



IAT Education Employee Handbook

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1. INTRODUCTION

This handbook is for everyday use. It provides practical advice and guidance on what to do in a whole range of situations. It also encompasses the basics of all our policies and procedures.

It is your responsibility as an employee to familiarise yourself with this Employee Handbook and policies and procedures on an ongoing basis, especially those particular to your role. You are required to read this Handbook carefully and take time to consider what IAT Education can offer you.

2. CONTRACTUAL TERMS

Statutory particulars

Your contract of employment contains the written particulars of employment, which IAT Education is obliged to provide you under the Employment Rights Act 1996.

Policies and procedures

You agree to comply with the rules, policies and procedures of IAT Education from time to time in force, although these do not form part of your contract of employment unless stated otherwise.

Job title and duties

Your job title and your main duties will be identified in your contract of employment.

Warranty

You warrant that you have the unconditional right to work in the UK. You agree to notify the Organisation immediately should there be a change in your circumstances which affect your right to work in the UK.

Place of work

Your usual place of work is detailed in your contract of employment.

Work outside the UK

There are no terms and conditions relating to work outside the United Kingdom.

Hours of work

Your normal hours of work are in your contract of employment.

Right to request a stable contract

Any employees on a variable hours or casual contract can request a more predictable and stable contract after 26 weeks of employment.

An informal complaint means a complaint that has been received by IAT Education, by telephone, email, regular mail or in person, which has not been submitted on a Complaint Form.

All non-anonymous complaints filed necessitate a response.

3. COMPLAINT MANAGEMENT SYSTEM

a) Oral Complaints

- IAT Education employees who receive a verbal complaint should try to resolve the issue immediately if possible. If staff cannot resolve the problem immediately, they should offer to refer it to the Chief Education Officer for resolution. The Chief Education Officer will be the named person who deals with the complaint through the process. When staffs or managers receive an oral complaint, both should listen sincerely to the concerns raised by the complainant. Any contact with the complainant must be polite, courteous and sympathetic. At all times, staffs and managers must remain calm and respectful.
- After discussing the problem, each manager or staff member handling the complaint should suggest an action plan to resolve the complaint. If this action plan is acceptable, the staff member should clarify the agreement with the complainant and agree on a way in which the results of the complaint will be communicated to the complainant (i.e. by another meeting or letter).
- If the proposed action plan is not acceptable to the complainant, the staff member or manager should ask the complainant to make his or her complaint in writing to IAT Education and provide a copy of the procedure and complaint form to be completed.
- In both situation, details of the complaint should be recorded on a complaint form.

b) Written Complaints

- When a complaint is received in writing, it must be forwarded to the designated Chief Education Officer, who must enter it in the company's Customer Relationship Management (CRM) system and send an acknowledgment receipt within 3-5 working days in order to establish a relationship of confidence with the person who filed the complaint.
- If necessary, further clarification should be obtained from the complainant. If the complaint is not made by the learner but on his behalf, the customer's consent, preferably in writing, must be obtained in advance from the customer.
- After receiving the complaint letter, a copy of the complaint procedure must be given to the learner. Clearly explain to the complainant the complaint process, the time it can take and realistic expectations.

- Immediately on receipt of the complaint IAT Education should launch an investigation and within 31 working days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- Chief Education Officer must record all relevant information about the complaint and keep it as simple and accurate as possible.
- If the complaint raises potentially serious concerns, legal advice should be obtained. If legal action is taken at this stage, any investigation by IAT Education under the complaint procedure should cease immediately.
- If the issues are too complex for the investigation to be completed within 30 working days, the complainant should be informed of any delays.
- If a meeting is organized, the complainant may, if he or she wishes, be accompanied by a friend, relative or representative, such as a lawyer.
- At the meeting, a detailed explanation of the results of the investigation should be given and an apology should also be made if deemed appropriate. This type of meeting gives IAT Education the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.
- Finally, the results of the survey and meeting should be documented and any weaknesses in IAT Education's procedures should be identified and modified.

4. ROLE OF MANAGER

The manager i.e., the Chief Education Officer who receives a complaint will evaluate the information to determine whether it falls within the scope of this policy. If so, the manager will collect and review all available information and attempt to resolve the issue informally through discussions with the complainant. The manager may choose to use human resources or other resources as required. If they require assistance or advice. Managers are required to involve their departmental human resources representative before taking any disciplinary action against employees. Managers must ensure that all staff involved in resolving the complaint are aware of their responsibility to maintain the confidentiality of the matter and to respect the privacy rights of all parties involved.

Informal complaint files

Details of informal complaints should be noted as soon as possible and may include information such as when, where and how the alleged issue giving rise to the complaint occurred, who was involved and the names of potential witnesses. These notes may be required if a formal complaint is filed.

Complaints that are resolved amicably to the complainant's satisfaction will not be followed up. However, all records relating to the resolution of informal complaints must be kept within each department in accordance with current policies and by-laws. Any disciplinary action resulting from an informal complaint will be maintained in accordance with established human resources procedures and policies.

