and related correspondence.
- Assessments of your performance, including appraisals, performance reviews and ratings, training you have participated in, performance improvement plans and related correspondence.
- Information about medical or health conditions, including whether or not you have a disability for which the Trust needs to make reasonable adjustments.
- Details of trade union membership.
- Equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

The Trust collects this information in a variety of ways. For example, data is collected through application forms, CVs or resumes; obtained from your passport or other identity documents such as your driving licence; from forms completed by you at the start of, or during employment (such as benefit nomination forms); from correspondence with you; and through interviews, meetings or other assessments.

In some cases, the Trust collects personal data about you from third parties, such as references supplied by former employers, information from employment background check providers, information from credit reference agencies and information from criminal record checks permitted by law.

Data is stored in a range of different places, including in your personnel file, in the Trust's HR management systems and in other IT systems (including the Trust's email system).

[Why does the Trust process personal data?](#)

The Trust needs to process data to enter into an employment contract with you and to meet its obligations under your employment contract. For example, it needs to process your data to provide you with an employment contract, to pay you in accordance with your employment contract and to administer benefit, pension and insurance entitlements. It also needs to process data for freelance contractors and volunteers according to their role with the Trust.

In some cases, the Trust needs to process data to ensure that it is complying with its legal obligations. For example, it is required to check an employee's entitlement to work in the UK, to deduct tax, to comply with health and safety laws, to enable staff to take periods of leave to which they are entitled, and to consult with employee representatives if redundancies are proposed or a business transfer is to take place. For certain positions, it is necessary to carry out criminal record checks to ensure that individuals are permitted to undertake the role in question.

In other cases, the Trust has a legitimate interest in processing personal data before, during and after the end of the employment relationship.

Processing employee data allows the Trust to:

- Run recruitment and promotion processes.

- Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency) and records of employee contractual and statutory rights.
- Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace.
- Operate and keep a record of employee performance and related processes, to plan for career development, and for succession planning and workforce management purposes.
- Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that staff are receiving the pay or other benefits to which they are entitled.
- Obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and to ensure that staff are receiving the pay or other benefits to which they are entitled.
- Operate and keep a record of other types of leave (including maternity, paternity, adoption, parental and shared parental leave), to allow effective workforce management, to ensure that the Trust complies with duties in relation to leave entitlement, and to ensure that staff are receiving the pay or other benefits to which they are entitled.
- Ensure effective general HR and business administration, conduct employee engagement surveys, provide references on request for current or former staff, respond to and defend against legal claims.
- Maintain and promote equality in the workplace.

Where the Trust relies on legitimate interest as a reason for processing data, it has considered whether or not those interests are overridden by the rights and freedoms of staff and has concluded that they are not.

Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations (such as those in relation to staff with disabilities and for health and safety purposes).

Where the Trust processes other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, this is done for the purposes of equal opportunities monitoring as permitted by the Data Protection Act 2018. You can ask us to stop processing this data at any time.

[Who has access to data?](#)

Your information will be shared internally, including with members of the team (and our payroll provider), your manager, managers in the area in which you work and other team members if access to the data is necessary for performance of their roles.

Your data may also be shared with employee representatives in the context of collective consultation on a redundancy. This would be limited to the information needed for the purposes of consultation, such as your name, contact details, role and length of service.

The Trust shares your data with third parties to obtain pre-employment references from other employers, obtain employment background checks from third-party providers and obtain necessary criminal record checks from the Disclosure and Barring Service. The Trust may also share your data with third parties in the context of a sale of some or all of its business. In those circumstances, the data will be subject to confidentiality arrangements.

The Trust also shares your data with third parties that process data on its behalf, in connection with payroll, the provision of benefits and the provision of occupational health services.

The Trust will not transfer your data to countries outside the European Economic Area.

How does the Trust protect data?

The Trust takes the security of your data seriously. The Trust has internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by its staff in the performance of their duties.

Where the Trust engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

For how long does the Trust keep data?

The Trust will hold your personal data for the duration of your employment and for a further six years after your employment has ended. Personal data for volunteers and freelance contractors will be kept for an appropriate amount of time according to their role with the Trust.

Your rights

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request.
- Require the Trust to change incorrect or incomplete data.
- Require the Trust to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing.
- Object to the processing of your data where the Trust is relying on its legitimate interests as the legal ground for processing.
- Ask the Trust to stop processing data for a period if data is inaccurate or there is a dispute about whether your interests override the Trust's legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the Executive Assistant to the CEO in the first instance. You can make a subject access request by completing the Trust's form for making a subject access request.

If you believe that the Trust has not complied with your data protection rights, you can complain to the Information Commissioner.

What if you do not provide personal data?

You have obligations under your employment contract to provide the Trust with data. You are required to report absences from work and may be required to provide information about disciplinary or other matters under the implied duty of good faith. You may also have to provide the Trust with data in order to exercise your statutory rights, such as in relation to statutory leave entitlements. Failing to provide the data may mean that you are unable to exercise your statutory rights.

Certain information, such as contact details, your right to work in the UK and payment details, must be provided to enable the Trust to enter a contract of employment with you. If you do not provide other information, this will hinder the Trust's ability to administer the rights and obligations arising because of the employment relationship efficiently.

