



Employee Handbook

Approval History

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Welcome and introduction

Welcome to the British Accreditation Council (BAC). Our strength as an organisation is due to the skills and abilities of colleagues like you. We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

What we do

BAC has provided a comprehensive quality assurance scheme for independent further and higher education in the UK since 1984. Our accreditation is recognised the world over by students, agents and government officials as the clearest mark of educational quality in the independent sector.

BAC has overseen the inspection of independent post-16 education for more than three decades. We are committed to both encouraging the highest standards of education offered by independent colleges and providing prospective students with an invaluable guide to quality in an often complex sector.

BAC-accredited providers now number more than 200, providing a wealth of academic programmes: vocational and professional qualifications; foundation courses for university entry; and externally validated degree courses.

Working with government departments and other major stakeholders in, and allied to, the education sector, BAC works to promote, benchmark and enhance best practice and quality of independent education provision in the UK and other countries.

Our Mission Statement

BAC aims to provide globally respected and rigorous inspection-based accreditation to enhance the standards and quality of independent further and higher education and training providers. BAC also aims to be recognised by the UK and overseas governments as an influential voice on standards and quality for the independent education sector.

In addition to providing clear guidance to prospective students, we want to encourage continuous improvement in the general standard and quality of independent further and higher education in the UK and internationally. While BAC is not a membership organisation, and must maintain an objective distance from institutions to preserve the value of its accreditation, we are nevertheless dedicated to helping colleges in their efforts for continual improvement.

This handbook

This handbook is designed to explain the way in which we work and to set out the BAC approach, key procedures, and policies designed to ensure an efficient workplace and a safe and supportive environment for all employees. The contents of this handbook do not form part of the terms of your contract of employment, unless otherwise stated, but does reflect our principles of working whether that is at the office or remote/online. BAC may need to alter or amend any policy or procedure contained in this handbook to ensure that it remains relevant and consistent with the needs of the business. Any such change will be notified to all employees.

We do expect you to comply with the requirements set out in this handbook and failure to do so may lead to disciplinary action; in appropriate cases, up to and including dismissal.

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1

KEY PRINCIPLES

This section sets out some of the key commitments made by BAC to its employees – and the key commitments expected from employees in return.

1.1 Code of Conduct

The behaviour of employees is central to the continued success of BAC. This handbook sets out a number of requirements aimed at ensuring the smooth running of BAC and the fair treatment of all employees. A number of these are so important that any breach of them will amount to gross misconduct and these are clearly identified throughout the handbook. Your attention is drawn in particular to the following:

- BAC approach to gifts and hospitality;
- BAC approach to smoking;
- BAC approach to alcohol and drugs;
- BAC approach to social media; and
- BAC approach to the use of computers, the internet and email;

Dishonesty

It is important to stress that any form of dishonesty, however minor, will be regarded as gross misconduct. This includes theft of property, whether belonging to BAC, colleagues or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false claim for expenses or overtime, falsely claiming to be sick or falsely claiming to have completed a particular task.

It does not matter if any amount of money at issue is small. BAC regards any dishonesty by employees as gross misconduct which will usually result in dismissal.

Refusal to carry out instructions

BAC expects employees to work in a spirit of cooperation with their colleagues and managers for the good of the business as a whole. Employees are required to carry out their managers' instructions and a deliberate and wilful refusal to do so will be gross misconduct.

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure (see Section 4). However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

1.2 Health and Safety

The primary duty owed to you by BAC is to ensure that you are safe while you are at work. Similarly, all employees are obliged to carry out their duties in a safe and responsible manner that does not risk harm to either themselves, their colleagues or any other person.

A detailed health and safety policy identifying the roles and responsibilities of key staff members for ensuring that BAC meets its commitment to health and safety is available from the Health and Safety Manager. In addition, there is information on health and safety displayed throughout our premises.

Detailed risk assessments have been carried out on all aspects of BAC's activities and steps have been taken to ensure that all work can be done safely. Any employee who is concerned that any aspect of BAC's activities poses a risk to health and safety should report this to the nearest available manager immediately. Genuine concerns about health and safety will always be treated with the utmost seriousness and be thoroughly investigated.

Employees are required to comply with all instructions rules and procedures concerning matters of health and safety. Failure to do so may amount to gross misconduct. In particular, where employees are required to wear personal protective equipment then failure to do so will be treated as gross misconduct which will usually result in dismissal.

1.3 Ethical Conduct

BAC aims for the highest possible standards of ethical conduct in all of its activities and expects the conduct of individual employees to reflect this. Dishonesty of any kind will be treated as a serious matter, which may amount to gross misconduct and therefore to dismissal without notice.

Gifts and Hospitality and other inducements

The acceptance of gifts and hospitality and other inducements from clients/customers, suppliers and potential suppliers must not give the appearance that employees or BAC may be unduly influenced in the decisions that they make in respect of clients/customers, suppliers or in any other aspect of their work.

For inspectors, consultants, agents and contractors inducements would include the following:

- The acceptance of gifts, other than low value gifts such as branded pens, notebooks and coffee mugs
- The acceptance of any financial inducement
- The offer of employment or consultancy work in return for interpreting inspection evidence in a favourable (or unfavourable) light
- Offers of hospitality, for example invitations to lunches and dinners, other than a light working sandwich lunch or similar during the inspection. This latter practice also contributes to the effective use of the inspection time and can be combined with meetings with staff and/or students if appropriate. Where possible, inspectors should offer to pay for such hospitality but not to the extent that it causes offence.

All gifts and hospitality given or received, of whatever value, must be entered in the Register kept by the management team.

No personal gifts of a value in excess of £10 should be accepted from a client/customer, supplier or potential supplier without express permission from your line manager.

Acceptance of hospitality, such as lunch or drinks receptions, should be kept within common sense limits and should always be authorised by your manager. Offers of hospitality must always be authorised by your manager.

You may also be instructed to return any gifts which your manager considers to be inappropriate, or to refuse to accept hospitality from a particular supplier or potential supplier. Failing to obey such an instruction will be treated as misconduct.

Allowing gifts or hospitality to influence any purchasing/business decisions that you may make on behalf of BAC or to otherwise influence the way in which you perform your duties is an act of gross misconduct which will usually result in dismissal.

It is also an act of gross misconduct to seek to influence any other person to behave in an improper way or to confer a business advantage on you or BAC through the giving of any gift or hospitality.

Please also see BAC's Anti-Bribery and Anti-Corruption Policy.

1.4 Whistleblowing

BAC encourages employees to raise any concerns that they may have about any wrongdoing at any level within the business. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, damage to the environment, or an attempt to conceal any of the above.

Any initial concern should be raised with your line manager. However, if this is not appropriate then you should contact another member of the management team who will ensure that your concern is properly addressed.

Employees who raise a concern which is in the public interest under this policy are entitled not to be subjected to any detriment as a result, however the employee must reasonably believe that the disclosure they are making is true.

Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the business. Making a deliberately false allegation, however, against BAC, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

1.5 Good Faith and Loyalty

The employment relationship is one built on trust and we all have a mutual interest in making the relationship a success. BAC has a duty to provide reasonable support to employees and employees have a duty of good faith towards BAC.

In practice this means not doing anything that undermines BAC's position by acting in competition with it, providing information to competitors or undermining BAC's standing with clients, customers and fellow employees.

1.6 Data Protection

We will process personal data and sensitive personal data (also known as 'special categories of personal data') relating to you in accordance with our Data Protection Policy and our Privacy Notice (provided to you separately), as well as in accordance with the relevant data protection legislation.

We may monitor staff in accordance with our policies relating to email, internet and communications systems and monitoring at work, as detailed in this Employee Handbook and in accordance with the relevant data protection legislation.

You will comply with your obligations under our Data Protection Policy and other relevant policies as directed.

1.7 Environmental Statement

In the undertaking of their daily duties, we accept that all staff associated with BAC will have an influence on the environment. We will commit to adopting working practices that will help to have a positive effect, assist towards continued environmental improvement, prevent pollution and reduce unavoidable negative influences caused by our working practices.

BAC therefore maintains a policy of 'minimum waste' which is essential to the cost effective and efficient running of all our operations. Every employee has a responsibility to promote this policy by taking extra care when carrying out normal duties to avoid unnecessary or extravagant use of services, materials, lights, heating, water etc.

2

HOW WE DO THINGS

This section deals with some important administrative requirements to do with your employment and sets out the standards BAC expects of employees in various situations.

2.1 Proof of Identity

BAC is legally obliged to ensure that all employees are permitted to work in the UK. It is a condition of your employment that you comply with all reasonable requests to provide details of your identity, right to work in the UK and place of residence. This will include allowing BAC to take copies of your passport or other appropriate documents and to check their authenticity. Copies of any such documents will be kept in your personnel file for such a period as is deemed necessary in compliance with current data protection laws.

BAC may dismiss any employee who cannot demonstrate that they are legally entitled to work in the United Kingdom.

2.2 Dress Code

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients or customers and whether the requirements of health and safety require particular clothing. How you dress is largely a matter of common sense. If your manager feels that you are dressing in an inappropriate way they may ask you to dress differently the next time you come into work. A persistent refusal to comply with a reasonable standard set by a manager will amount to misconduct.

Where an employee dresses in a completely inappropriate way, for example by wearing clothing with offensive images or slogans, then they may be sent home to change. Any time taken to go home and change will be unpaid.

Personal Protective Equipment

If you are provided with any Personal Protective Equipment (PPE) you must ensure you wear this at all times, especially in any designated area which may pose additional risk. Failure to do so is likely to result in disciplinary action.

2.3 Timekeeping

Good timekeeping is essential in any team; however we recognise the commitment that staff dedicate to their duties and therefore are happy to show some flexibility in terms of time keeping. This having been said, any employee who is seen to abuse this goodwill, will be spoken to. Persistent abuse of this goodwill will likely result in disciplinary action.

Where it is clear that you are going to be late for work you must contact your line manager as soon as possible to explain the situation and give an estimate of your arrival time. You must make every effort to talk to your manager directly rather than leave a message with colleagues or send an email or text message.

If personal or domestic circumstances make it difficult for you to attend work on time then you should discuss this with your line manager. In some cases, BAC may be able to accommodate a reasonable need for flexibility, but this will be subject to the needs of the business and the need to avoid placing an unfair burden on your colleagues (see Section 4).

2.4 Adverse Weather and Traffic Disruption

BAC's primary duty is to provide a safe place of work. If adverse weather means that this cannot be achieved, and the workplace needs to close, then all employees will be sent home or told not to come in. In these circumstances employees will be paid in full for any working time that they have lost.

If the need to close the workplace persists, BAC may invoke the lay-off clause in employees' contracts.

If you are unable to attend work due to severe weather or other travel difficulties then you will be expected to work at home.

2.5 Staff wellbeing and rest breaks

BAC is committed to the wellbeing of all staff.

BAC encourages all employees to take full advantage of lunch and rest breaks. These are important not only for comfort, but also to protect the physical and mental health of employees. A rest break should be taken away from your workstation wherever possible.

All BAC employees have access to the Employee Assistance Programme, currently provided by Workplace Options.

They offer an annual series of seminars which come free as part of the benefits in the membership package with them. They also provide advice and guidance for employees, useful checklists for managers, health and wellbeing information on their website and a confidential counselling service. All of this is FREE for you to access.