Unresolved complaints

If the problem cannot be resolved amicably or if the complainant requests a formal investigation into the alleged misconduct, he or she must submit a formal complaint form.

Examples of what might be requested include a guaranteed minimum number of hours and certainty as to the days on which they will be asked to work.

IAT Education will have three months to make their decision on any such request.

Remuneration

Your remuneration will be in your contract of employment and will be subject to deductions for tax and NICs, payable by BACS transfer each calendar month on the last working day of the month / on or around DATE each month.

You authorise the organisation at any time during your employment or in any event on the termination of your employment, to deduct from your salary payment and any sums the Organisation is liable to pay to you, any amount from time to time which you owe to the organisation including but not limited to any outstanding payments for excess holiday and overpayment of wages and you expressly consent to any such deductions pursuant to Part II of the Employment Rights Act 1996.

Salaries will be reviewed on an annual basis but there is no guarantee of any increase.

Pension

If eligible, the organisation will auto-enrol you into a pension scheme, in accordance with its pension auto-enrolment obligations.

Full details of the scheme will be given to you when you are enrolled, including the minimum level of contributions that you will be required to make during your membership and your right to opt out if you do not want to be a member of the scheme. While participating in the scheme, you agree to worker pension contributions being deducted from your salary.

Membership of the scheme is subject to its rules as may be amended from time to time, and the organisation may replace the scheme with another pension scheme at any time. If you cease to be a member of the scheme for any reason, the organisation will re-enrol you automatically into a pension scheme as and when required by law.

5. RECRUITMENT & SELECTION POLICY

Introduction and purpose

IAT Education aims at all times to recruit the person who is most suited to the particular role. Whilst the roles offered are on an independent basis, i.e. the post holders are self-employed the recruitment to the contracts offered will be carried out in accordance with the following process.

Process

Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the role.

IAT Education have a clear specification in place for the skills, qualification and experience required to be appointed to an Independent End Point Assessor or Independent Quality Assessor role. The job specification will describe the type of qualifications, training, knowledge, experience, skills, aptitudes and competencies required for effective performance of the role. Applicants will also be expected to demonstrate how they carry out relevant continuous professional development and their understanding of standards required in the areas in which they will be assessing. Vacancies will be advertised in appropriate institutions or publications that will be most appropriate to attract those holding the appropriate skills and experience.

Equality & Reasonable Adjustments

IAT Education is committed to applying its equal opportunities policy at all stages of recruitment and selection. Shortlisting, interviewing and selection will always be carried out without regard to gender, transgender status, sexual orientation, marital or civil partnership status, colour, race, nationality, ethnic or national origins, religion or belief, age, pregnancy or maternity leave or trade union membership.

Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having taken into account reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of a disability.

Those conducting recruitment interviews will ensure that the questions that they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the role and skills needed to perform it effectively. A record of every recruitment interview must be made and will be retained for a suitable period of time.

Background Checking

IAT Education will seek the successful candidate's consent for them to obtain two written references and to ask for documentary proof of qualifications and will undertake any necessary validation if appropriate. Any offer of employment will be conditional on these requirements being satisfactory and the candidate also satisfying right to work in the UK checks.

Due to the nature of the work being undertaken the roles are exempt from the Rehabilitation of Offenders Act 1974 and applicants will be required to disclose any criminal convictions even if they are considered "spent".

They will be required to undergo or be able to demonstrate they have a current (less than three years old from date of appointment) Enhanced Level check from the Disclosure & Barring Service (DBS).

IAT Education will encourage candidates to be a member of the Update Service run by the DBS allowing IAT Education to verify the check held either at the time of appointment and throughout their contract. Should any applicant have a conviction, this will not automatically preclude them from being appointed. The conviction will be discussed with the individual and the risks assessed by the Board before a decision is made.

Confidentiality

IAT Education processes personal data collected during the recruitment process in accordance with its data protection policy. In particular, data collected as part of the recruitment process is held securely and accessed by, and disclosed to, individuals only for the purposes of managing the recruitment exercise effectively to decide to whom to offer the job. Inappropriate access or disclosure of job applicant data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

6. DBS CHECKS

This policy sets out the approach that the organisation will take when recruiting employees to posts involving work with young people and vulnerable adults.

The organisation is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their skills, abilities, experience, knowledge and, where appropriate, qualifications and training.

The organisation will comply with its legal obligations in relation to recruiting people to work with young people and vulnerable adults.

This policy applies to positions to work with young people and vulnerable adults in England and Wales.

Types of Disclosure and Barring Service check

There are four types of Disclosure and Barring Service (DBS) check:

- Basic disclosure: Shows details of unspent convictions only.
- Standard disclosure: Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered.
- Enhanced disclosure: Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered. Includes a check of local police records.
- Enhanced disclosure with barred lists check: Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered. Includes a check of local police records and the barred lists held by the DBS.

Process for DBS checks

To enable the job applicant to carry out the DBS check (other than where a basic disclosure only is required), the organisation will provide the applicant for the post with an application form and ask them to complete and return the form to the organisation along with documents proving their identity.