Changes to the privacy notice

The Trust will inform you of any changes to the description of personal data or the purposes for which personal data are held or used.

Awareness

Employees of the Trust are given training and guidance on the importance of data protection, GDPR compliance and the procedures for this. Freelance staff offering services to the Trust are briefed regarding data protection and GDPR in relation to their work for the Trust as part of our Guidance and Requirements document. Volunteers are briefed regarding data protection and GDPR and the Trust's Volunteer Policy has been updated to include GDPR requirements.

Expenses

The Trust wants to ensure that staff, lived experience partners, trustees and volunteers are fairly reimbursed for the work they do for us, whilst also looking to get the best use of limited funds. The following rules apply to all groups of staff, trustees and volunteers. For separate guidance documents, copies of expenses form and completed examples, please see the appropriate folders on Teams/Sharepoint: [staff and volunteers](#), lived experience partners including youth ambassadors, and freelance staff.

HM Revenue & Customs' expenses and benefits rules recognise that reimbursement of standard business expenses (such as travel) are not taxable. The Trust's policy for staff, volunteers and trustees are guided by these rules and we do not pay expenses that will give rise to tax or National Insurance liabilities.

In order to comply, any amounts claimed must be for actual costs incurred 'wholly, exclusively and necessarily in the performance of the duties of their employment', and that adequate records are submitted with each claim.

General rules

- Expenditure incurred should be necessary to achieve the Trust's goals and represent good value to the organisations and donors that fund us.
- Each individual is responsible for familiarising themselves with these rules and understanding the limits of their authority, as the Trust may not reimburse any expenses considered unreasonable or outside this guidance.

- All expenses should be itemised, with supporting receipts added to the expense claim form.
- Expenses under £10 that have no supporting receipt may be accepted. Expenses over £10 with no supporting receipt require a signed letter by the individual explaining the purpose of the expense and the reason why a receipt is not provided. The Trust may decline to reimburse an expense claimed with no supporting receipt.
- A receipt/invoice should show: the name and address of the supplier, a unique reference number, the date of issue, the service provided, the net and gross amount, and your details if appropriate e.g. on a hotel booking.

Eligible expenses

The specific rules for eligible expenses that may be claimed for are listed and described below:

- Public transport fares
- Taxis
- Use of personal vehicles
- Overnight accommodation
- Subsistence

Public transport fares

Expenses associated with public transport such as trains, buses and underground are eligible for expense claims.

Individuals should book the lowest logical fare for public transport journeys, making use of any special reduced fare arrangements, such as cheap day and period returns, where possible.

Rail travel will be via standard class. First class travel is not permitted, unless this is needed for reasons of disability or other medical/health/access need, for example, where individuals require a larger/more supportive seat to transfer to/from a wheelchair and/or table service (where this is not available in standard class) as they are unable to move safely through the train. These requirements must be discussed and agreed in advance with your line manager (or the training and projects officer for freelance staff).

If using the tap in, tap out option within London, please register with TFL to receive a journey receipt. Receipts/tickets should show the date, expense amount, place of departure and destination.

The cost of travel by bus or tram will be reimbursed, when accompanied by receipts or tickets stating the price paid for travel.

Taxis

Taxis may only be used where there is a justification on the grounds of:

- There is no reasonable or practical alternative to getting to the destination.

- Cost effectiveness due to multiple people travelling to the same place.
- The staff member, volunteer or trustee has been required to work so early or late that public transport is not reliably available, or the individual's safety is compromised.
- A heavy load is being transported, which would be unreasonable to carry on public transport.
- The individual has a disability, impairment or long-term condition such that public transport is not appropriate.

Claims for the cost of travel by taxi should be evidenced through receipts showing the date, expense amount, place of departure and destination.

Use of personal vehicle

Individuals may use their own vehicles for business travel if they wish, at their own risk. Where practicable, individuals should travel together to minimise costs. Any individual using their vehicle for business purposes must have a full UK driving licence, and the vehicle must have an in-date MOT certificate, be fully taxed and insured for business use. A mileage allowance may be claimed by individuals using their own vehicle for business travel. Current mileage allowance rates are in line with HMRC recommendations and are taken from the HMRC website (correct as at April 2023) and are as follows:

Car or van	45p per mile (up to [10,000 miles, 25p thereafter)
Motorcycle	24p per mile
Bicycle	20p per mile
Passenger on business travel (car or van only)	5p per mile (paid to driver)

[Travel – mileage and fuel rates and allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/travel-mileage-and-fuel-rates-and-allowances)

Parking fees, congestion charges and toll charges will be met by the Trust on production of receipts, but not parking fines.

Individuals are personally liable for any excess parking penalties, charges or fines issued to them. Similarly, excess fare charges on any means of public transport are normally the responsibility of the individual and not the Trust, unless it can be demonstrated that this was an unavoidable circumstance beyond their control.

Subsistence

Whilst working for the Trust away from home for a considerable period of time, reimbursement for the cost of meals and drinks may be claimed as below. Receipts must be retained and submitted with the claim.