Details are below to gain access to their website and service:

<http://www.eapdirect.co.uk>

Username: BAC

Password: employee

Email: assistance@workplaceoptions.com

2.6 Smoking

BAC operates a smoke-free workplace. Smoking (which includes the use of e-cigarettes and personal vaporisers) is therefore strictly prohibited throughout all BAC premises, including any BAC vehicle.

Smoking is only permitted during designated break times and in the designated outside areas.

2.7 Computer Use - Including the use of email/Internet

It is very important that BAC is able to keep its data secure. To assist with this, all employees are required to comply with instructions that may be issued from time to time regarding the use of BAC-owned computers or systems.

You should ensure that when leaving your workstation for any lengthy period, that you lock your terminal, or log off if appropriate.

You must not attach any device to BAC IT equipment without authorisation from your line manager and you must not open attachments or click on links unless you know you can trust the source. BAC portable IT devices must be kept secure and password protected at all times.

Your computer password is an important piece of confidential information and you should treat it that way. Do not share it with others, and make sure that it is not written down anywhere where an unauthorised person can find it.

Unauthorised access to any of BAC's systems will amount to gross misconduct.

Internet Use

Employees with access to the internet on BAC-owned devices should use that access responsibly.

Employees are permitted to use the internet and email for moderate personal use providing it does not interfere with the performance of work duties and responsibilities. You may use the internet before and after work and during your lunch break.

From time to time, BAC may block access to sites which it considers inappropriate but whether or not a specific site has been blocked, employees must not use the internet to view or download offensive or sexually explicit material. Any attempt to do so may, depending on the circumstances, amount to gross misconduct leading to dismissal.

Employees must not download any software, plugins or extensions on to BAC-owned devices unless this is first cleared by an appropriate manager. Employees should also refrain from downloading music, video or any other entertainment content on any BAC-owned device.

Firewalls and anti-virus software may be used to protect BAC's systems. These must not be disabled or switched off without express permission from management.

Email

All email correspondence should be dealt with in the same professional and diligent manner as any other form of correspondence.

If you have a BAC email account you should be mindful of the fact that any email that you send will be identifiable as coming from BAC. You should therefore take care not to send anything via email that may reflect badly on BAC. In particular, you must not send content of a sexual, racist or discriminatory nature, junk mail, chain letters, cartoons or jokes from any email address associated with work.

Using a work email address to send inappropriate material, including content of a sexual, racist or discriminatory nature, is strictly prohibited and may amount to gross misconduct. Should you receive any offensive or inappropriate content via email you should inform a member of management of this as soon as possible so that they can ensure that it is removed from the system.

You should also take care that emails will be seen only by the person intended. Particular care should be taken when sending confidential information that the email has been correctly addressed, marked 'private' /'confidential' and not copied in to those not authorised to see the information. Sending confidential information via email without proper authorisation or without taking sufficient care to ensure that it is properly protected will be treated as misconduct.

You should have at least one 'buddy' from the BAC head office team who has access to your email account in case of unexpected, prolonged absence from work. Buddies are expected to monitor the inbox for any emails that need an urgent reply.

Privacy

Monitoring of email usage takes place without notice. You should have no expectation of privacy in respect of personal and business use of email and the internet whilst at work.

Your email remains the property of BAC and therefore you should not use your work email to send or receive any information that you regard as private. BAC may, in the course of its business, read emails that you have sent or received - although in the absence of evidence of wrongdoing BAC will try to avoid reading personal emails if possible.

2.8 Social Media

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of a social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on BAC.

Inappropriate or disparaging comments about BAC, colleagues or clients will be treated as misconduct. Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, BAC will take a particularly serious view of any misconduct that occurs through the use of social media.

You must not operate a social media account or profile that purports to be operated on or on behalf of BAC without express permission to do so from your manager.

2.9 Telephones

Reasonable personal use of BAC telephones is permitted with prior permission from management, however calls should be kept short and no calls should be made to premium rate numbers or abroad.

Calls and texts on personal mobile phones should wherever possible be restricted to breaks.

2.10 Alcohol and Drugs

BAC's approach to the consumption of alcohol, drugs and other substances (including new psychoactive substances) that have intoxicating and/or behaviour-altering effects or impair judgement (referred to in this policy as "other substances") is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of the rules in this area will be treated as gross misconduct which will usually result in dismissal.

An employee will be regarded as 'under the influence' of alcohol, drugs or other substances if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. An employee will also be regarded as under the influence if they fail a drug, other substance or alcohol test.

Dependency

Employees who have a dependency on alcohol, drugs or other substances may be offered support and encouraged to seek appropriate counselling or medical help. Absence arising from treatment or counselling related to drug, alcohol or other substance abuse will be treated as sickness absence under BAC's Sickness absence procedure. However, while BAC will always try to be supportive toward employees with a drug, alcohol or other substance problem, this will not prevent disciplinary action being taken when employees act in breach of the rules laid out in this policy.

Wherever an employee informs BAC that they have a drug, alcohol or other substance problem this will, as far as possible, be treated in the utmost confidence. However BAC may need to disclose particular circumstances to managers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

Drugs

The consumption, storage, distribution or sale of illegal drugs or any other behaviour-altering and/or intoxicating substance, including new psychoactive substances, on BAC premises or during working time is strictly prohibited. BAC will report any illegal activities to the police or other relevant authorities.

You must not present yourself for work under the influence of illegal drugs or any other substance taken for non-medical purposes.

Medicines and Prescription Drugs

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform your line manager of this so that steps can be taken to ensure that the work can be done safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

Alcohol

Consumption of even a small amount of alcohol may be sufficient to adversely affect the work of an employee and could pose a risk to health and safety. Remember that alcohol remains in the bloodstream for up to 24 hours following consumption and that the consumption of a significant amount of alcohol in the evening may leave you unfit to work in the morning.

You must not present yourself for work under the influence of alcohol.

You must not consume any alcohol during working time, lunchtime or during any break unless this has been specifically authorised by your manager.

Where alcohol is available at BAC organised events or occasions when you are representing BAC – even outside working hours - it is important to behave responsibly and not drink to excess. Behaviour that reflects badly on BAC will be a disciplinary matter and in serious cases may amount to gross misconduct.

2.11 Expenses

You will be reimbursed for authorised and legitimate expenditure reasonably incurred in the course of the proper performance of your duties, i.e. travel, accommodation, agreed out-of-pocket expenditure.

In order to claim expenses you must complete an expense claim form and support the claim by submitting valid receipts.

2.12 Season ticket loan

BAC will advance you the full cost of a year-long season ticket for your journey to work and withhold one-twelfth from your pay each month, with the full balance of the loan becoming payable should you leave.

This can be done one of two ways:

- You purchase your season ticket and BAC will reimburse the full claim on production of a receipt.
- BAC will issue a cheque payable to TfL or another travel provider.

Ask the Finance Officer for a copy of the season ticket loan form (or find it in the Common drive).

Loans may also be granted for other specific items. For example, training that is not directly related to your work at BAC. Please approach the Chief Executive directly for such a request.

2.13 Other benefits

BAC also provides the following benefits:

- Refreshments for all staff
- Generous holiday entitlements

- An Employee Assistance Program
- Training budget and opportunities
- Cycle to work scheme (tax free bicycle purchase)
- Free eye tests at BAC specified opticians and contribution to cost of glasses
- Free flu jab
- 10% employer pension contributions when matched by 4% employee contribution
- One year's National Childbirth Trust (NCT) membership from the beginning of maternity leave

2.14 Company Property

You are not permitted to use BAC property for any purpose other than its intended use. BAC property must not be removed from the premises unless with prior approval.

Damage to Company Property

Any damage to or loss of BAC property must be immediately reported to your manager.

If, following an investigation, it is found that as a result of your carelessness, negligence or failure to comply with BAC procedures, or by wilful act, BAC suffers loss or damage of cash, stock, fixtures and fittings or property (including vehicles), this will be construed as serious breach of the rules, which could result in your summary dismissal on grounds of gross misconduct.

You may also be liable to pay the full, or part, cost of making good BAC's loss in respect of cash, stock, fixtures and fittings, or property (including vehicles).

In the event that BAC makes a claim to its insurers, for repair or replacement, or other losses incurred, it reserves the right to require you to pay any insurance excess that may accrue.

It is an express term of your contract of employment that if BAC property is damaged, lost or stolen through your negligence or fault, then BAC may deduct the cost of repair or replacement from your salary.

Before any decision is made to deduct, the matter will be fully investigated and you will be given an opportunity to state your case and appeal any decision.

Return of Company Property

Upon termination of employment for whatever reason, you must return to BAC all property belonging to BAC including BAC computer, equipment, keys, records and documents within your possession or control belonging or relating to the affairs and business of BAC and its customers.

BAC may deduct the cost of replacement of any items not returned, or repair of items that are returned damaged, on termination of your employment from your salary or any monies owed to you.

Computer Equipment

If you have been issued with a laptop, tablet computer, smartphone or other mobile device, you must ensure that it is kept secure at all times, especially when travelling. Passwords must be used to secure access to data kept on such equipment to ensure that confidential data is protected in the event of loss or theft. You should also be aware that when using equipment away from the workplace, documents may be read by third parties, for example, passengers on public transport and steps should be taken to avoid this.

Employees' Property

BAC does not accept liability for any loss of, or damage to, property that you bring onto the premises. You are requested not to bring personal items of value onto the premises, and in particular, not to leave any items overnight.

Any loss or theft of items must be reported to your manager.

Lost Property

If you find any items of lost property they should be handed to your immediate Manager, who will retain the items for three weeks. The property will either be handed over to the police or disposed of accordingly.

2.15 General

Statements to the Media

Any statements to reporters from newspapers, radio, television etc. in relation to our business will be given only by Management.

Parking

If parking is provided by BAC, all cars parked in such parking areas are parked at the owner's risk and must be parked so as not to obstruct access. It is your responsibility to ensure that your vehicle is parked in a safe area.

CCTV/Security Cameras

BAC reserves the right to use closed circuit television (CCTV) systems throughout its premises as deemed necessary and employees should expect all areas (other than those where use would contravene common decency) to be visible on a television monitoring system. Information obtained from systems will only be used in appropriate circumstances and with strict adherence to Data Protection Laws. This may include using recorded images as evidence in disciplinary proceedings.

Good housekeeping

Please report any of the following to Management:

- Any problems with the building

- Any requests for equipment including stationery for your own use at work, and for use by the whole office
- Any electrical equipment or furniture that needs disposing of

You are responsible for keeping your own desk and surrounding area tidy. BAC encourages a clear desk policy where practicable. General office tidiness is everyone's responsibility and you are expected to tidy up after yourself and assist with tidying other areas of the office.

When you leave work at the end of the day, please shut down your computer and turn off your screen. If you are the last person in your office, please turn off the lights and ensure all doors are secure.

BAC is very conscious of environmental issues and would encourage all staff to print only when absolutely necessary, and to print on both sides of the paper. In the interests of economy, colour printing should only be used when necessary.

Food

Please dispose of waste food in the waste bin in the kitchen and clear up any spillages. Please keep food in air-tight containers in the fridge and never place anything hot in the fridge. Please do not cook smelly food in the office as this is unpleasant for your colleagues. You are discouraged from eating at your desk, for the same reason, particularly when eating hot food.