The organisation will send the completed form to the DBS together with the application fee. Once the check has been carried out, the DBS should send the certificate to the applicant. The organisation will ask the job applicant for sight of the DBS certificate.

Where the job applicant for the post is a member of the DBS update service, the organisation will, with their permission, carry out a status check on any current certificate.

Offers of employment

An offer of employment for a post involving work with young people and vulnerable adults will be conditional on the job applicant satisfying the organisation's usual requirements for employment (for example to provide satisfactory references and evidence establishing their right to work in the UK and any other background checks as the organisation requires).

In addition, the offer of employment will be conditional, where required, on satisfactory completion of DBS checks, depending on the post in question. Where the job applicant refuses to agree to an application to the DBS or a DBS check is completed but the job applicant refuses to allow the organisation to see the DBS certificate, they will be treated as not having satisfactorily completed the DBS check.

No job applicant will be permitted to commence employment with the organisation until all specified conditions are satisfied.

Not all criminal convictions will be a bar to employment. The results of a DBS check will be considered on an individual basis and the Board of the organisation will act in a proportionate manner when deciding whether or not to proceed with the appointment to the post in question. However, the protection and safeguarding of young people and vulnerable adults is the organisation's primary concern.

Data protection

The organisation processes information about an individual's criminal convictions in accordance with its data protection policy / policy on processing special category personal data and criminal records data. In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

Once an individual is recruited, information about their criminal record gathered in the course of the vetting process will not be transferred to their personnel file.

The organisation is also committed to going through the proper DBS channels to establish whether or not an individual has a criminal record. The organisation will not require job applicants or existing employees to use their subject access rights under data protection provisions to provide criminal record details.

7. DBS Checks and Secure Handling, Use, Retention and Disposal of Disclosures Policy

Policy Statement

As an organisation using the Disclosure & Barring Service (DBS) to help assess the suitability of applicants for positions of trust working with vulnerable adults and young people. IAT Education complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosure and Disclosure information. It also complies fully with its obligations under the General Data Protection Regulation (GDPR) 2018 and other relevant legislation pertaining with the safe handling, use, storage, retention and disposal of Disclosure information.

It is the policy of IAT Education that all Assessors, IQA's, Admin Staff and Management involved with Apprenticeships must be the subject of an enhanced Disclosure and Barring Service.

Service check at intervals not exceeding three years. It is also recommended that all members of staff join the DBS Update Service once their DBS check has been carried out.

If in this period an employee resigns and re-joins, then a fresh check must be made before they are allowed to participate in any role where there is contact with young people and vulnerable adults.

Storage and Access

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is passed only to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is used only for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any that may be disputed or complaints.

If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, the DBS will be consulted about this and full consideration will be given to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately and suitably destroyed by secure means, i.e. by shredding, pulping, or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

8. OTHER BACKGROUND CHECKING AND SAFEGUARDING

All employees will be expected to access and understand their responsibilities under the Safeguarding, Prevent, and Equalities Policy including participating the appropriate training required.

In addition, IAT Education will use an appropriate body to undertake background checks on any candidates offered a role.

9. EQUAL OPPORTUNITIES

Our commitment

IAT Education is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment. This policy is intended to assist the organisation to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The organisation has a separate Bullying and Harassment policy, which deals with these issues.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith. There is no need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

IAT Education oppose all forms of unlawful and unfair discrimination. All employees, whether part-time or full-time, temporary or permanent, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our commitment:

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all.
- No form of intimidation, victimisation, bullying or harassment will be tolerated either by employees, customers or clients.
- Training, development and progression opportunities are available to all staff.
- Equality in the workplace is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.

This policy is fully supported by the Directors. IAT Education places an obligation on its employees and workers to respect and act in accordance with the policy.

Your responsibilities

Every employee is required to assist the organisation to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

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

Acts of discrimination, harassment, bullying or victimisation against employees or learners are disciplinary offences and will be dealt with under the disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

The policy will be monitored and reviewed annually.

10. HOLIDAY

All full time employees are entitled to 5.6 weeks holiday which includes the statutory Bank Holidays, pro rata for part time employees. The holiday year runs from 1st January to 31st December.

You must take your holiday at times convenient to the organisation and you must obtain the prior written approval of the Chief Executive Officer before taking a holiday.

You must get permission before booking a holiday, any losses sustained by you should a holiday request be declined by the organisation will be your own.

You must take all of your holiday within the holiday year. Unless you have been unable to take your holiday in the preceding year due to a period of sickness, statutory maternity, paternity, adoption leave or shared parental leave, it will not be paid and you will not be entitled to carry any holiday into the next leave year.

Holiday amounts are pro-rata on the years of joining and leaving the organisation. Holiday will only be paid on the termination of your employment and the organisation may request that you use any accrued but untaken holiday during any notice period.

11. SICKNESS ABSENCE

If you are sick you must inform your line manager telephone at least 1hr before you are due to start.

Short Term Absence

- You must phone on each day of absence, text messages are not acceptable.