Breakfast (when leaving home before 7am)	Up to a maximum of £7.50
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Lunch (when away from home for more than four hours, including between the hours of 12 noon and 2pm)	Up to a maximum of £12.50
Evening meal (when away from home after 5pm)	Up to a maximum of £17.50
Maximum total claim per 24-hour period	Up to a maximum of £32.50

Please note, the above rates are the maximum amounts which may be claimed when accompanied by receipts demonstrating actual expenses incurred and are not 'flat rates'. Individuals who choose to spend more than the maximum rates will be reimbursed for receipted costs up to the maximum rates only. For example, if a member of staff has spent £4.30 on lunch and submits a claim for this with a receipt, they will be reimbursed £4.30. If an individual has spent £17 on lunch and submits a claim for this with a receipt, they will be reimbursed £12.50.

These rates include the cost of food and drinks, but the purchase of any alcoholic drinks will not be reimbursed. Where refreshments and food are provided at meetings/events/Trust activities, subsistence allowances will not be paid except in exceptional circumstances, such as in order to meet dietary requirements that have not been catered for as part of the meeting – this must be agreed in advance with the individual's line manager or the training and projects officer for volunteers or freelance staff. Please note that tips and discretionary service charges, for example in restaurants, will never be reimbursed and remain solely at the individual's discretion.

Overnight accommodation

Although it will not be usual for the Trust to cover the cost of accommodation, this may be appropriate in some circumstances. For example, for activities that start at a time when an overnight stay prior to the event would support the individual to attend. Examples of circumstances in which it may be appropriate for the Trust to cover the cost of accommodation include:

- Without an overnight stay the individual would need to leave home before 6am to arrive at the event.
- The individual has a condition or disability that makes travelling for too long in one day difficult.
- The cost of travel, overnight accommodation and subsistence is cheaper than rail travel on the day of the event (taking into account advance booking options).

Accommodation requirements must be discussed and agreed in advance between the staff member, volunteer or trustee and their line manager, the CEO for trustees, or the training and projects officer for freelance staff.

Booking arrangements should be made in good time to ensure that cost effective options can be utilised, and appropriate accommodation can be secured, including accommodating any access needs.

The cost of accommodation cannot exceed £100 per night for hotels booked outside London and £150 per night for hotels booked in London. Both limits are inclusive of VAT, breakfast and any other charges, without exception.

Medical costs for substantive staff

The Trust will reimburse the reasonable cost of eye tests for substantive staff. These may be requested by all staff who regularly use computers.

If a substantive employee has accessed funded therapy when struggling with a mental health difficulty, they can claim up to six one-hour sessions up to £70 per hour. Cancelled sessions cannot be claimed for. Alternatively, the therapist should invoice accounts@charliewaller.org direct for their services. If an employee wishes to remain anonymous, then the invoice can state 'Charlie Waller Trust employee' and not include a name. The employee's line manager should make the finance team aware of this so they can authorise the expense.

Making expense claims

- Individuals seeking reimbursement of expenses must complete and submit an expense claim form and provide evidence of expenditure (usually in the form of a receipt or ticket). Individuals can only reclaim their own expenses and cannot claim for expenses on behalf of other lived experience partners/colleagues.
- Supporting receipts/invoices should include where possible: the name and address of the supplier, a unique reference number, the date of issue, the service provided, the net and gross amount, and your details if appropriate e.g. on a hotel booking.
- Individuals are advised to keep copies of their submitted expenses claim forms, and a record of payment/reimbursement, including in case of query by HMRC or other agencies.
- Include a brief description of the activity or work being claimed for. This is important for our reporting processes.
- When claiming for mileage, please state the departure and destination postcodes and the number of miles claimed.
- Add all receipts/invoices to the expense claim document/email, please don't send them separately.
- Claims should be submitted by the 5th of each month to accounts@charliewaller.org and, for freelancers, should be cc'd to the training and projects officer (freelance staff or volunteers), your line manager (substantive staff) or the treasurer (for CEO expenses), who will authorise the claim.
- When making your first claim, please ensure you provide proof of your bank details to comply with our internal fraud protection processes.
- Claims should be submitted monthly, but they may be submitted more frequently if the total claim has reached £200. The claim should be dated the last day of the (previous) month. If received by the 5th of the month, you can

expect to be paid by the 25th of the month. If received after the 5th of any given month, you can expect payment by the 25th of the following month.

- Authorisations:
 - Claims by staff and volunteers should be authorised by the appropriate training and projects officer, line manager, or, for the CEO by the Chair or treasurer.
 - Claims by trustees should be authorised by the CEO.

Managing or improving professional behavior

Anti-Harassment and Bullying Policy

Purpose

The Trust is committed to having a workplace which is free from harassment and bullying and to ensure that all staff, freelance staff, volunteers and others who come into contact with us in the course of our work, are treated with dignity and respect.

Introduction

We will not tolerate harassment or bullying in our workplace or at any work-related events outside of the workplace. This is regardless of whether this is a one-off act or whether done intentionally or not.

It is important for us all to recognise that conduct which one person may find acceptable, another may perceive as totally unacceptable. All staff must, therefore, treat their colleagues with respect and appropriate sensitivity.

We will not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying.

We recognise the highly sensitive nature of harassment and bullying allegations, and we will pay due regard to this in dealing with the issues, as well as conducting them in a timely and confidential manner. Unless the person bringing the grievance agrees otherwise, all complaints will be dealt with confidentially by everyone who may be involved, including management, the complainant, the alleged offender and any witnesses. Breach of confidentiality may give rise to disciplinary action.