Food brought in by outside caterers should not be left at room temperature for more than 4 hours and any leftovers must be disposed of.

Waste disposal and recycling

Broken glass should be wrapped and labelled with a warning and placed beside the waste bin.

General waste can be disposed of in the bins throughout the office.

Confidential waste paper must be shredded before being disposed of. Shredded waste is recycled.

Non-confidential waste paper can be put in the recycling bins in the office.

Welfare

The BAC recognises that you may experience personal problems in your working life. This could include relationships at/outside work, health, finances, work arrangements or anything else. Should you wish to discuss your concerns, you can contact your line manager, the Mental Health First Aider or the Chief Executive. Anything raised will be treated in the strictest of confidence.

Young workers and visitors

BAC does not have the facilities to ensure the safety of children in its office and, with the exception of the occasional short visit, when they must be supervised at all times, staff must not bring children to work.

Any member of staff who is not yet 18 years old must undergo an individual risk assessment before commencing work. The responsibility for requesting this assessment lies with the manager involved.

3

ABSENCE

This section sets out the approach BAC takes when you are unable to attend work, are taking annual leave or need time off.

3.1 Unauthorised Absence

Employees who deliberately fail to attend work without proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

3.2 Medical Appointments

In general, appointments to see a GP, dentist or optician should be made for outside working hours. Paid medical leave will not normally be granted for non-emergency visits.

BAC appreciates that it is not always possible to avoid appointments during the working day and will judge each case individually in deciding whether any paid time off should be granted. In most cases, employees will be required either to use part of their annual holiday entitlement or to make up any lost time.

Employees who have a medical condition which will require regular appointments during the working day should discuss their situation with their manager so that appropriate arrangements can be made.

You may be required to provide evidence of any appointment for which time off is needed.

3.3 Ante-natal Care/Adoption Appointments

Pregnancy Related Appointments

Employees who are pregnant are entitled to paid-time off to attend ante-natal appointments provided that attendance is based on medical advice. For second and subsequent appointments you may be required to produce an appointment card or similar evidence of the date and time of the appointment.

While there is no limit on the number of appointments that an employee can attend, BAC does have the right to refuse time off where it is reasonable to do so. Employees are therefore expected to take reasonable steps to arrange antenatal appointments at a time that will require the minimum amount of time off. Part-time workers should attempt to arrange appointments for days when they are not required to work and all employees should try to avoid appointments in the middle of the working day in order to minimise disruption.

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right you should notify your manager of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

Adoption Appointments

Employees who are adopting on their own, or have elected to be the primary adopter may take paid time off to attend up to five adoption appointments in certain circumstances.

If you are the partner of the primary adopter, you may take unpaid time off on up to two occasions to attend an adoption appointment.

3.4 Sickness Absence

Regular and reliable attendance at work is an important commitment that BAC asks all employees to make. Unjustified or excessive absence can put unfair pressure on colleagues and seriously damage BAC's business, to everybody's detriment.

Nevertheless BAC will always try to be supportive when an employee is genuinely too ill to attend work. This policy sets out BAC's approach and the steps that you need to take if you are off sick.

Reporting Sickness Absence

If you are too ill to come into work you should personally inform the office or your line manager of this fact as soon as possible and in any event by no later than within 1 hour of your start time. When you phone in sick you must make every effort to speak to your manager directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for your manager then they may contact you during the day to discuss your absence with you.

It is important that you keep in touch with your manager about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed your manager that you will be off sick for a particular period of time or your absence is certified by a GP 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

BAC requires any absence of more than 4 days to be certified by a 'self-certification form' (Form SC2) which should be returned to your line manager as soon as possible. Any absence of more than a week must be certified by a 'Fit Note' (Forms Med 3 or Med 10). Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then BAC may require such absence to be certified by a GP at your own expense.

Where you are absent for an extended period of time (three weeks or more) BAC may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this will be to ascertain when you are likely to be able to return to work and to identify any measures that can be taken to help you return as soon as possible.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

BAC will maintain regular contact with employees who are off sick for an extended period.

Employees will be required to attend a return to work meeting after any period of sickness absence. The purpose of the meeting is to check on the employee's general health and wellbeing, to catch up with regards to anything that the employee may have missed, and to discuss whether there are any concerns in respect of absence levels.

Annual Leave and Sickness Absence

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence you should inform your manager of this fact in advance and provide contact details. BAC does not expect employees to take holidays while off sick. In exceptional cases only, where this may assist in an employee's recovery, BAC may agree to holidays being taken during sick leave. It is essential however that any such holidays are agreed in advance with BAC following the normal holiday request procedure.

Phased Return to Work

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. BAC will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

Alternative Work

BAC may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached then BAC may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

Disability and Reasonable Adjustments

BAC is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments BAC needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with their line manager. Any such discussions will be in the strictest confidence although when an adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. BAC is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment. Nor will BAC agree to an adjustment which will not result in a commercially practicable working arrangement.

Statutory Sick Pay

If you are sick BAC will pay you Statutory Sick Pay (SSP), if you are eligible. Further details of this are contained within your contract of employment.

3.5 Jury Service/Other Time Off

There are a number of circumstances in which employees have a right to time off from work either with or without pay. These include jury service and certain public duties such as serving as a local councillor, magistrate or school governor. Where a need for such time off arises you should discuss the matter with your line manager who will consider what arrangements should be put in place.

While BAC will do its best to accommodate time off in these circumstances, the requirements of an employee's role may mean that the amount of time off granted may be limited.

Where serving on a jury would lead to a level of absence that would be detrimental to the business, BAC may require you to seek a deferment.

3.6 Compassionate/Bereavement Leave

In the event an employee suffers a bereavement in their family, BAC will exercise its discretion to allow reasonable time off to attend a funeral. What is reasonable will be determined on a case by case basis and the type of leave, whether paid or unpaid, will depend on the circumstances and the relationship the employee had with the individual.

In addition, there may be occasions where it may be necessary for an employee to take compassionate leave. Again, this will be considered on a case by case basis and dependant on circumstances, may be paid or unpaid.

An employee will not be eligible to receive paid bereavement or compassionate time-off benefits while off, or absent from work because of holiday, sickness (paid or unpaid) or for any other reason.

3.7 Parental Bereavement Leave

Employees are entitled to statutory parental bereavement leave (SPBL) if a child for whom they have or were due to have parental responsibility has died or been stillborn after 24 weeks of pregnancy, on or after 6 April 2020.

Leave can be taken as one week, two consecutive weeks, or two separate weeks, at any time within the first 56 weeks after the child's death.

Notification

During the first eight weeks after a child has died, you, or someone on your behalf as necessary, need only give notice to BAC to take SPBL before you are due to start work on the first day of leave. If you have already started work, then officially your SPBL period will start on the following day. If you want to cancel it at any time during the first seven weeks you can do so as long as it has not started.

After eight weeks, you need to give at least a week's notice to BAC to take SPBL. You can cancel it with a week's notice, or re-book it by giving a week's notice.

When giving notice to take SPBL, you must tell BAC: the date of the child's death; when you want your leave to begin; and whether you want to take 1 or 2 weeks leave). You can give notice by telephone or by email or by letter.

Parental Bereavement Pay

To qualify for statutory parental bereavement pay (SPBP) during such leave you must have at least six months' continuous employment and normal weekly earnings of at least the lower earnings limit. It is paid at the same rate as other statutory family leave pay, which is subject to change every year. You can check the most up-to-date figure with your line manager.

To claim SPBP, you must confirm the following information in writing within 28 days of starting any period of SPBL: your name; your entitlement to SPBP; the dates of SPBL you want to claim the pay for; the date of the child's death; and your relationship to the child. You can provide this information at the same time as giving notice to take SPBL, as set out above, so long as it is in writing.

Other leave entitlements

In addition to parental bereavement leave, if you qualified for:

- maternity or paternity leave and pay and your child has died or been stillborn, you are still entitled to such leave and pay.
- adoption leave and pay, then the adoption leave entitlement runs for another eight weeks from the end of the week in which the child died (unless it would already have ended sooner).

If your planned period of SPBL coincides with another statutory family leave right, your SPBL will end at the start of that other leave. If you wish to take SPBL at the end of the other statutory family leave period, then a fresh notice to take the leave will be required, as per the above notice requirements.

Compassionate or Dependants leave may be available under our Compassionate or Dependants Leave Policy at our discretion. Please speak to your manager if you require time off in addition to parental bereavement leave.

3.8 Emergency Time Off for Dependants

BAC recognises that situations arise where you need to take time off work to deal with an emergency involving someone who depends on you. Your husband, wife or partner, child or parent, or someone living with you as part of your family can all be considered as depending on you. Others who rely solely on you for help in an emergency may also qualify. For further detail as to who counts as depending on you and guidance on individual circumstances, please speak to your Manager.

Provided the reasons for such a request are genuine and you inform BAC as soon as possible that you need this time off, you will be allowed reasonable unpaid time off work to deal with such emergencies.

The right to time off only covers emergencies. If you know in advance that you are going to need time off, you will not qualify for this type of leave and you therefore should arrange this with BAC by taking another form of leave, such as annual leave, parental leave etc.

If an emergency occurs and it is not possible for you to inform your manager in advance of any absence you should contact your manager as soon as possible to inform them of the situation. Appropriate arrangements may then be put in place.

If you suffer some other personal emergency you should talk to your line manager who will discuss what arrangements can be made to grant you compassionate leave. These arrangements will always be at the discretion of BAC and will depend on the circumstances of the case and the impact that any absence on your part may have on the business. However, BAC will be sympathetic to your need for time off (which may be paid or unpaid at our discretion) to deal with the situation and make any arrangements that may be necessary.

3.9 Annual Leave

Your individual holiday entitlement, including the calculation of any holiday pay, is set out in your contract of employment. This section of the handbook outlines the general approach taken by BAC to requests for annual leave.

Before you request any annual leave you should approach your line manager with the proposed dates for their agreement. You can then go to Timetastic and put in your desired days holiday. This will automatically be sent for approval

You should not make firm travel plans or commitments until a request for leave has been granted and BAC will not take such plans into account when dealing with conflicting holiday requests.

Further, no more than two consecutive weeks' holiday can be taken at one time. In certain circumstances, and at the discretion of the business, a longer period may be permitted. If this is required, you should discuss this with your line manager, to establish whether this can be accommodated.

What notice do I need to give?

Large blocks of Annual leave (5 days or more) should ordinarily be booked at least three weeks in advance, and periods of more than ten working days (i.e. two calendar weeks) must be approved by the Chief Executive. Leave of just one or two days may be booked the week before or exceptionally, in the same week.

The means of requesting leave may change from time to time and you should comply with whatever procedure is in place at the time of the request.

Your manager may refuse any request for leave if it would result in the workplace being understaffed or otherwise prejudice the business. Leave is likely to be refused if it is requested for a particularly busy period or a time when other employees have already had leave approved.

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the business, leave will be granted on a first come first served basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

Our Holiday Year

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 01 September to 31 August. However it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

Employees may be permitted to carry over up to 5 days of holiday entitlement into the following holiday year. You should use these 5 days in the first month of that year.

Employees who leave their employment during the course of a holiday year will be entitled to a pro-rata payment reflecting leave accrued but not taken. Where an employee has, at the time their employment ends, taken a larger proportion of their leave entitlement than the proportion of the holiday year that has expired, then a deduction will be made from the final payment of salary to reflect the holiday which has been taken but not accrued.