- On your return to work if your absence is less than 7 days you will need to complete a self-certification Absence Form.
- For periods of sickness longer than 7 days you must have a 'fit note' or medical certificate

Long Term Absence

Should you be absent from work for a period longer than 7 days you will need to supply a 'fit note' or medical certificate from your Doctor or GP stating the reason for your absence. You must keep your manager regularly informed of your absence and the likely duration of your absence.

Further medical certificates are required for each further week of sickness absence. Failure to notify your line manager of your absence may mean you are subject to disciplinary action.

The organisation may require you to undergo a medical examination at its expense by a medical practitioner that it has appointed or approved. The organisation will discuss with that medical practitioner the result of the examination and discuss with you any matters arising from the examination which might impair the proper performance of your duties.

Sick Pay

IAT Education do not operate a sick pay scheme. Your entitlement is to Statutory Sick Pay (SSP) only. Sickness absence will be recorded and monitored to ensure sickness rates remain acceptable.

You may be eligible for statutory sick pay ("SSP"), which is payable for a maximum of 28 weeks in any period of incapacity to work. SSP is subject to deductions for tax and National Insurance Contributions.

You may be entitled to SSP if you:

- have average weekly earnings of at least the lower earnings limit for Class 1 National Insurance Contributions;
- are incapable of work for 4 or more consecutive days including weekends and bank holidays; and
- are sick on qualifying days, which are Monday to Friday.

The first 3 qualifying days are called "waiting days", during which no SSP is payable. SSP only falls due on the 4th and subsequent qualifying days. However, if two or more absences of 4 or more consecutive days occur within 8 weeks (i.e. 56 calendar days or less), they will be treated as linked and will be regarded as a single period of entitlement. The maximum length of SSP is 28 weeks for any one period of entitlement.

IAT Education at all times reserves the right to investigate your reasons for absence or not to make payments of SSP if:

- It considers that you are not genuinely ill or that your illness or injury does not prevent you from working.

- You have failed to inform the organisation of your sickness within a fixed time or within 7 days of the first day on incapacity.
- You provide an unsatisfactory reason for your absence.
- You have not provided medical evidence or refused to co-operate when seeking further medical advice

12. OTHER ABSENCE

Time Off for Dependents

Employees have the right to take time off work at short notice to deal with an emergency involving someone who is dependent on them

An emergency is defined as illness, injury, being involved in an accident, assault, arranging longer-term care, covering disruption in arranged care, such as childcare or nursing care, needing to make funeral arrangements, a pregnant partner going into labour and any other reasonable circumstance.

A dependent is defined as husband, wife, child, parent, partner living with you or any other person living with you as part of your family. An employee must gain the approval of their line Manager to take the time off to deal with the actual emergency or to take further time off in relation to the emergency. There is no obligation on the organisation to pay employees for time taken off in emergencies

Compassionate Leave

The organisation will allow employees compassionate leave to deal with particularly difficult or distressing circumstances, such as: the death of a spouse, partner, sibling or parent; the diagnosis of a serious life-threatening illness of a spouse, partner, child or parent. This leave is unpaid.

Parental Bereavement Leave

The Parental Bereavement (Leave and Pay) Act 2018 provides for at least two weeks' leave for employees following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy regardless of length of service. A "bereaved parent" includes not only the birth parents of the child but also:

- adoptive parents (including prospective adopters who are currently fostering);
- other primary carers who are responsible for the day to day care of the child in the absence of the parents (e.g. legal guardians and many foster parents); and
- a parent's partner if they lived with the child and the child's parent in an enduring family relationship.

Leave can be taken as a two week block or two blocks of one week. Leave must be taken within 56 weeks of the bereavement. Where an employee is entitled to parental bereavement leave as a result of the death of more than one child they are entitled to take leave in respect of each child. Employees with 26 weeks' continuous service will be entitled to paid leave at the statutory rate and other employees will be entitled to unpaid leave.

If a bereaved parent is entitled to Statutory Sick Pay, they are not entitled to parental bereavement pay. The right to parental bereavement leave will not impact any statutory entitlement to maternity and paternity pay and leave which exists for parents of a child stillborn after 24 weeks, or dies shortly after birth.

Where possible you should make the request for the leave in writing to your line manager. Someone can do this on your behalf if necessary. No notice is required if the leave is taken within 56 days of the death of a child, but one week's notice is required if the leave is being taken after this time but before the 56 week limit. Employees will need to provide:

- the date their child died;
- when they would like their period of leave to begin, and
- whether they will be taking one or two weeks leave

Time Off for Public Duties

Jury service is obligatory by law and if you are eligible and called for it, you must attend. Your manager must be notified immediately on receipt of the letter from the Courts. The organisation will allow you to serve on the jury and your wages will be recovered from the Courts. You must claim these directly from the Court and inform your Manager. The amounts received from the Court will then be deducted from your salary.

You will be allowed unpaid time off for other public duties e.g., acting as a Justice of the Peace or a member of a Statutory Tribunal, proof of attendance may be required by your Line Manager.