Notwithstanding the above, the Trust may not be able to maintain confidentiality if a court or tribunal becomes involved and rules otherwise. Harassment or bullying can occur both in the workplace itself and in settings outside the workplace, such as meetings, events, or social functions (whether or not it is on the Trust's premises). Harassment or bullying in any of these contexts is covered by this policy. If an individual feels they are being harassed or bullied, then they should use the Grievance Procedure to address it, where they can make either a formal or informal complaint to their manager (or another manager if necessary).

with dignity and respect. If you are involved in management or recruitment, you have a duty to set an appropriate standard of behaviour and to ensure that those you manage understand and follow the policy. We will also take appropriate action if any of our staff are bullied or harassed by our stakeholders or suppliers.

Allegations of bullying and harassment will be treated seriously, and complaints will be dealt with promptly, sensitively and, as far as possible, confidentially (*see above*). If we decide that a worker has harassed or bullied a colleague or contractor, then they may be subject to action under the Disciplinary Procedure, which may lead to either a warning or dismissal.

You should be aware harassment and bullying is unlawful and that a worker may be personally liable for harassment, whether or not the Trust is liable. Staff and others who make allegations of bullying or harassment in good faith will not be treated less favourably or suffer a detriment as a result of raising a complaint.

The Trust also recognises that both the complainant and alleged perpetrator in these cases will find the process stressful and it can have a serious effect on them. It will therefore take false allegations made in bad faith very seriously and consider whether to deal with them under our Disciplinary Procedure.

Forms of harassment

Harassment is any unwanted conduct affecting a worker's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It may be related to age, sex, sexual orientation, gender reassignment or identity, race, disability, religion or belief, or any personal characteristics (including perceived characteristics) of a Trust worker or of someone with whom a Trust worker associates.

Harassment may be physical, verbal, or non-verbal. Examples of harassment include: ostracising; non-cooperation with a colleague; touching or brushing against another worker's body; offensive or insensitive comments or banter; circulating offensive comments or inappropriate photographs via email or social media.

Harassment may not be intentional or perceived by the alleged perpetrator to be harassment. It can be enough that the conduct is unwanted, unreasonable, and offensive to the recipient. Conduct does not have to be directed at the recipient to create an unacceptable working environment.

Harassment generally only arises where conduct continues once it has been made clear that it is regarded by the recipient as offensive or unwanted. However, a single incident can constitute harassment if it is sufficiently serious.

Forms of bullying

Bullying is something that has happened that is unwelcome, unwarranted and causes a detrimental effect.

Bullying is action or behaviour that is offensive, intimidating, malicious or insulting. It is an abuse or misuse of power intended to undermine, humiliate, denigrate or injure a colleague. Examples of this include ridiculing or demeaning others; setting unrealistic

tasks; excluding colleagues from meetings; cyberbullying, including abuse of colleagues by email and social media such as WhatsApp groups, Twitter, Meta (*Facebook*) even outside the workplace and working hours.

Bullying does not include appropriate and reasonable criticism or challenge of a worker's behaviour or proper performance management. Staff who witness harassment or bullying are encouraged to report it using this policy so that it can be investigated, and appropriate action taken.

Taking action and use of the Trust's Grievance Procedure

Informal stage

If you believe that you are being bullied or harassed by another worker or contractor, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour, whether intentional or unintentional, is unwelcome, and must stop. You may advise your manager or the CEO that you intend to approach the colleague or contractor before you take this step. Your manager may offer to take this step on your behalf if you would prefer it.

This informal stage will not generally result in any formal internal investigation or disciplinary action. It is intended to enable you to resolve the matter as quickly and amicably as possible.

Formal stage

If this informal approach is unsuccessful, or if it is not appropriate because of the nature of the harassment or bullying, you should raise the matter formally with your manager and inform them you wish to make a complaint, which is done through the Grievance Procedure. The role of your manager or the CEO is to achieve a solution wherever possible and to respect the confidentiality of all concerned. If you are being bullied by your own manager, you should raise the issue with the CEO. If you are being bullied by the CEO, you should raise the issue with the Chair of Trustees.

Making a complaint through the Grievance Procedure

In making a formal complaint, you should write to your manager or CEO (where applicable) or the Chair of Trustees (where applicable) setting out full details of the unwanted conduct. These details should include the name of the alleged harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) when the harassment or bullying occurred, the name of any witnesses and any action taken so far to attempt to stop the harassment or bullying. You should also supply any supporting material such as emails or texts you may have.

The manager will explore with you the question of anonymity, both for yourself and any witnesses you may identify. Colleagues who report harassment or bullying that they have witnessed will be protected from intimidation, victimisation or discrimination for making a complaint or assisting in an investigation.

In circumstances where relations may have broken down, consideration will be given to whether the alleged harasser or bully should be moved away from you or suspended on full pay or whether managerial arrangements should be altered pending the outcome of the grievance.

In certain circumstances, we may be able to involve a neutral third party (or a mediator) to facilitate a resolution of the problem. The manager or CEO (where applicable) or the Chair of Trustees (where applicable) dealing with your grievance will discuss this with you to consider if it is appropriate.

As a general principle, the decision to progress a complaint rests with you. However, depending upon the seriousness of the allegations, the Trust may independently pursue a complaint if it considers such action to be appropriate and has a duty under health and safety law to ensure a safe workplace.