BAC may insist on annual leave being taken at particular times depending on the needs of the business and these are set out in your contract of employment. Alternatively, we will give reasonable notice of any such requirement (the length of the notice given will be at least twice the duration of the leave BAC requires the employee to take).

BAC may require annual leave to be taken during the notice period of any employee who has resigned or been dismissed.

3.10 Reserve Forces

BAC supports employees who are also member of the reserve forces. Such employees have specific entitlements relating to time off including arrangements for them returning to work after a period of deployment. Employees who are members of the reserve forces or who are considering joining should discuss the implications with their line manager.

3.11 Discretionary unpaid leave

In exceptional circumstances, consideration may be given to requests for specified periods of unpaid leave. Agreement of the Chief Executive is required.

Any agreed periods of unpaid leave are fully recorded in writing and a copy sent to the Chief Executive for the employee's personnel file.

During any period of unpaid leave, normal annual leave continues to accrue.

3.12 Carer's Leave

All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long term care need. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at the time of making the request. How that is calculated will depend on whether you have non-variable or variable hours of work.

A dependant is:

- your spouse, civil partner, child or parent;
- someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or;
- anybody else who reasonably relies on you to provide or arrange their care.

A dependant has a long-term care need if:

- they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
- they have a disability for the purposes of the Equality Act 2010, or
- they require care for a reason connected with their old age.

The minimum period of carer's leave that can be taken at one time is half a working day, with the maximum period being one continuous week. Leave need not be taken on continuous days.

You must give notice of your request to take a period of carer's leave. This can relate to all or part of the leave to which you are entitled. The notice must:

- Specify that you are entitled to take carer's leave;
- Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and
- Be given with at least three days' notice for one half/full/1.5 day of leave. Or, for 2 or more days' leave, with at least double the length of notice to the time you want off.

The notice does not need to be in writing, but it would be helpful if it was in order to maintain an accurate record of what is being requested.

BAC may, in our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.

If BAC reasonably considers that the operation of the business would be unduly disrupted if your request was granted, we may postpone the start of the carer's leave after consulting with you to agree an alternative date(s) which is/are no later than one month after the earliest day or half day of the request. In these circumstances, BAC will give written notice to you of the postponement, setting out the reason for the postponement and the agreed dates you can take the leave. This notice will be given no later than the earlier of: (a) seven days after your notice was given to BAC, or (b) before the earliest day or half day requested in your notice.

4

FLEXIBLE WORKING AND FAMILY RELATED LEAVE

BAC understands the particular issues faced by employees trying to balance their work and family life. This section sets out BAC's policies in this area and the specific rights given to new parents.

4.1 Flexible Working

BAC will try, subject to the needs of the business, to accommodate requests from employees who wish to make changes to their working hours or place of work.

Requests for a change in working arrangements can be made by any employee. Two requests per employee may be made in any 12 month period (which includes requests that have been withdrawn). However, you may have only one live request for flexible working with the Organisation at any one time. The request must:

- be made in writing and state this is a flexible working request;
- be dated;
- set out the change requested, including when you would like the change to come into effect; and
- set out if and when you have made a previous request for flexible working to the Organisation.

When a request is received, you will be invited to a meeting to discuss the potential change.

The meeting will normally be conducted by your line manager.

You are entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The application may be refused on one or more of several grounds, these being that the proposed changes will result in:

- a burden of additional cost;
- a detrimental effect on ability to meet customer demand;
- an inability to re-organise work among existing staff;
- an inability to recruit additional staff;
- a detrimental effect on quality;
- a detrimental effect on performance;
- an insufficiency of work during the periods you propose to work;
- a planned structural change; and

- any other ground allowed by regulations.

Before refusing a request, the Organisation will consult with you to discuss the application further, which may include exploring any alternatives that may be available. If no agreement is reached and the request is rejected, this will be confirmed in writing and your terms and conditions will remain unchanged, subject to your right to appeal the decision. The process (including any appeal) will be concluded within 2 months of the request being made, unless a longer period is agreed.

Any meetings should take place in a spirit of cooperation with both sides seeking to reach agreement on an appropriate way forward.

Any change in working arrangements which results from this process will be confirmed to you in writing.

This policy will not prevent managers agreeing to ad hoc arrangements from time to time. However, any such arrangement will not amount to a variation in your terms and conditions of employment unless specifically agreed to the contrary and confirmed in writing. The Organisation may terminate any such ad hoc agreement at any time and require you to revert to your agreed working arrangements.

As there will inevitably be a limit to the amount of flexibility the Organisation can tolerate without detriment to its interests, employees must accept that the fact that a particular working arrangement has been granted to one employee does not oblige the Organisation to grant it to another.

4.2 Maternity Leave

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least six months' service immediately before the 15th week prior to the expected week of childbirth will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to a member of the management team who will make sure that you have all the appropriate information.

Notification

To qualify for maternity leave you must provide BAC, no later than the end of the 15th week before your EWC (when you are approximately 6 months' pregnant) with the following information:

1. that you are pregnant;
2. the date of the week your baby is due (your expected week of childbirth or EWC);
3. when you intend your maternity leave to start (this date can be changed later – see below); and
4. you must also provide BAC with the original Maternity Certificate (MAT B1) issued by your doctor.

In some circumstances BAC may be able to accept other medical evidence of when your baby is due, so if there is any difficulty in providing the MATB1 certificate you should discuss this with your manager.

If you intend to take advantage of the right to shared parental leave, you should inform BAC of this fact at the same time as you notify the intended start date of your leave.

Start of Maternity Leave

Generally it is up to you to decide when to start your maternity leave. However, your leave cannot begin any earlier than the beginning of the 11th week before your EWC.

Where it is safe to do so, you may choose to continue working right up to your child's birth. However, your maternity leave will begin automatically if you are off sick for a pregnancy-related reason at any stage in the four weeks immediately before your EWC.

If your baby is born before the date that you have notified as the start date for your maternity leave then your maternity leave will begin on the day following the birth.

You may change the date on which you intend to start your maternity leave, but you must notify BAC of your new start date at least 28 days before the original date given (or the new date, if that is sooner). If there is a reason why you cannot give this notice then you should explain the situation to an appropriate manager and BAC will attempt to accommodate your changed circumstances. However, BAC may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

When your baby is born you should inform BAC of this fact as soon as is reasonably practicable.

Duration of Maternity Leave

The standard length of maternity leave is 52 weeks. Once you indicate the intended start date of your leave, BAC will send you a written notification of your expected date of return.

Unless you give due notice to BAC of an earlier date of return, it will be assumed that you intend to take your full 52-week entitlement and you will not be expected back at work before your leave ends. You do not then have to give any notice of your return although it would be sensible to contact your manager some time in advance to discuss any arrangements that may need to be made.

At the end of your maternity leave you are generally entitled to return to the same job as you had before your leave began. If you are away for more than 26 weeks, however, there may be circumstances in which that is not reasonably practicable. In that case, BAC will provide you with a suitable and appropriate role at the same level of seniority and on no-less favourable terms and conditions.

Dismissal or Resignation

While on maternity leave you remain employed by BAC and bound by your contract of employment. If you decide that you want to leave your employment you will need to submit your resignation in the normal way.

BAC will not dismiss you for any reason related to your pregnancy or your exercise of any right which arises from it. However, if separate circumstances require your dismissal (for instance, because of redundancy) then that will bring your maternity leave to an end.

If your position becomes redundant during your maternity leave then you will be offered any suitable alternative work that is available.

Statutory Maternity Pay

Statutory Maternity Pay (SMP) is paid to employees who have at least 26 weeks' service immediately before the 15th week before the expected week of childbirth and whose pay is above the Lower Earnings Limit for paying National Insurance Contributions (this changes each year). Employees who earn below that amount may be entitled to a state benefit called Maternity Allowance. BAC will provide you with an appropriate form to help you claim this, where appropriate.

To pay SMP, BAC needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform BAC of your intended start date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings (this is based on an average of your total earnings in the eight weeks immediately preceding the 14th week before your expected week of childbirth) and the remaining 33 weeks are paid at a flat rate specified in legislation (this changes each year).

Your entitlement to SMP will be affected if you undertake any paid work (other than 'Keeping in Touch' days, described below) or are taken into legal custody at any time during your period of SMP entitlement. You should inform BAC immediately of any such change in your circumstances.

Enhanced Company Maternity Pay

If by the EWC you have been continuously employed for at least 12 months and meet all the eligibility criteria for Statutory Maternity Pay you will qualify for Enhanced Company Maternity Pay as follows –

During the first 12 weeks of Ordinary Maternity Leave you will be entitled to 100% of your average weekly earnings including any SMP or MA that may be due. Your average weekly earnings are calculated on the basis of average basic weekly earnings (excluding any bonus or benefits entitlement) during the 8 weeks immediately preceding the 14th week before the EWC.

For the following 12 weeks of Ordinary Maternity Leave you will be entitled to 50% of your average weekly earnings including any SMP or MA that may be due. Your average weekly earnings are calculated on the basis of average basic weekly earnings (excluding any bonus or benefits entitlement) during the 8 weeks immediately preceding the 14th week before the EWC.

For the following 28 weeks of Maternity Leave you will be entitled to be paid at the SMP rate, or 90% of your average weekly earnings if that figure is lower (i.e. for part-time members of staff).

‘Qualifying Week’ means before the end of the fifteenth week before the week that you expect to give birth.

National Childbirth Trust (NCT) membership

BAC provides one year’s National Childbirth Trust (NCT) membership from the beginning of maternity leave. The NCT is UK’s leading charity for parents. Every year NCT supports thousands of people through pregnancy, birth and early parenthood. They are there to help you through the transition, offering relevant information, reassurance and mutual support.

Returning to Work Early

Not every employee will want to take the full 52 weeks of maternity leave. Some may simply want to return to work early and others may wish (with their partner) to take advantage of the right to shared parental leave (see below).

In order to make arrangements to accommodate an early return BAC is entitled to ask for 8 weeks’ notice of the new date, and if that is not given may delay your return until 8 weeks have passed since your notification.

In any event the law requires that you must not be permitted to return to work during the two weeks immediately following the birth.

Returning to Work Late

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date then you should follow the sickness absence procedure set out in Section 5.2 of this handbook.

If you are entitled to begin some other period of leave (such as annual leave or parental leave) then you should ensure that you have followed the appropriate procedure for taking such leave as set out in this handbook.

Maternity Suspension (Health and Safety Reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that BAC has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy then BAC will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

4.3 Adoption Leave

Employees who are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave.

Adoption leave is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

Where two parents are adopting a child, only one of them may take adoption leave, and the other (regardless of gender) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

The arrangements for taking adoption leave are similar to the arrangements for taking maternity leave, but there are several important differences. The key ones are set out below, but if you believe you are entitled to adoption leave you should discuss the situation with an appropriate manager who will ensure that you have all the necessary information.

Notification

If you intend to take adoption leave you should notify BAC of this within seven days of being notified that you have been matched with a child for adoption (or as soon as is reasonably practicable).

Your notification should set out:

- the date when the child is expected to be placed with you; and
- the date when you want to start your adoption leave.

As with maternity leave, you can change your mind about the start date provided BAC is given at least 28 days – or as much notice as is reasonably practicable.