Parental Leave

Parental leave allows you to take time off work to look after your child or to make arrangements for their welfare. You can use it to spend more time with your children and strike a better balance between your work and family commitments. Parental leave is unpaid.

You must have been employed by the organisation for a full year to be eligible to take parental leave. Both mothers and fathers can take parental leave. Parental leave is up to eighteen weeks and can be taken up until the child's 18th birthday.

Parental leave must be taken in blocks of 1 week at a time. A maximum of 4 weeks' parental leave (per child) is allowed in any particular year.

You should give at least 21 days' notice of your intention to take parental leave.

Maternity Policy & Pay

To be eligible for maternity leave an employee must notify the organisation they are pregnant, and when their expected week of childbirth is (usually with a medical form known as a MATB1), at least 15 weeks before their expected week of childbirth and give the date they intend to start maternity leave. This can normally be any date which is no earlier than the beginning of the 11th week before the baby is due.

Once notification has been given the organisation will confirm in writing within 28 days of receiving the notification, the maternity leave request, setting out the expected return date. The employee must give eight weeks' notice to change the return date. Maternity Leave will automatically start 4 weeks before the baby is due if the employee is off work for pregnancy-related illness. If the baby arrives early the leave will start on the day after the birth.

All employees, regardless of how long they have been employed or the hours they work, are entitled to 52 weeks maternity leave. This is made up of Ordinary Maternity Leave (OML) and Additional Maternity Leave (AML). During the period of both OML and AML an employee will continue to receive their normal terms and conditions of employment and any contractual benefits they would normally receive if they were at work e.g., holiday entitlement, redundancy rights etc., except for remuneration for the whole 52 weeks, which will be replaced by statutory maternity pay or maternity allowance for a period of 39 weeks.

OML is a period of 26 weeks and is normally with pay. AML is a further 26 weeks and is normally paid for the first 13 weeks, and is then unpaid and starts immediately after OML. Employees must, by law, have a minimum of 2 weeks off after the birth of a child.

MATERNITY PAY

Statutory Maternity Pay

Statutory maternity pay (SMP) will be payable if an employee has been employed continuously for at least 26 weeks ending with the 15th week before the expected week of childbirth, and has an average weekly earnings at least equal to the lower earnings limit for National Insurance contributions. SMP is payable for 39 weeks; for the first six weeks it is paid at 90 percent of the average weekly earnings. The following 33 weeks will be paid at the SMP rate or 90 per cent of the average weekly earnings whichever is the lower.

Maternity Allowance

Women who do not qualify for Statutory Maternity Pay may be entitled to Maternity Allowance, paid by Jobcentre Plus, for up to 39 weeks. To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth. Women can claim maternity allowance once they have reached 26 weeks of pregnancy, and payments can start 11 weeks before the baby is due.

Maternity Allowance may be payable for 39 weeks if a woman does not qualify for Statutory Maternity Pay and she meets the following qualifying conditions.

In the 66 weeks before the baby is due the mother must have:

- been employed or self-employed for at least 26 weeks (these need not be consecutive weeks).
- earned at least £30 week, or more, in at least 13 of those 26 weeks (these need not be consecutive weeks)

RISK ASSESSMENTS

Employers must take into account any health and safety risks to new and expectant mothers and should assess the risks to the woman and baby. Risks could include:

- heavy lifting or carrying
- standing or sitting for long period without adequate breaks
- exposure to toxic substances
- long working hours
- night work

If the risk cannot be avoided, the employer must take steps to remove the risk or offer different suitable work (with no less favourable terms and conditions); if no suitable alternative work is available, the employer must suspend the expectant mother on full pay for as long as necessary to protect her health and safety or that of her baby.

ANTENATAL CARE

All pregnant employees are entitled to reasonable time off with pay for antenatal care made on the advice of a registered medical practitioner, which may include relaxation classes and parent-craft classes. Except for the first appointment, you may be asked to show an appointment card or other documents showing that an appointment has been made. An expectant father or partner of a pregnant woman has the right to take time off work to go to 2 antenatal appointments.

KEEPING IN TOUCH DAYS

During maternity leave employees are entitled to do up to 10 days' work during the maternity leave period without losing any Statutory Maternity Pay. These days are called Keeping in touch days and are optional. Both IAT Education and the employee need to agree them. Payment for these days should be agreed before the employee comes into work. These days may include things such as team meetings or training courses or settling in days before the employee returns to work.

RETURNING TO WORK

After Ordinary Maternity Leave, an employee has the right to return to the same job. If an employee returns after Additional Maternity Leave they have the right to return to the same job or to another suitable job if that is not reasonably practicable. If a redundancy situation arises during an employee's maternity leave the employee must be offered a suitable alternative vacancy if one is available. If there is no suitable alternative work, then the employee will be consulted with and may be entitled to redundancy pay.

13. ADOPTION LEAVE & PAY

Adoption Leave and Pay will be available to Individuals who adopt or one member of a couple where a couple adopt jointly (the couple may choose which partner takes adoption leave).