Where complaints are deemed sufficiently serious, an investigation will normally be launched. It will be conducted by a person, or persons appointed by the CEO or Chair of Trustees (where applicable) who has not been involved with the individuals concerned. The investigation will pay due regard to the rights of both you and the alleged perpetrator. It will establish the facts and will not make a judgement on the case.

As part of the investigation, the person appointed will meet with you. You have the right to be accompanied by a charity colleague or a trade union official of your choice. The person appointed will also meet with the alleged harasser or bully, who may also be accompanied by a charity colleague or trade union official of his/her choice. The person appointed will attempt to reach a conclusion within two weeks of your complaint being reported.

The investigation will report back to the CEO or Chair of Trustees (where applicable), who will decide whether the findings are appropriate for it to be returned to the Grievance Procedure or whether it should be referred to the Disciplinary Procedure.

If the investigation finds plausible evidence that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. You would be informed of this outcome, but you will not be told the details of the report, nor any sanction imposed after the disciplinary hearing.

Even where a complaint is not upheld (for example, where evidence is inconclusive), consideration will be given to how the ongoing working relationship between you and the alleged offender should be managed (or whether there are other steps that the Trust should take, such as providing additional training).

Following this, unless you state there are outstanding issues, the grievance will be closed.

Any complaint that is false or not made in good faith will be treated as a disciplinary offence. Disciplinary action up to and including summary dismissal may be taken for abuse of this policy.

Appeal

If you are not satisfied with the outcome of the investigation, you have the right to appeal the decision within 14 days of being notified of the outcome. You should lodge your written appeal with the CEO or Chair of Trustees (where applicable) or, if the CEO or Chair investigated your complaint in the first place, with a nominated trustee. The person hearing your appeal will meet with you to discuss your appeal. You may be

accompanied by a colleague of your choice. You will be notified of the outcome of the appeal. This is the final stage of the Anti-Harassment and Bullying Procedure.

Confidentiality

Confidentiality is important throughout all parts of this procedure. Only those people who need to know about the situation will be involved. It is the responsibility of anyone who is part of the process to respect the high level of confidentiality that is required. Breach of confidentiality may give rise to disciplinary action.

Understanding the policy

It is important that you understand this policy fully. If you have any questions or are unclear about any part of it or its application, please contact your manager for advice or training.

Disciplinary Procedures

Introduction and scope of the Disciplinary Procedure

The Trust operates a disciplinary procedure which is intended to address unsatisfactory conduct, behaviour and performance. Managers will provide clear guidance and support to staff to help them achieve and maintain the necessary standards expected of them. The procedure aims to ensure consistent and fair treatment of all staff. At every stage you will have the right to explain your case and to be accompanied. You also have the right to appeal against any disciplinary penalty. This procedure applies to all Trust staff, irrespective of job or grade, whether permanent or temporary.

Principles

Informal action, in the first instance, will be considered (*where appropriate*) to resolve problems.

Before any formal action commences, you will be advised of the nature of the complaint against you.

You will be provided (*where appropriate*) with written copies of evidence and relevant witness statements at a reasonable time in advance of a disciplinary meeting.

At all stages of the procedure, you will have the right to be accompanied by a work colleague or trade union representative.

You will be given the opportunity to state your case before any decision is made in a disciplinary meeting.

No disciplinary action will be taken against you until the case has been fully investigated.

You will not be dismissed for a first breach of discipline except in the case of gross misconduct, where the penalty will be dismissal without notice or payment in lieu of notice.

You will have the right to appeal against any disciplinary action.

We aim to deal with matters sensitively and with respect for the privacy of any individuals involved. All staff must treat as confidential any information communicated

to them in connection with an investigation or disciplinary matter. This includes you and your representative (*should you choose to have one*). Any breach of confidentiality may lead to disciplinary action being taken.

This procedure does not apply to:

- Cases where the matter concerns sickness absence in which case the [Managing Sickness Absence Policy](#) will be followed.
- Cases where the matter concerns capability in which case the Performance Improvement Procedure will be followed.

Contractual obligations

You are required to comply with the terms and conditions contained in your contract of employment. Your obligations regarding the following matters are particularly important:

- Hours of work.
- Procedure for notifying absence from work.
- Disclosure of confidential information.

You are also required to observe all regulations posted on notice boards or distributed by email, statutory regulations and Trust practices, policies and procedures (*whether or not they are specifically covered in this Disciplinary Procedure*).

Any breach of these regulations, practices, policies or procedures (*or of the terms and conditions of your employment*) may lead to disciplinary action being taken against you, up to and including summary dismissal.

Performance of duties

You are required to carry out your duties and responsibilities to the standard required by the Trust. Training and supervision are provided to make this possible. Persistent unsatisfactory or poor performance may result in disciplinary action against you (*up to and including dismissal*).

Misconduct

The following matters are examples of misconduct or unsatisfactory performance that may give rise to disciplinary action. They are not exhaustive. They may also amount to gross misconduct, depending on the severity of the matter.