BAC is entitled to require proof of the adoption which usually takes the form of a matching certificate provided by the agency placing the child.

Adoption leave is the same in duration as that of maternity leave and will last for 52 weeks unless you choose to return early or take advantage of shared parental leave. You may choose to start the leave from the date when the child is placed with you or at any time in the preceding two weeks.

If, for any reason, the placement is brought to an end – for example because the match turns out to be unsuitable – then adoption leave will continue for 8 weeks beyond the end of the placement. After that period you will be expected to return to work as normal.

Adoption Pay

The arrangements for statutory adoption pay are similar to those for SMP (set out above).

Returning to Work Following Adoption Leave

Your return to work at the end of your adoption leave is on the same basis as for the end of maternity leave (set out above).

4.4 Paternity Leave

We pay enhanced Paternity pay which is 100% of your average weekly earnings per week for up to two weeks inclusive of any entitlement to Statutory Paternity Pay.

Employees with 26 weeks' continuous service, either ending with the 15th week before the expected week of childbirth or ending the week in which agency notifies you have been matched with a child, will be entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the mother's partner or one of the adoptive parents. The purpose of the leave must be either to care for the child or to provide support for the child's mother or adoptive parent. This policy relates to a child whose expected week of childbirth (EWC) is after 6 April 2024 or whose placement date, or expected date of entry into Great Britain for adoption, is on or after 6 April 2024. For a child whose EWC or placement date is before this, please speak to your manager in order to discuss your rights regarding paternity leave.

There are a number of administrative requirements that must be met in relation to taking paternity leave and employees should discuss their plans with their line manager at as early a stage as possible. The following paragraphs set out the basic requirements, but there are additional requirements that must be met when adopting a child from overseas and employees in this position should talk to their manager who will make sure that full information is provided.

Employees entitled to take paternity leave are entitled to two weeks of leave, which can be taken as two consecutive weeks, or two non-consecutive blocks of one week.

Paternity leave cannot start before a child is born or placed and must be taken at some stage within the first year following birth or adoption (except when the child is born prematurely in which case the leave must be taken within the 52 weeks following the expected week of childbirth).

Most new parents choose to begin paternity leave on the date their child is born, but you may if you wish begin the leave at any time you choose provided that the whole of the leave is taken by the end of that year.

In order to qualify for paternity leave with regards to birth, you must notify the Company at least 15 weeks before the expected week of your child's birth, and give at least 28 days' notice before the date you would like to take each period of leave. For adoption cases, you must notify the Company within 7 days of having been notified that a child will be placed for adoption. Your notification should specify how much leave you intend to take and when you intend the leave to begin. Should your plans change, you will need to give the Company 28 days' notice of any revision.

Paternity leave is payable at the statutory rate, which is subject to change every year. You can check the most up-to-date figure with your line manager.

Enhanced Paternity Leave Pay

You will qualify for enhanced paternity pay if you have been continuously employed during the 12 month period (not including probation period) ending with the Qualifying Week and have not received any company paternity pay or shared parental pay from our employment during the 12 month period (not including probation period) ending with the Qualifying Week. This is paid at the rate of your normal basic salary during paternity leave for up to two weeks and includes any Statutory Paternity Pay that may be due for that period.

Payment of enhanced paternity pay is conditional upon you confirming in writing, prior to starting paternity leave, that you intend to return to work for at least six months after paternity leave. If you do not return to work for this minimum period any company paternity pay (but not Statutory Paternity Pay) must be repaid. You do not have to return enhanced paternity pay if the Organisation terminates your employment, unless:

- it was entitled to and did terminate your employment summarily; or
- it terminated your employment pursuant to an application by you for voluntary redundancy.

All the terms and conditions of your employment remain in force during Paternity Leave. In particular:

- benefits in kind shall continue;
- annual leave entitlement under your contract shall continue to accrue; and
- pension benefits shall continue

4.5 Parental Leave

Parental leave is a flexible form of unpaid leave designed to help employees spend time caring for their children. Parental leave can be taken up until the child's 18th birthday and is available to employees who have at least one year's service and who have formal parental responsibility for a child.

The basic entitlement is to 18 weeks of unpaid leave in respect of each child.

Parental leave must usually be taken in blocks of one week or more and no more than four weeks' leave will be granted in a single year. However, more flexibility is available in respect of disabled children and you should discuss your requirements with your line manager if this applies to you.

A request to take parental leave should be submitted 21 days in advance. While BAC will always try to accommodate requests for parental leave, it has the right to postpone any leave for up to six months in order to accommodate business need.

No postponement will be required if you choose to take your first instalment of leave immediately after the birth or adoption of your child. In such circumstances you need only inform BAC of your intention 21 days before the expected date of birth or placement. The leave will then begin automatically when your child is born or placed with you.

Parental leave is an entitlement that can be transferred from one employment to another. You may therefore join BAC with some outstanding parental leave attaching to a particular child. In such circumstances you should be aware that the qualifying period for taking parental leave still applies and you will need to have been employed for at least one year before you can resume taking parental leave.

4.6 Shared Parental Leave

Shared parental leave is a flexible form of leave available to both parents designed to encourage shared parenting in the first year of a child's life. It allows a more flexible pattern of leave than the traditional arrangement under which the mother takes extensive maternity leave and the father takes a short period of paternity leave.

Employees who give birth or adopt remain entitled to take the full 52 weeks of leave if they choose to do so and the arrangements described above for maternity and adoption leave continue to apply. However, an employee may choose to share part of that leave with their partner provided that certain qualifying conditions are met. When leave is shared in this way, there is no need for the 'primary' leave taker to have returned to work. Both parents can be on leave at the same time, provided that the combined amount of leave taken by the parents does not exceed 52 weeks and provided that all of the leave is taken before the end of 52 weeks following the birth of the child or its placement for adoption.

Generally, parents will qualify for shared parental leave provided that both are working and that each has at least 26 weeks' service with their respective employers. To exercise the right, both parents must inform their employer that they intend to take shared parental leave – usually at the same time as the employer is notified that an employee is pregnant or plans to adopt. They must also give an indication of the pattern of leave that they propose to take.

A parent proposing to take a period of shared parental leave must give BAC 8 weeks' notice of any such leave. Depending on the circumstances, it may be possible for the Shared Parental Leave to be taken in intermittent blocks, with one parent returning to work for a time before taking another period of shared parental leave. Such an arrangement can only be made with the agreement of BAC. While every effort will be made to accommodate the needs of individual employees, BAC may insist on shared parental leave being taken in a single instalment. Any decision as to whether to permit intermittent periods of leave is entirely at BAC's discretion.

An employee absent on shared parental leave will be entitled to a weekly payment equivalent to the lower fixed rate of SMP. The number of weeks for which payment will be made will vary depending on the amount of SMP paid to the mother while on maternity leave. Essentially, if the mother ends (or proposes to end) her leave with 10 weeks of SMP entitlement remaining, the parent taking shared parental leave will be entitled to be paid for the first 10 weeks of leave.

Because of the number of options available, shared parental leave can be quite a complicated entitlement. If you want to take advantage of shared parental leave you should discuss this with your line manager who will check that you qualify and help guide you through the procedure.

4.7 Keeping in Touch Days

Employees during a period of maternity, adoption or shared parental leave are entitled to 10 keeping in touch days (KIT days). These allow the employee to attend work to catch up on the latest developments, undergo training or some other development activity, or to take part in important meetings without losing their right to subsequent pay entitlements. Employees on shared parental leave are entitled to a further 20 KIT days.

These 'keeping in touch days' are entirely voluntary and employees will not be required to take part, nor is BAC under any obligation to arrange for keeping in touch days.

Any payment for attending work on such days will be agreed between BAC and the employee at the time the keeping in touch day is arranged.

There is no legal requirement to receive pay for these days.

4.8 During Maternity/Adoption or Shared Parental Leave

BAC is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the business. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, your manager may, before your leave begins, discuss with you how best we can keep in touch while you are away.

Please be aware, however, that if an important issue arises on which you need to be consulted, BAC may have a legal obligation to discuss the issue with you and keep you informed.

5

HOW WE RESOLVE ISSUES

When problems arise in the employment relationship it is important that they are dealt with fairly and promptly. This section sets out the procedures that BAC will follow in such cases.

Recording of meetings: Due to the confidential nature of disciplinary and grievance proceedings you must not make electronic or audio recordings of any meetings or hearings conducted under the procedures set out in section 5. You should ensure that any companion you may bring with you to such meetings is also aware of this rule.

5.1 Performance Improvement Procedure

It is in everybody's interest for employees to perform well at their jobs and BAC aims to ensure that all employees are given the support needed to ensure that they do so. Where there are issues with performance then the employee should receive feedback from their manager setting out any concerns. Discussions should take place about how that performance can be improved. This procedure is designed to be used when such informal discussions do not lead to the employee's performance improving to an acceptable level.

Where an employee's poor performance is believed to be the result of deliberate neglect, or where serious errors have been made to the detriment of BAC then it may be more appropriate to use the disciplinary procedure. Which procedure to use shall be at the discretion of BAC.

BAC also reserves the right not to follow this procedure in full for employees who are within their first two years of employment with BAC.

The Right to be Accompanied

Employees are entitled to be accompanied at any formal meeting held under this procedure by a fellow employee or trade union official of their choice. BAC will provide any chosen companions with appropriate paid time off to allow them to attend the meeting. It is, however, up to the employee in question to arrange for a companion to attend the meeting.

If your chosen companion cannot attend on the day scheduled for the meeting then BAC will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The Companion's role is to advise you during the meeting and make representations on your behalf. However, both you and your companion are required to cooperate in ensuring a fair and efficient meeting. The companion is not entitled to answer questions on your behalf.

Stage One

The employee's manager will inform them of the nature of the problem and confirm this in writing. The employee will be invited to a meeting to discuss the issues raised by the manager's concerns. The meeting will be conducted by the employee's line manager and will consider any representations the employee may make about their performance, whether it needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the line manager may choose to take no further action; to refer the matter for investigation under the disciplinary procedure or to issue a written warning and Performance Improvement Plan which will remain current for a period of 12 months.

Performance Improvement Plan

A Performance Improvement Plan (PIP) is a series of measures designed to help improve the employee's performance. Each measure will ideally be agreed with the employee, though BAC reserves the right to insist on any aspect of the PIP in the absence of such agreement.

Each PIP will be tailored to the particular situation, but will contain the following elements:

Timescale: the overall timescale in which the necessary improvement must be achieved will be set out, together with the timescale for reaching individual milestones where appropriate.

Targets: The PIP will specify the particular areas in which improvement is needed and set out how and on what criteria the employee's performance will be assessed. Where appropriate, specific targets will be set which will need to be achieved either by the end of the plan or at identifiable stages within it.

Measures: The PIP will specify what measures will be taken by BAC to support the employee in improving their performance. Such measures may include training, additional supervision, the reallocation of other duties, or the provision of additional support from colleagues.

Feedback: As part of the PIP the employee will be given regular feedback from their line manager indicating the extent to which the employee is on track to deliver the improvements set out in the plan

If at any stage BAC feels that the PIP is not progressing in a satisfactory way, a further meeting may be held with the employee to discuss the issue. As a result of such a meeting the employer may amend or extend any part of the plan.