The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to Paternity Leave and Pay or Shared Parental Leave.

To qualify for adoption leave, an employee must be newly matched with a child for adoption by an approved adoption agency, there is no qualifying period of employment for adoption leave. Employees must provide documentary proof to show that they have the right to paid Statutory Adoption Leave. This is usually a matching certificate from the adoption agency. The adoption agency must be recognised in the UK.

Entitlement to Adoption leave will be up to 26 weeks' Ordinary Adoption Leave (OAL) followed immediately by up to 26 weeks' Additional Adoption Leave (AAL), a total of up to 52 weeks' leave. During the period of both OAL and AAL the parent will benefit from all their normal terms and conditions of employment, except for remuneration (monetary wages or salary) for the whole 52 weeks.

OAL will be paid as Statutory Adoption Pay. The first 13 weeks of AAL will be paid at Statutory Adoption Pay and the remaining weeks will be unpaid.

Adoption leave can start either:

- from the date the child starts living with the employee
- up to 14 days before the date the child is expected to start living with the employee.

Employees should notify the organisation within seven days of being told that they have been matched with a child, or as soon as possible.

If the employee is the main adopter, they will be able to take paid time off for up to five adoption appointments. The secondary adopter is entitled to take unpaid time off for up to two appointments.

RETURNING TO WORK

After Ordinary Adoption Leave, an employee has the right to return to the same job. If an employee returns after Additional Adoption Leave they have the right to return to the same job or to another suitable job if that is not reasonably practicable.

14. PATERNITY LEAVE & PAY

Expectant fathers or partners may be entitled to paternity leave. To be eligible for Paternity Leave an employee must have or expect to have responsibility for the child's upbringing, be the biological father of the child, the husband or partner of the mother (including same sex relationships) or the adoptive parent; and have worked for the organisation continuously for 26 weeks leading into the 15th week before the baby is due or in the case of adoption by the end of the week the employee is notified the employee are matched with the child.

An employee may take either one week or two consecutive weeks Paternity Leave, but not odd day's paternity leave. Leave can be taken from the date of the child's birth or placement (whether this is earlier or later than expected); from a chosen number of days or weeks after the date of the child's birth or placement (whether this is earlier or later than expected), or from a chosen date. Leave must be completed within 56 days of the actual birth of the child or placement. Paternity Leave is paid at the statutory paternity pay rate.

15. SHARED PARENTAL LEAVE & PAY

Shared parental leave (SPL) entitlement is designed to give parents / adopters more flexibility in how to share the care of their child in the first year following birth or adoption. If you are eligible you can share up to 50 weeks leave, you and your partner can decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.

To be eligible you must meet the following criteria:

- You (or your partner) must be entitled to maternity / adoption leave, or statutory maternity / adoption pay (or maternity allowance from the Government) and
- You must share the main responsibility for caring for the child with your partner.

In addition, you and your partner will also be required to follow a two-step process to establish eligibility as follows:

- **Step 1 - Continuity test:** if you are seeking to take shared parental **leave**, one parent / adopter must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and they should still be employed in the first week that SPL is to be taken.
The other parent /adopter has to have worked for 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold in 13 of the 66 weeks.
- **Step 2 - Individual eligibility for pay:** To qualify for shared parental **pay (ShPP)** the parent / main adopter must, as well as passing the Continuity test, also have earned an average salary of the National Insurance lower earnings limit or more for the 8 weeks prior to the 15th week before the expected birth / adoption.

An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take to SPL, at least eight weeks before they can take any period of SPL.

SPL can be taken in a continuous block of a number of weeks or in a discontinuous pattern. The organisation can decline an application for discontinuous leave after considering the impact on the business but the employee will still have the right to take the leave as a continuous block.

Part of the eligibility criteria requires the employee to provide the organisation with correct notification.

Notification must be in writing and requires each of the following:

- the name of the employee;
- the name of the other parent;
- the start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
- the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption;
- the amount of SPL the employee and their partner each intend to take
- a non-binding indication of when the employee expects to take the leave.

The employee must provide the organisation with a signed declaration stating:

- that they meet, or will meet, the eligibility conditions and are entitled to take SPL;
- that the information they have given is accurate;
- if they are not the mother/adoption they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adoption;
- that should they cease to be eligible they will immediately inform the Organisation.

In addition, the employee must provide the organisation with a signed declaration from their partner confirming:

- their name, address and national insurance number (or a declaration that they do not have a national insurance number);
- that they are the mother/adoption of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adoption;
- that they satisfy the 'employment and earnings test' and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
- that they consent to the amount of SPL that the employee intends to take;
- that they consent to the organisation processing the information contained in the declaration form; and
- (in the case whether the partner is the mother/adoption), that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother/adoption reduces their maternity/adoption pay period or maternity allowance period.

The rate of ShPP is a statutory amount and paid in the same way as salary, subject to deductions for tax and National Insurance Contributions.

During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. In particular, any benefits in kind will continue and contractual holiday entitlement will continue to accrue.