- Poor timekeeping or lateness.
- Unauthorised absence from work, including failure to send in medical certificates to cover periods of absence due to sickness.
- Poor or unsatisfactory work performance.
- Failure to comply with statutory rules and regulations.
- Disregard of health and safety issues.
- Excessive use of telephone for personal calls.
- Conduct likely to offend beneficiaries, clients, visitors or fellow staff.
- Unauthorised use of Trust property.
- Use of obscene or offensive language.
- Disregard of duties.

- Failure to disclose a personal interest conflicting with any Trust activity in which you are engaged.

Gross misconduct

The following are examples of gross misconduct which may render you liable to summary dismissal. This is not an exhaustive list:

- Theft or misappropriation of Trust property.
- Dishonesty.
- Engaging in or provoking physical assault on colleagues, clients or members of the public.
- Forgery or fraud, including fabrication of expense claims.
- Wilful damage to the Trust's buildings, fittings, property or equipment.
- Possession, use or abuse of alcohol or non-prescribed drugs or being under the influence of drink or non-prescribed drugs during working hours.
- Discrimination, bullying or harassment on the grounds of race, sex, age, disability, sexual orientation, religion or belief, gender reassignment, marriage or civil partnership, pregnancy or maternity.
- Failure to follow a reasonable instruction.
- Malicious or vexatious claims of any nature
- Misuse or abuse of the Trust's computer or electronic communications systems (including misuse of developed or licensed software, use of unauthorised software and misuse or abuse of the Internet, including misuse of social media).
- Unauthorised use or disclosure of confidential information or leaving confidential information unsecured.
- Unauthorised use, processing or disclosure of personal data.
- Bringing the Trust into disrepute.

The above examples of misconduct and gross misconduct are not exhaustive or exclusive and do not preclude disciplinary action being taken in respect of any other allegations (*the nature of which may vary according to the nature of the job or workplace*).

Investigation

No disciplinary action will be taken against you until the matter has been appropriately investigated. Investigation may take the form of evidence-gathering, a meeting with you to discuss the performance or conduct under consideration, or a combination of the two. Following the investigation, a decision will be taken about whether disciplinary action is necessary. In relation to misconduct, different managers will conduct the investigation and disciplinary hearing wherever possible.

Suspension

The Trust reserves the right to suspend you on full pay at any stage during the Disciplinary Procedure if the Trust considers it necessary:

- In the interests of the Trust, its staff, beneficiaries, clients or members of the public; or
- To protect the Trust's property; or
- To allow matters to be investigated.

You may also be suspended if the Trust considers it to be in your own interest.

You will be informed in writing of the reasons for your suspension and of its likely duration. Suspension does not constitute disciplinary action and does not prejudice the outcome of the disciplinary hearing.

Disciplinary procedure

Poor performance or minor incidents of misconduct will normally be dealt with by your manager in the first instance, who will give informal advice on how to make improvements and ensure you have the support to do this. This does not constitute part of the formal disciplinary procedure. Your manager will, however, keep a note of the date, circumstances and advice given.

If your performance or conduct does not improve, or at any time your conduct or performance warrants it, the disciplinary procedure below may be invoked.

The procedure may be instigated at any stage if your conduct or performance warrants such action.

Stage 1: Written warning

If your conduct or performance does not meet acceptable standards, the areas of dissatisfaction will be brought to your attention, and you will be given an opportunity to provide an explanation. If necessary, you will be given a formal written warning, a record of which will be kept on your personnel file.

The reason for the warning (how you fall below the required standard [*if applicable*]) or the details of the misconduct will contain:

- The name of the manager issuing the warning.
- A statement that failure to meet the required standard and/or further misconduct will result in further disciplinary action.
- A time limit for improvement and a date for review of your performance (*if applicable*).
- The length of time the warning will remain current.
- Notification of your right to appeal and to whom it should be made.

Stage 2: Final written warning

If you are guilty of a first instance of more serious misconduct or, after a written warning, your performance does not improve, or there is further misconduct, you will receive a final written warning. This will contain:

- The reason for the warning, (how you continue to fall below the required standard [*if applicable*]) or the details of the misconduct.
- The name of the manager issuing the warning.
- A time limit for improvement and the date on which your performance will again be reviewed (*if applicable*).
- A statement that failure to meet the required standard and/or further misconduct may result in the termination of your employment.
- How long the warning will remain current.
- Notification of your right to appeal and to whom it should be made.

Time limit for warnings

Written warnings will normally remain in force for up to 12 months. A copy of the warning will be placed on your personnel file. Warnings will cease to be 'live' (*and, subject to any regulatory requirements, will be removed from your personnel file*) following the specified period of satisfactory conduct or performance and will be disregarded for future disciplinary purposes. However, where a pattern of misconduct or poor performance emerges, it may be appropriate to extend the period for which any current warning remains on record or to take account of expired warnings. Exceptionally, where the misconduct is very serious, the written warning may remain valid indefinitely.

Stage 3: Dismissal

If you commit an act of gross misconduct or, after a final written warning, there is no satisfactory improvement, or if further misconduct occurs, you may be dismissed with or without notice. In cases of gross misconduct, the Trust may terminate your employment without notice or payment in lieu of notice. You will be notified in writing of the reason for your dismissal.