Review

At the end of the PIP the employee's performance will be reviewed. If satisfactory progress has been made the employee will be notified of this fact in writing. If the manager feels that progress has been insufficient then they may decide to extend and/or amend the PIP to such extent as seems appropriate. Alternatively the manager may refer the matter to a meeting under Stage Two of this procedure.

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage during the lifetime of the first written warning the employee's performance again starts to fall short of an acceptable standard, their line manager may decide to institute stage two of this procedure.

Stage Two

If a PIP has not led to sufficient improvement in the employee's performance, the employee will be invited to attend a formal performance management hearing. The invitation will set out the respects in which the line manager believes that the employee's performance still falls short of an acceptable standard.

The hearing will be conducted by a member of the senior management team.

At the hearing, the employee will be given an opportunity to respond to any criticism of their performance and to make representations about any aspect of the way in which the process has been managed.

If the hearing concludes that reasonable steps have been taken which should have allowed the employee to perform to an acceptable standard but that these measures have not worked then a **formal final warning** may be issued. The warning will explain the nature of the improvement which is required in the employee's performance and state that the improvement must be immediate and sustained. It will also explain that if this improvement does not take place then the employee may be dismissed. Where it is appropriate, the warning may be accompanied by an extended or revised PIP.

The warning will remain current for a period of 12 months, after which time it will cease to have effect.

Stage Three

If an employee has been issued with a warning under Stage Two which remains current, and the appropriate manager believes that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

The employee will be informed in writing of the grounds of which the hearing is being convened and in particular will be told of the respects in which their performance continues to fall below an acceptable standard.

The hearing will be conducted by an appropriate manager.

At the meeting the employee will be able to respond to any criticisms made of their performance and make representations about how the situation should be treated.

The manager conducting the meeting may take such action as is judged appropriate up to and including a decision to dismiss the employee.

Any dismissal under this procedure will be with notice or payment in lieu of notice and the decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

Appeals

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing stating your full grounds of appeal within one week of the action complained of. An appeal hearing will then be convened to consider the matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

The outcome of the appeal will be confirmed to the employee in writing explaining the grounds of which the decision was reached. The outcome of the appeal will be final.

Redeployment

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within BAC. However, any offer to redeploy the employee will be entirely at BAC's discretion and will only be made when BAC is confident that the employee will be able to perform well in the redeployed role and where there is a suitable available vacancy.

Redeployment may be offered as an alternative to dismissal where BAC is satisfied that the employee should no longer be allowed to continue to work in their current role. While the employee is free to refuse any offer of redeployment, the only alternative available in these circumstances will usually be dismissal.

5.2 Sickness Absence Procedure

BAC may need to dismiss an employee whose attendance does not meet an acceptable standard either because of a long-term absence or because of a series of short-term absences. Such dismissals do not depend on any wrongdoing on the employee's part and do not mean that BAC does not accept that their absences are genuinely due to illness or injury. Rather, dismissal is recognition that unfortunately the employee is no longer able to perform their role, or attend work on a sufficiently regular basis to make their continued employment a viable option.

Short-term Absence

An employee who is absent on more than three occasions within a six month period will be invited to a meeting to discuss their attendance.

The meeting will usually be conducted by the employee's line manager and the employee will have a right to be accompanied by a fellow employee or a trade union official on the same basis as set out in the performance management procedure.

At the meeting the employee will be asked to explain the level of their absence. Where there is any indication that the absences are caused by an underlying medical condition then the matter may be dealt with under the procedure for long-term absence set out below. BAC may also seek medical evidence from either the employee's doctor or an occupational health specialist in which case the meeting will be adjourned for a report to be obtained

Subject to any medical evidence, the manager conducting this first-stage meeting may decide to issue a warning to the employee setting out BAC's expectations regarding attendance and indicating the level of improvement needed. A review period will normally be set which may range from one month to 12 months depending on the circumstances.

If the employee's attendance does not improve to the extent required they may at any stage in the review period be invited to attend a second-stage meeting to discuss the matter. The meeting will again be conducted by the line manager and the employee will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

If the employee does not meet this standard and there is no underlying condition where reasonable adjustments would assist the employee to attend then they may be dismissed. A final meeting will be convened which shall be conducted by a manager with appropriate authority to dismiss and will consider any representations made by or on behalf of the employee who will once again have the right to be accompanied by a fellow employee or trade union official.

Any dismissal arising out of this meeting will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated.

Long-term Sickness Absence

Where an employee is absent for an extended period – or it is clear that their absence is likely to continue for some time – then BAC will want to investigate the prospects for their return and consider what actions can be taken to facilitate this. The extent to which BAC can continue to accommodate an employee's absence will depend on a range of factors, including the role of the employee and the prevailing circumstances of the business.

BAC may seek medical advice as to the employee's condition either from the appropriate professionals caring for the employee or from a specialist occupational health practitioner. The focus will be on ascertaining when the employee will be able to return to work and what steps BAC can take to facilitate this.

An employee is not obliged to consent to any medical reports or records being shared with BAC as part of this process. However, in the absence of medical evidence BAC will have to work on the basis of what information is available in reaching its decision.

One or more meetings will be arranged with the employee to discuss their condition, the prospects for any return to work, and whether anything more can be done by BAC to help. The employee will be entitled to be accompanied at the meeting by a fellow employee or trade union official.

Every effort will be made to make suitable arrangements for the meeting to allow the employee to attend. Where the employee is simply too ill to take part in the process, however, BAC may proceed to dismissal in the absence of a meeting taking into account any representations made on the employee's behalf.

Where it appears that the employee will be unable to return to work within a reasonable time frame then BAC may need to consider dismissal. Any dismissal will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated. You should submit your appeal in writing stating your full grounds of appeal.

BAC reserves the right not to follow these procedures in full for employees who are within their first two years of employment with BAC.

5.3 Disciplinary Procedure

BAC always tries to deal with disciplinary issues fairly and promptly. This procedure sets out the framework under which allegations of misconduct will be investigated and considered. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens BAC will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

BAC reserves the right not to follow this procedure in full for employees who are within their first two years of employment with BAC.

Definition of Misconduct

Behaviour which is disruptive, disrespectful to colleagues, or which falls short of the requirements set out in this handbook will be treated as misconduct under the disciplinary procedure. While employees will not usually be dismissed for a first offence a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

Definition of Gross Misconduct

Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to BAC and their colleagues. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will fall into this category – some of which are then explained in more detail below:

- Theft;
- Deliberate acts of discrimination or harassment;
- Refusal to carry out reasonable instructions;
- Violent or intimidating behaviour;
- Wilful damage to property;
- Reckless behaviour posing a risk to health and safety;
- Any act or omission constituting serious or gross negligence/or dereliction of duty;
- Sleeping on duty;

- recording audio and/or video of any meeting, conversation or discussion with another person or people without the express prior consent of the person or people being recorded;
- Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of management;
- Failing to work your contractual hours while working from home or as part of a hybrid working arrangement, or giving false or misleading information relating to your hours of work and activities while working from home;
- Any illegal act during working time or on BAC premises; and
- Any act described as gross misconduct elsewhere in this handbook.

Informal Action

Most minor acts of misconduct can be dealt with informally through discussions between an employee and their line manager. This may consist of management guidance or an informal warning given orally or in writing. These steps are an everyday part of the management process and no formal procedure needs to be followed in respect of them.

Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

Investigation

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

Suspension

If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with. BAC will make every effort to ensure that any period of suspension is kept as short as possible. The purpose of a suspension is either to allow an unhindered investigation to take place, or to protect the interests of BAC and its employees. During any period of suspension you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you. This is not a disciplinary sanction and should not be seen as a predetermination of any disciplinary process.

Hearing

Once the investigation has been carried out, the investigating officer will make a decision about whether there is sufficient evidence to warrant a disciplinary hearing. If there is you will be informed of this and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

To ensure that you have adequate time to prepare for the hearing, BAC will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases BAC may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of BAC and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, BAC will generally try to give at least two days' notice of any hearing and in complicated cases a longer period of notice may be given.

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by an appropriate manager who, wherever possible, has not previously been involved in the case and who was not responsible for carrying out the investigation.

The Right to be Accompanied

Employees are entitled to be accompanied at any disciplinary hearing by a fellow employee or trade union official of their choice. BAC will provide any chosen companion with appropriate paid time off to allow them to attend the hearing. It is, however, up to the employee in question to arrange for a companion to attend the hearing.

If your chosen companion cannot attend on the day scheduled for the hearing then BAC will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The companion's role is to advise you during the hearing and make representations on your behalf; it is not to answer questions for you. However, both you and your companion are required to cooperate in ensuring a fair and efficient hearing. The companion cannot answer questions on your behalf.

Evidence

The hearing will consider any evidence you choose to present. Should witnesses be prepared to appear on your behalf they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided. BAC will not compel or require any employee to appear as a witness on your behalf and in most circumstances evidence arising from the investigation will be presented in written form. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

Disciplinary Action

After considering all of the evidence, including any submissions made by you or on your behalf, the manager conducting the hearing will decide on the outcome. If misconduct is found to have taken place then the usual outcome will be a **written warning** which will be placed on your personnel file.

A warning will stay active for a period of 1 year, after which it will not be taken into account in any future disciplinary action.

If however a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.

A **final written warning** will usually remain active for one year, but a longer period may be specified if the manager conducting the hearing feels that the circumstances warrant it.

An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

Dismissal

An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred then dismissal without notice or payment in lieu will be the usual outcome.

Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee. If you are accused of gross misconduct this will be made clear when you are invited to a disciplinary hearing. A wide range of behaviours can amount to gross misconduct but the most common involve dishonesty, violent or aggressive behaviour, the wilful destruction of BAC property or a deliberate refusal to obey a reasonable instruction.

Appeal

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing stating your full grounds of appeal within one week of being notified of the outcome. The person to whom an appeal should be directed will be detailed in the disciplinary outcome letter. An appeal hearing will be convened and conducted by an appropriate member of the senior management team.

The appeal will consider any grounds the employee chooses to put forward and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.

Employee Absence

It is important that disciplinary issues are dealt with promptly. BAC may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend. Before hearing the matter in an employee's absence, BAC will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

5.4 Grievance Procedure

BAC aims to be responsive to concerns raised by employees and if you are unhappy with something affecting you at work you are encouraged to raise this with your line manager. If that is not possible then you should speak to a member of the management team who will try to assist you in resolving any issue you may have. The following procedure is designed to be used when these informal attempts to resolve any dispute have not been successful.

Examples of issues that could be dealt with under the grievance procedure include:

- (a) terms and conditions of employment;
- (b) health and safety;
- (c) work relations;
- (d) bullying and harassment;
- (e) new working practices;
- (f) working environment;
- (g) organisational change; and
- (h) discrimination.

The Grievance Procedure should not be used to complain about issues which do not directly relate to, or impact on, you and your work/ working environment.

The Grievance Procedure should not be used to complain about disciplinary action, reasonable action taken under the Performance Management Procedure or Sickness Absence Procedure. Any such complaints should be dealt with under the relevant appeal procedure.

Raising a Grievance

If you feel that the matter needs to be raised formally you should raise a grievance by making a written complaint, stating that it is being made under this procedure. You should give as much information about your grievance, including any relevant dates and times, as you can, so as to allow for any investigation into your concerns to take place.