Hearing

Before any formal disciplinary sanction is imposed, you will be required to attend a disciplinary hearing. You will be informed of the nature of the allegations made against you and, where appropriate, you will be given copies of any written evidence. You will be given reasonable notice of the date and time of the hearing. This time is intended to give you a reasonable opportunity to consider your response to that information. At each stage in the disciplinary process, you will have the opportunity to explain your case. If you want to call witnesses to give relevant evidence at the hearing, you should notify the Trust of this as soon as possible and at least 48 hours before the hearing.

If a formal warning or other action is likely to result from a disciplinary hearing, you are entitled to be accompanied by a colleague of your choice or by a trade union official. If the colleague of your choice is unavailable, the Trust will seek to rearrange the hearing to a more mutually convenient date within the next five working days. During the hearing the colleague may confer with you, put your case, sum up and respond on your behalf to any view expressed at the hearing. However, the colleague may not answer questions on your behalf.

A record of the meeting will be taken, and you will be entitled to a copy of this on request. Recording equipment may not be used in the meeting by either you or your colleague.

You (*and any colleague*) must take all reasonable steps to attend the disciplinary hearing. However, if you (*or your colleague*) are unable to attend the hearing for a legitimate reason, it will usually be postponed and reconvened later. If you (*or your colleague*) fail to attend this rearranged meeting without a legitimate reason, the Trust may, if appropriate, proceed in your (*or their*) absence with a disciplinary hearing and take disciplinary action against you in your (*or their*) absence.

Outcome of the hearing

Following a disciplinary hearing, further investigation may be needed if new matters were raised at the hearing which had not been previously investigated. The outcome of

the disciplinary hearing will be confirmed to you in writing as soon as possible (*ideally within five working days of the hearing*), together with details of your right to appeal (*as set out below*). If the allegations are found to be proven, the sanction will depend on the circumstances of the case.

Appeals procedure

You have the right to appeal against a disciplinary decision. It is in the interest of all parties that staff should make any appeal as soon as possible. This is particularly important if reinstatement is being sought in the case of dismissal.

The appeals procedure is as follows:

Any appeal must be lodged with your manager in writing within 10 days of the disciplinary sanction being imposed stating the grounds for your appeal. Late appeals may be considered if you have a legitimate reason.

You will have the right to be accompanied by a colleague or a trade union official at an appeal hearing.

The appeal will be heard, so far as is reasonably practicable, by a manager of a level more senior than that of the person who took the disciplinary decision. This may include the CEO or a trustee, nominated by the Chair.

Once a decision has been reached you will be informed of it (*and the reasons for it*) in writing. The appeal decision will be final.

Confidentiality

We aim to deal with matters sensitively and with respect for the privacy of any individuals involved. All staff must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. This includes you and your representative (*should you choose to have one*).

Neither you nor your representative is permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. If you make a recording of such a meeting covertly, this may be treated as grounds for disciplinary action against you under this policy.

Performance Improvement Procedure

Scope

This policy applies to all substantive Trust staff, whether permanent or temporary. It does not apply to other staff such as freelance staff or volunteers.

Introduction

The Trust operates a performance improvement procedure (*PIP*) to provide a framework within which managers can work collaboratively with you to help achieve improvements and maintain these to a satisfactory standard. We recognise that poor performance can be the result of several issues, and that the performance improvement procedure may impact on an individual's mental health. We therefore encourage open dialogue to find solutions where possible.

You will not normally be dismissed for performance reasons without previous warnings but where the improved requirement is not forthcoming, then dismissal may result.

Poor performance caused by unwillingness rather than inability to do the job will be dealt with as misconduct under the Trust's Disciplinary Procedure.

Disability

At each stage, consideration will be given to whether the unsatisfactory performance is related to a disability and, if so, whether there are reasonable adjustments that could be made to the requirements of the job or other aspects of the working arrangements.

If you have difficulty at any stage of the procedure because of a disability or wish to inform us of any medical condition you consider relevant, you should make this clear to your manager.

Procedure

In the first instance, poor performance will normally be raised with you by your manager as part of your regular 1:1 meeting and the appraisal process. Your manager will give you informal advice on a day-to-day basis on how to make improvements and ensure you have any reasonable support you may require.

Where the performance of an employee is deemed to be inadequate, your manager will meet with you and set out in a clear and understandable way where and how the performance falls short of the required standard.

The employee will be given the opportunity to ask for clarification of the standards expected and to bring to the manager's attention any issues that may have affected their performance, including work and personal circumstances.

Having assessed the situation, the manager should discuss and agree with the employee an action plan (*to include timescales, support or training to be offered, how this will be monitored*) to achieve the improvements in performance that are expected.

This does not constitute part of the formal PIP but your manager will advise that failure to meet the required standards within the set period may mean that formal action will need to be taken in the future.

The areas discussed at the meeting and in the action, plan will normally be confirmed in writing to the employee within five working days of the meeting.

If the employee adequately meets the required standards within the set period, the manager should meet the employee to confirm that this is the case and confirm this meeting in writing. No further action will be taken, although the employee's performance will continue to be monitored in the usual way.

The formal performance improvement procedure is set out below. At each stage in the PIP, you will have the opportunity to put forward your case and any mitigating reasons for your performance not satisfying the standards expected of you and what is required to carry out the role to an acceptable level.

The procedure may be instigated at any of the stages below if your performance warrants such action. The formal stage of the procedure may include the CEO.