We would expect you to raise any grievance as soon as possible and, in any event, unless in exceptional circumstances, no later than 6 months after the occurrence of the issue complained of.

A grievance will normally be dealt with by your line manager and should be addressed to them directly. Where the grievance is directly concerned with your line manager's behaviour, however, you should submit your grievance to another member of the management team who will arrange for somebody who is not directly involved in the issue to deal with it.

Grievance Hearing

A grievance hearing will then be arranged so that you can explain the issue and suggest how it can be resolved. There may be some cases where your grievance can be dealt with in writing, subject to your agreement. You will have the right to be accompanied by a fellow employee or trade union official to any grievance hearing. The manager conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited to a reconvened meeting, to have the opportunity to consider and respond to the findings of the investigation. Following this a decision on the outcome of your grievance will be made.

Allegations of Misconduct

Where an employee is making allegations of misconduct on the part of other employees then BAC may need to carry out an investigation into the allegations and pursue the matter through the disciplinary procedure. Where this happens the grievance will be held over until the disciplinary process has been concluded and it may not be possible for BAC to provide you with specific detail in relation to what disciplinary action, if any, has been taken.

Relationship with Other Procedures

Where your grievance relates to the conduct of other procedures such as the disciplinary or performance management procedures then BAC may choose to either delay the consideration of the grievance until that procedure has been completed or to deal with the grievance in the course of that procedure or by way of appeal if that appears to be a fairer or more straightforward way of dealing with the issue.

Appeals

If you are dissatisfied with the outcome of a grievance then you may appeal. You should submit your appeal in writing stating your full grounds of appeal within one week of being informed of the outcome of your grievance. Your appeal should be directed to the person named in the grievance outcome letter. An appeal hearing will then be convened and conducted by an appropriate member of the senior management team. You will have the right to be accompanied at the appeal by a fellow employee or trade union official. The outcome of any appeal will be final.

6

EQUAL OPPORTUNITIES & BULLYING AND HARASSMENT

6.1 Equal Opportunities Statement

We are equal opportunity employer and are fully committed to a policy of treating all of our employees and job applicants equally in all aspects of employment including: recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.

We will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications, without regard to race, religion or belief, sex, sexual orientation, pregnancy or maternity, gender reassignment, age, marriage and civil partnership or disability. In this Policy these are known as the "Protected Characteristics".

We will appoint, train, develop and promote on the basis of merit and ability alone. We will also take all reasonable steps to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment based upon any of the Protected Characteristics. We will not condone any form of harassment, whether engaged in by employees or by outside third parties who do business with us, such as clients, customers, contractors and suppliers.

Employees have a duty to co-operate with us to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under our Disciplinary Procedure against any employee who is found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this policy will be treated as potential gross misconduct and could render the employee liable to summary dismissal.

Employees must not harass, bully or intimidate other employees for reasons related to one or more of the Protected Characteristics. Such behaviour will be treated as potential gross misconduct under our Disciplinary Procedure. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

You should draw to the attention of your line manager any suspected discriminatory acts or practices or suspected cases of harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as potential gross misconduct. Employees should support colleagues who suffer such treatment and are making a complaint.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination – when someone is treated less favourably than another person because of a Protected Characteristic.
- Associative discrimination or discrimination by association – direct discrimination against someone because they associate with another person who possesses a Protected Characteristic.
- Discrimination by perception – direct discrimination against someone because it is thought that they possess a particular Protected Characteristic even if they do not actually possess it.
- Indirect discrimination - occurs where an individual's employment is subject to an unjustified provision criterion or practice which e.g. one sex or race or nationality or age group finds more difficult to meet, although on the face of it the provision, criterion or practice is 'neutral'.
- Harassment – unwanted conduct related to a relevant Protected Characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. You may complain of such offensive behaviour even if it is not directed towards you personally.
- Victimisation – when an employee is treated less favourably because they have made or supported a complaint or raised a grievance about unlawful discrimination or are suspected of doing so.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified unfavourable treatment because of something arising in consequence of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Our Commitment

Recruitment

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant abilities and qualifications. We are committed to applying our equal opportunities policy statement at all stages of recruitment and selection.

Recruitment publicity will aim to positively encourage applications from all suitably qualified people when advertising job vacancies, in order to attract applications from all sections of the community.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular Protected Characteristics. However, where having regard to the nature and context of the work, having a particular Protected Characteristics is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, we will apply that requirement to the job role and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. We will ensure that this equal opportunities policy is available to all staff, and in particular is given to all staff with responsibility for recruitment, selection and promotion.

The selection of new staff will be based on job requirements and the individual's suitability and ability to do, or to train for, the job in question. Person specification and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment, promotion or transfer will be assessed objectively against the requirements of the job.

With disabled job applicants, we will have regard to our duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

All applications will be processed consistently. The staff responsible for short listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. All questions that are put to the applicants will relate to the requirements of the job.

Training, transfer and promotion

We will take such measures as may be necessary to ensure the proper training, supervision and instruction for all line managers in order to familiarise them with our policy on equal opportunities, and in order to help them identify discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible. The training will also enable line managers to deal more effectively with complaints of bullying and harassment.

We will also provide training to all employees to help them understand their rights and responsibilities under the equal opportunities and anti-harassment policies and what they can do to create a work environment that is free of bullying and harassment.

All persons responsible for selecting new employees, employees for training or employees for transfer or promotion to other jobs will be instructed not to discriminate because of one or more of the Protected Characteristics. Where a promotional system is in operation, the assessment criteria will be examined to ensure that they are not discriminatory. The promotional system will be checked from time to time in order to assess how it is working in practice.

When a group of workers who predominantly have a particular Protected Characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, our systems and procedures will be reviewed to ensure there is no unlawful discrimination.

Terms of employment, benefits, facilities and services

All terms of employment, benefits, facilities and service will be reviewed from time to time, in order to ensure that there is no unlawful discrimination on the grounds of one or more of the Protected Characteristics.

Equal pay and equality of terms

We are committed to equal pay in employment. We believe our male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

6.2 Bullying and Harassment

We are committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect. This includes harassment or bullying which occurs at work and out of the workplace, such as on business trips or at work-related events or social functions.

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a Protected Characteristic. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include (this is a non-exhaustive list), for example:

- (a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- (b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- (c) offensive e-mails, text messages or social media content;
- (d) mocking, mimicking or belittling a person's disability.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), by way of example:

- (a) physical or psychological threats;
- (b) overbearing and intimidating levels of supervision;
- (c) inappropriate derogatory remarks about someone's performance;

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

6.3 Procedure

If you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult or embarrassing, you should speak to your line manager who can provide confidential advice and assistance in resolving the issue formally or informally. If informal steps are not appropriate, or have not been successful, you should raise the matter formally under our Grievance Procedure.

We will investigate complaints in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.

Once the investigation is complete, we will inform you of our decision. If we consider you have been harassed or bullied by an employee the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

6.4 Monitoring equal opportunities and dignity at work

We will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, we will implement them. We will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Bullying & Harassment Procedure. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately will be treated as misconduct and dealt with under our Disciplinary Procedure.

Related Policies

This policy is supported by the following other policies and procedures (in the Employee Handbook):

- (a) Grievance Procedure.
- (b) Disciplinary Procedure.
- (c) Flexible Working Procedure.
- (d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
- (e) Parental Leave Policy.
- (f) Time Off for Dependants Policy.
- (g) Data Protection Policy.

7

POLICIES

This section sets out the following key employment policies:

- Working from home policy*
- Recruitment*
- Recruitment of Ex-Offenders Policy*
- Learning and Development Policy*
- Training Policy*
- Redundancy Policy*

7.1 Working from home policy

The general principle of the working from home policy is to:

Enable suitable employees to work from home for business reasons

Legislation

There is no specific legislation relating to working from home, however the arrangements detailed here incorporate reference, where appropriate, to BAC's obligations under current Health and Safety legislation and the working time directive.

Definition of working from home

Working from home means the employee performing specific work obligations required under their contract of employment from their home on an occasional or regular basis.

Whether an employee is permitted to work at home is entirely at the discretion of their line manager and BAC. Working from home is neither a contractual nor a statutory right and BAC is under no obligation to approve any request by an employee to work at home.

Expectation of employees who work from home

While working at home, employees must be engaged on agreed BAC work and be contactable during normal hours of business operation.

Line managers may liaise over BAC work to be completed whilst working at home and may request to review this work at any time.

IT equipment

All employees are provided with a laptop computer to facilitate agile/hybrid working. Please see sections 2.7 and 2.14 of this handbook for more information about computer use and company property.

Unless a BAC telephone has been provided, the employee will be expected to use an application on their own mobile phone for making and receiving work calls while working from home. There is no cost to the employee for using the application.

If for any reason you are unable or unwilling to download the application to your personal mobile, please let your line manager know in the first instance to discuss the possibility of alternative arrangements.

Security

When working from home, the employee must be aware of the increased risk of a security breach. The employee must ensure that all documentation is stored securely and that any laptop or PC is password protected and turned off when not in use. Data stored on the computer must not be accessible to other members of the household.

Absence and sickness

If an employee is unable to work on the day which they had expected to work from home due to sickness, injury or otherwise, they must follow BAC's Absence reporting procedure and "Sickness Absence Policy and Procedure". The employee is required to keep their line manager informed of the likely date of return to work, the reason for the absence, and progress, as if they were normally attending work.

Disciplinary procedures

The "Disciplinary Policy and Procedures" apply equally to office-based and working from home arrangements. Any abuse of the working from home arrangements amounting to misconduct may be subject to disciplinary action.

Health and safety

BAC's "Policy on Health and Safety at Work" remains applicable to employees working at home.

Employees will be required to carry out a workstation assessment on their home's workstation and to take any necessary corrective actions. Failure to carry this out may result in the privilege of working from home to be removed.

It is the responsibility of the employee to care for their own Health and Safety and make BAC aware of any issues that may have an impact on this. Accidents to employees sustained while working at home must be reported in the same way as if office based.

Confidentiality

While working from home employees will remain subject to all confidentiality clauses contained within their contract of employment. A disclosure of confidential information during employment may be considered by BAC as gross misconduct and grounds for termination of employment without notice.

Monitoring and review

The line manager will be responsible for monitoring the employee's performance while working from home.

7.2 Recruitment

BAC strives to be an equal opportunities employer. Apart from in exceptional circumstances, posts will be advertised externally and internally simultaneously. Exceptional circumstances include:

- where continuous employment of current staff is at risk
- in a period of restructuring where the outcome for some staff is uncertain
- to enable operational changes to be made
- during other change processes.

Decisions in relation to filling vacant posts, including where to advertise, will be taken on a post-by-post basis. The principles outlined above will be applied. The focus will be on maintaining the employment of existing staff and creating opportunities to make changes where this is deemed necessary.

BAC is not a Tier 2 sponsor and is therefore not able to accept applications from those without the right to work in the UK. All new recruits will be asked to provide proof (in the form of a visa or passport) that they do have this right.

Established posts

Staff cannot be appointed unless a budget provision has been made and approved by the Chief Executive. This applies for both permanent and temporary staff.

The selection process will also vary from post to post. In all cases this process will include, but not be limited to, a face-to-face interview. Throughout selection, the BAC will comply with equal opportunity requirements.