Performance improvement meetings

You will be required to attend a meeting with your manager to discuss the areas of your performance which need to improve. You will be given 10 working days' notice of the time and date of the meeting, and you will be informed, in writing, of the issues to be discussed. If you or your chosen colleague (*see below*) is unavailable on the proposed date, the meeting will be rearranged to a more convenient date within a further five working days.

You should take all reasonable steps to attend the meeting. If you are unable to attend for a legitimate reason, the meeting will be reconvened at a later date. Failure to attend a meeting without good reason may lead to disciplinary action being taken. In addition, the Trust may consider all the facts it has and, if appropriate, issue you with a warning or, in serious cases, a notice of dismissal in your absence.

Your right to be accompanied

In all cases, you are entitled to be accompanied at PIP meetings by a colleague of your choice or a trade union official. If you exercise this right, you should tell the manager conducting the meeting who your chosen colleague is in good time before the meeting. You may confer with your colleague during the meeting and your colleague may speak at the meeting but may not answer questions on your behalf.

Stage 1: Written warning

Where performance is unsatisfactory and informal steps have failed to resolve the situation, a first formal meeting will be held where you and your manager will discuss these concerns with a view to agreeing a way forward. The employee should be given every opportunity to ask for clarification of the standards expected and to bring to the CEO's attention any issues that may have affected their performance, including work and personal matters. The employee may also like to discuss any training needs.

Following the meeting, your manager will write to you to confirm:

- Areas for improvement and the standard to be reached and maintained.
- Any actions required to reach that standard, which may include training, further guidance/coaching and/or temporary supervision by someone competent/experienced in the role.
- A review date which will allow a reasonable timescale for the improvement to be achieved. This should allow sufficient time to meet the standards, but it should not be unduly prolonged. This would usually be between four and eight weeks, depending upon the circumstances.

This is a first written warning. The consequences of failing to improve within the review period may lead to action under the next stage of this procedure.

You will be advised of your right to appeal against the issue of a first written warning (*see below*).

Your performance will be reviewed at the end of the review period. If your performance has improved sufficiently and is maintained, the written warning will be disregarded and removed from your personnel file after 12 months have elapsed.

Stage 2: Final written warning

If your performance has not improved sufficiently, you, your manager and the CEO will meet again to discuss how continuing concerns with your performance might be addressed and whether there is any more help that they can provide. Following this, if appropriate, your manager will issue you with a final written warning.

The warning will contain:

- The reason for the warning (the details of the poor performance).
- The details of the training and guidance that have been given and the monitoring that has taken place.
- The standard of performance that is expected.
- The actions needed to reach the required standard (*including any training/coaching/supervision*).
- The length of the second review period.
- A statement that failure to meet the required standard is likely to result in the termination of your employment.
- Notification of your right to appeal.

Your performance will be reviewed at the end of the second review period. If your performance has improved sufficiently, you will not progress to the next stage of the procedure. Your performance will continue to be monitored. If it remains satisfactory, the final written warning will be disregarded and removed from your personnel file 18 months after it was issued.

Stage 3: Dismissal

If, at the end of the second review period, there has been insufficient improvement in your performance standards, you will be invited to a further PIP meeting with your manager and the CEO. They will identify the areas in which performance remains unsatisfactory and discuss whether there are any further steps that could reasonably be taken to rectify the poor performance and whether there is any reasonable likelihood of the required standard of performance being met within a reasonable time. Any mitigating factors you put forward will be given due consideration by your manager. If performance remains unsatisfactory and there seems to be no reasonable prospect of it improving to meet the required standard, you may be dismissed with notice. You will be notified in writing of the reason for your dismissal and the date on which your employment will terminate and your right to appeal.

Duration of warnings

Written warnings will remain valid for 18 months. If, during these periods, there has been no cause for further action under this procedure, the warnings will normally cease to be valid after the time stated has elapsed. However, if a deterioration in performance re-emerges, it may be appropriate to extend the period for which a current warning remains valid. After warnings have expired, they will be removed from your personnel file.

Appeal procedure

You have the right to appeal against a warning or your dismissal.

Any appeal must be lodged with the CEO in writing within 10 working days of your receipt of the outcome of the PIP meeting, stating the grounds for your appeal, ie, *why you think the decision is wrong*.

Within 10 working days of the receipt of the appeal against a formal warning or dismissal, the person appointed to deal with the appeal will arrange a meeting to hear the matter within five to 10 working days. You may be accompanied by a colleague of your choice or a trade union representative.

The appeal will be heard by the CEO (*or a member of the Trust, if necessary*) and, where possible, by someone who has not been previously involved with the case.

The outcome of the appeal will be one of the following:

- The original decision will be upheld; or
- The severity of the decision will be reduced; or
- The decision will be overturned completely.

Once a decision has been reached you will be informed of it (*and the reasons for it*) in writing. The appeal decision will be final.

If an appeal is upheld and your employment has already terminated, you will be reinstated, and your pay and benefits will be made up for the period from the end of your notice period to the date of your reinstatement.

Confidentiality

We aim to deal with matters sensitively and with respect for the privacy of any individuals involved. All staff must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. This includes you and your representative (*should you choose to have one*).

Neither you, nor your attending colleague/union representative, are permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. If you make a recording of such a meeting covertly, this may be treated as grounds for disciplinary action.