Extension of existing fixed term contracts of employment

BAC will review the possible need to extend a fixed term contract at least one month before the end of the current contract period or in line with the relevant notice period, whichever is the longer.

The criteria for deciding whether to extend will take account not only of whether the work needs to be done at the cost incurred by continued employment of the person concerned, but also of wider organisational issues, such as possible restructuring elsewhere in the organisation.

Creation of new fixed term contracts

One or more of the following criteria may be used to decide whether to engage a person on a fixed term contract:

- a project which has a specific time-span
- to provide cover for the absence of another member of staff for a specified period
- to provide flexibility to the BAC in responding to a possible uncertainty about future staffing levels.

Staff appointed to fixed term contracts should be told of the reason why their contract is fixed term.

Temporary staff

The approval of the Chief Executive must be obtained before temporary staff are engaged.

Induction

The recruitment and selection of an individual takes valuable time and effort from BAC staff and, therefore, once a job offer is made it is important that further time and effort is invested so that the successful individual can become as effective as possible in the shortest time. Induction is a continuation of the recruitment and selection procedure and will differ depending on the post.

The initial probationary period for the new starter is used to:

- introduce BAC
- provide training
- monitor performance
- provide feedback
- set appropriate forward objectives and if necessary revise the job description
- identify and meet further training/learning needs.

7.3 Recruitment of Ex-Offenders Policy

The Code of Practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate because of a conviction or other information revealed. See further information below for recent changes to the disclosure of criminal information on DBS certificates.

The Code also obliges registered bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to DBS applicants at the outset of the recruitment process.

Policy Statement

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the British Accreditation Council (BAC) complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. BAC undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

BAC can only ask an individual to provide details of convictions and cautions that BAC is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended) and where appropriate Police Act Regulations (as amended), BAC can only ask an individual about convictions and cautions that are not protected.

BAC is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

BAC has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.

BAC actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. BAC select all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

BAC ensures that all those in BAC who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. BAC also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, BAC ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

BAC makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.

BAC undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

Further information regarding conviction information

On the 29 May 2013, legislation (1) came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

(1) See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.

In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

You can visit the guidance and criteria on the government website which explains the filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers.

7.4 Learning and Development Policy

BAC recognises that its success and reputation are built upon its people. The aim is to ensure that you are equipped with the knowledge and skills to carry out the tasks expected of you now and in the future.

Training is regarded by BAC as an investment. As with any investment, it is important that you are aware of the intended outcome. Managers should discuss objectives with you before you embark on training courses, and review afterwards the extent to which these have been achieved, including identifying any follow-up action needed. For courses for which BAC invests a great deal of time and/or money, you may be required to repay a portion of the fees paid by BAC, should you leave within one year of completing the course. You will be required to sign that you accept this arrangement before payment is made.

Managers have the main responsibility for making sure you have the opportunity to obtain the knowledge and skills you need to do your job, and this involves:

- giving you feedback on your performance so you know where improvements are needed
- identifying skill gaps and learning needs and prioritising them
- deciding, with you, how and when these needs will be addressed
- identifying learning opportunities in everyday work situations
- making sure you have the opportunity to practise new skills acquired through training in the work situation
- evaluating the outcomes of training and learning activities, together with you.

Your responsibilities

You are responsible for making the most of all training and development opportunities. You are also responsible, along with your manager for identifying gaps in your skills and knowledge and thinking about longer-term development needs. These should be discussed with your manager as part of your annual appraisal and as the need arises. You should be prepared to discuss with your manager what you should get out of any training course, and to discuss afterwards how far this was achieved. You should also be prepared, if appropriate, to share with colleagues what you have learned so that the benefit to BAC can be maximised.

Objective setting

As part of its arrangements for performance management and strategic planning, BAC expects managers to agree objectives with their staff. In setting objectives, managers should take into account learning and development needs. For example, it may be appropriate to set objectives which are specifically about acquiring a new skill and/or developing existing skills to increase an individual's effectiveness in doing their job.

Staff development

Performance review is a key tool for ensuring that the BAC fulfils its business objectives and helps to encourage open and constructive dialogue between staff. It provides a link between the organisation's objectives and expectations and the contribution made by the individual. Staff development reviews should:

- inform you of your manager's view of your performance
- help to communicate the contribution that you make to the organisation's success
- identify and review job related development needs
- monitor the impact of training and development on performance.

The success of the staff development review system depends on the commitment of all those involved to give adequate time to the process. Feedback on performance and discussion about future work should not be a single annual event restricted to the review interview. Performance should be reviewed regularly to provide feedback and support, and objectives updated and brought forward as part of the discussion of normal business.

Fairness is essential to performance review. The performance of every individual should be considered entirely on its merits. Managers should guard against any form of unfair discrimination when assessing performance and ensure that staff have equality of opportunity to develop their performance fully.

You need to know what you are responsible for doing and how well you are doing it. You should take an active part in assessing your past performance and reviewing your new objectives and job description.

Managers are responsible for managing their staff effectively. This includes ensuring that you know what is expected of you and giving you feedback on how well you are doing it and how you can improve. Each year, a review interview will be held, and a written report prepared assessing the jobholder's performance honestly and fairly. The report will be held on the employee's personal file.

Resources for Training

There are two types of training at BAC:

Compulsory training is to be completed by all employees and elective training can be selected by the employee in agreement with their line manager. The annual budget includes resources for training.

Sponsorship for courses leading to qualifications

BAC may make available a portion of the training budget to sponsor staff attendance on courses leading to relevant qualifications. BAC wishes to encourage and support individuals in their personal and professional development. However, resources are finite, and it may be necessary to prioritise. In deciding whether to sponsor staff for courses leading to qualifications, the following considerations will be taken into account:

- The extent to which the course will help the individual to become more effective in their current job.
- The extent to which the course will help equip the individual to do other jobs at BAC for which they are potentially suitable, either at the same or higher level.
- The availability of funds, including any commitment of future years' budgets, and the value for money offered by the course, taking into account the fees and other costs.
- Whether the course will be pursued in the individual's own time, and if not the extent to which they will need time off work (day release and study leave) to complete their studies.

Courses which satisfy the first criterion, above, will normally be given priority for sponsorship, subject to funds being available.

Full and partial sponsorship

Full sponsorship will normally be granted only for courses which are judged to offer a direct and significant benefit to your effectiveness at BAC. Cases will be decided on their individual merits. Many courses, such as non-vocational degrees, may add value to the contribution that you can make to BAC, but this added value may be difficult to relate in a direct way to the tasks that you must fulfil in your current post. Even if a good case cannot be made for a significant and direct link with the skills and knowledge required in the current post, BAC may decide to provide partial sponsorship on the grounds that the course will result in sufficient added value to you and the organisation.

To allow full consideration of new requests for sponsorship in the light of the available financial provision, staff should email or write to the Chief Executive in the first instance.

7.5 Training Policy

BAC is committed to the development of its staff and puts aside the equivalent of £600 per person each year.

We believe that training provides the following benefits:

- a) It develops key skills required to successfully function within the BAC operating environment.
- b) It raises productivity.
- c) It contributes to a shared consensus on BAC working practices.
- d) It supports the development of the individual's career whether this is within the context of BAC or at another employer.

Eligibility

Any member of staff who is permanently employed and has completed three months of employment at BAC is eligible for training subject to line manager approval.

Will I be given time off to complete my training?

Yes. You can select any time within the normal working week, subject to time being available, or the course can be taken at home or during home working.

Elective training is available to all staff with training being agreed with your line manager. Typically training will take account of BAC requirements as well as your own personal and professional needs.

Other training

Whole staff training may take place determined by the needs of BAC.

Reflection

BAC will ask all course participants to reflect on what they have learnt and how it might impact on their job function. This will normally be discussed as part of the 'one to one' process.

7.6 Redundancy Policy

From time-to-time, changes in BAC's resourcing levels, organisational requirements or technology may affect the number and type of posts the BAC needs to carry out its business. BAC may then need to reduce the number of posts or change BAC's skills profile. This policy sets out the steps BAC would take to avoid the need to make posts redundant and the general approach to be taken if redundancies become unavoidable.

BAC's policy is to provide, through careful forward planning, as much security of employment for its employees as possible, and to take all reasonable steps to avoid the need for compulsory redundancy.

Measures to avoid or minimise compulsory redundancy

In the event of a need to reduce the number of posts, the BAC would first have recourse to any or all of the following measures in order to avoid the need to make staff redundant:

- restrictions on recruitment and/or promotion
- pay freezing
- review of the use of casual and short-term staff
- re-deployment of staff to other areas of work at BAC
- inviting staff to volunteer for early retirement or voluntary severance on specified terms
- inviting staff to volunteer to cut their hours back on a short term or permanent basis.

Selection criteria

In the event of redundancies being necessary, BAC is committed to the establishment of fair, consistent and non-discriminatory selection procedures. The criteria for determining the individual posts or class of posts where reductions need to be made include one or more of the following:

- pay band
- specialism/discipline
- functional area of work
- other relevant factors e.g. role, responsibilities.

If it is necessary to decide which individuals are selected for redundancy (i.e. it is not a whole class of post or team that will be made redundant). The selection criteria may include one or more of the following (in no particular order):

- skills, experience and aptitude of the individual
- standard of work performance
- attendance
- disciplinary record

- adaptability of the individual to transfer to alternative work
- length of service.

The choice of the selection criteria may vary in different redundancy situations. In deciding which criteria to apply, BAC will take into account the need to maintain a balance of skills and experience to meet the future needs of the business.

Information and consultation

If the possibility of redundancy arises, BAC will consult an appropriate party on the options, including the action to be taken to avoid or reduce the number of redundancies, ways of mitigating the effect of redundancies and the criteria for selecting staff for redundancy. Staff will be kept as fully informed as possible and will also be consulted where appropriate.

BAC will comply with the periods of consultation required by law in redundancy situations. Current legislation requires employers to engage in consultation as soon as possible, and, where 20-99 employees are being considered for redundancy, no later than 30 days before a first dismissal from such a group.

During this consultation, BAC will inform staff of:

- the reasons for the proposals
- the numbers and descriptions of employees it is proposed to dismiss as redundant
- the total number of employees that this applies to
- the way in which employees will be selected for redundancy
- how the dismissals are to be carried out including the period over which the dismissals are to take effect
- the method of calculating the amount of redundancy payments to be made to those who are dismissed.

Appeals

BAC will provide an appeals procedure for staff who believe that their selection for redundancy is unfair. Staff will be consulted on the details of appeals procedures at the appropriate time.

Redundancy pay

Employees with two or more years of employment at BAC are entitled to redundancy pay under the following bands:

For each complete year of service up to a maximum of 20, employees are entitled to:

- for each year of service at ages under 22 – half a week's pay
- for each year of service between age 22 and 41 – one week's pay
- for each year of service at age 41 or over – one and a half weeks' pay.

Employees that have been given their redundancy notice will be entitled to reasonable paid time off to look for work or attend training. Where time constraints make it possible, HR will also provide advice on job applications and interview skills during this period.

7.7 Other policies and procedures

The list below includes other policies and procedures that you should be aware of but are not included in full in this handbook. They can be found in the shared folder Common > Policies:

- Health and Safety
- Data Protection
- Privacy Notice
- Anti-Bribery and Anti-Corruption
- Lone working procedure
- Online meeting guidelines