Your manager may also offer you up to 20 days work during your shared parental leave (keeping in touch days). It is up to you if you wish to work these days. The rate of pay for the work will be agreed in advance with you. Your right to SPL and ShPP will not be affected.

16. FLEXIBLE WORKING

This policy provides employees with details of how the organisation will follow the statutory provisions relating to flexible working.

Subject to the eligibility and notification requirements below, you may be entitled to request to work flexibly (e.g. work part-time). However, while such requests will be considered by the organisation, there is no guarantee that they will be accommodated.

Eligibility

You are entitled to make a request to work flexibly if you:

- have been continuously employed by the organisation for 26 weeks at the date your application is made
- have not made another request for flexible working arrangements during the past 12 months.

Notification

If you wish to make a request to work flexibly, you must notify your manager in writing, setting out the details of your proposed working arrangements and stipulating whether you have made another request to work flexibly in the previous 12 months. The application must include:

- the date
- a statement that this is a statutory request
- details of how you want to work flexibly and when you want to start
- an explanation of how you think flexible working might affect the business and how this could be dealt with, e.g. if you are not at work on certain days
- a statement saying if and when you've made a previous application

Withdrawing An Application

Employees should inform the organisation in writing if they want to withdraw their application. The Organisation can treat an application as withdrawn if the employee misses 2 meetings to discuss an application or appeal without good reason, e.g. sickness. The organisation will inform the employee in writing they are treating the request as withdrawn.

Procedure

After receiving your request your line manager may arrange to meet with you to discuss the proposed change to your working pattern. You are entitled if you wish to be accompanied to the meeting by a work colleague or trade union representative. Depending on the impact of change to the employee's working pattern to the business, a meeting may not be required.

IAT Education has a period of up to 3 months to consider and respond to a request. However, where possible and as soon as reasonably practicable the organisation aims to confirm its decision in writing within at least 28 days of the meeting or request being received.

When deciding whether to grant your request, the organisation will look at the following factors:

- the burden of any addition costs;
- any detrimental effect on the organisations ability to meet learner demand;
- whether work can be reorganised among existing staff;
- whether additional staff can be recruited;
- any detrimental impact on quality;
- any detrimental impact on performance;
- whether there is sufficient work during the periods you propose to work; and
- any planned structural changes.

This list is intended as a guide and is not exhaustive.

Granting A Flexible Working Request

If the organisation is able to grant your request, your manager will confirm that your employment contract will be changed to incorporate the new working pattern, set out when this will start and outline the impact that this will have on you (e.g. in relation to your salary and holiday entitlement). If your working pattern is changed, the change will either be permanent and/or subject to a trial period before arrangements are confirmed.

Employees may be required to adapt their work arrangements in certain circumstances e.g. illness or annual leave cover. You are not entitled to revert to your former working arrangements unless the organisation agrees. The organisation reserves the right to terminate the flexible working arrangements if an employee's performance or conduct is unsatisfactory or if the arrangements are otherwise detrimental to the employer's business.

If the organisation is unable to grant your request, you will be provided with the reasons why this is the case in your particular circumstances.

IAT Education offers the right to appeal against any decision to refuse your proposed flexible working arrangements. You must set out the grounds of your appeal in writing within 14 days of receiving notification of the decision. Your appeal should be sent to Jock Fraser, Chief Education Officer at admin@iateducation.co.uk.

A further meeting will be arranged with an appropriate senior manager to discuss your grounds of appeal. You are entitled if you wish to be accompanied to the meeting by a trade union representative or work colleague.

As soon as reasonably practicable and, in any event, within 14 days of the meeting, the organisation will confirm the outcome of your appeal in writing. This decision will be final and you will have no further right of appeal.

17. DISCIPLINARY & GRIEVANCE POLICY

IAT Education is committed to maintaining satisfactory standards of conduct, competence and performance in the workplace and will address all disciplinary matters appropriately.

The organisation also aims to ensure that employees have every opportunity to raise issues arising out of their employment and that all grievances are properly heard and resolved.

All employees will be treated fairly and consistently, and the organisation will endeavour to complete disciplinary and grievance procedures without unreasonable delay.
These policies are not contractual.

General principles

The following principles apply to every stage of the organisation's disciplinary and grievance procedures:

- The organisation will investigate any complaints and allegations promptly and will not take any action until the matter has been fully investigated.
- So far as reasonably practicable, any disciplinary hearing will be dealt with by a member of management or a appointed representative who has not previously been involved in investigating the matter.
- Following investigation, the organisation will notify you in writing of any allegations or complaints against you and of the time and date of a disciplinary hearing at which they will be considered.
- You will normally be given the opportunity to see the evidence relied upon the organisation, and will be able to present your own evidence at a disciplinary or grievance hearing before any decision is made. The organisation will, where practicable, give you reasonable advance notice of any witnesses it has asked to be present at a hearing and if you wish to call witnesses you should give the organisation reasonable advance notice that you wish to do so.
- You will be given an opportunity to put forward your views before any decision is made.
- You must take all reasonable steps to attend meetings.
- You are entitled to be accompanied to any disciplinary or grievance meeting by a work colleague or trade union official provided you make a reasonable request. If you (or your chosen companion) are not available to attend a meeting on the appointed date, you may propose an alternative time, which is reasonable and falls within 5 working days of the appointed date. However, if you twice fail to attend a meeting without good reason, you may forfeit your right to attend.
- You will be given the opportunity to appeal against any decision. In appeal meetings, which are not the first meeting, as far as reasonably, practicable, the organisation will be represented by a more senior manager or a organisation appointed representative than attended the first meeting.
- Where appropriate, the organisation may suspend you during any investigation. Any such suspension will be kept as brief as possible and will be kept under review. If you are suspended pending investigation, this will not represent a disciplinary sanction and your contract of employment will continue in force.
- If you raise a grievance during a disciplinary process the organisation may, if it is appropriate to do so, temporarily suspend the disciplinary process while it deals with your grievance. If the grievance you raise is connected to the disciplinary process, the organisation may decide to deal with both procedures at the same time.

18. DISCIPLINARY PROCEDURE

The organisation may follow a disciplinary procedure if your conduct, competence or performance is inappropriate or unacceptable. The procedure may be implemented at any stage if your conduct warrants such action and if the organisation considers it appropriate in the circumstances. This policy is not contractual.

You will not be dismissed for a first breach of the organisation's rules, policies and procedures, except in the case of gross misconduct.

Misconduct

The following are examples of misconduct:

- minor breach of organisation rules, policies and procedures;
- minor damage to organisation property;
- unsatisfactory attendance and/or poor timekeeping and
- failure to meet the appropriate and expected standards of work.

Gross misconduct

The following are examples of gross misconduct (entitling the organisation to terminate your employment without notice or payment in lieu of notice):

- theft, fraud or any act of dishonesty;
- any act or attempted act of violence or abusive behaviour towards people or property;
- any serious act of insubordination or refusal to carry out reasonable requests;
- major breach of the organisation's rules, policies and procedures;
- deliberate and/or major damage to the organisation's property;
- unauthorised or unreasonable absence or consistently poor timekeeping;
- serious neglect of duties or incompetence;
- serious breach of health and safety obligations;
- deliberately accessing Internet sites containing pornographic, offensive or obscene material;
- serious incapability at work brought on by alcohol or illegal drugs;
- serious breach of confidence;
- unauthorised absence;
- offering, promising giving, requesting or asking to receive or accepting a bribe;
- any form of discrimination, victimisation, harassment or bullying on the grounds of sex, pregnancy, marital or civil partnership status, gender reassignment, sexual orientation, race, colour, ethnic or national origins, religion or belief, disability or age;
- any criminal act committed during employment that renders you unsuitable to work with young people or vulnerable adults and
- any act likely to bring the organisation into disrepute.

The above lists are intended as a guide and are not exhaustive.

Disciplinary action

If your conduct, competence or performance is inappropriate or unacceptable, the organisation may attempt to resolve the matter on an informal basis, depending on the seriousness of the offence.

If, however, the matter cannot be resolved on this basis, the organisation will consider the following action:

First written warning

If your conduct, competence or performance does not improve after an informal discussion, or any further unacceptable conduct, competence or performance occurs, you will receive a written warning. You will be informed of the reasons for the warning and, where relevant, the improvement required from you. A copy of this written warning will be kept on your personnel file.

Final written warning

If your conduct, competence or performance does not improve following a first written warning, or any further unacceptable conduct, competence or performance occurs, you will receive a final written warning. Depending on the seriousness of the conduct the organisation may start at this level of warning. You will be informed that if your conduct, competence or performance does not reach an acceptable standard, your employment may be terminated. A copy of this final written warning will be kept on your personnel file.

Dismissal

If your conduct, competence or performance does not improve following a final written warning, or any further unacceptable conduct, competence or performance occurs, you may be dismissed. If it appears that there may be grounds on which your employment may be terminated summarily, e.g. an act of gross misconduct the organisation may begin with this stage of the procedure. Depending on the nature of the misconduct the organisation may also consider demotion as an alternative to dismissal.

Length of warning

A first written warning will usually apply for 6 months, after which it will lapse. A final written warning will usually apply for 12 months before lapsing. The organisation reserves the right to extend a warning in appropriate circumstances. The record of the disciplinary action taken will remain on the personnel file, but will be disregarded for any future disciplinary measures.

Procedure: contemplating dismissal or certain disciplinary action

If the organisation is contemplating dismissal or other disciplinary action (e.g. demotion or reallocation of duties), it will apply the following procedure:

Notification

A hearing manager, appointed by the organisation will set out in writing your alleged conduct, characteristics or other circumstances, which have led the organisation to contemplate dismissing, or taking disciplinary action against you and the reasons why this conduct is not acceptable. The hearing manager will send a copy of the statement to you and invite you to attend a meeting, as soon as reasonably practicable, to discuss the matter.

Disciplinary hearing

A meeting will take place to discuss the allegations before any action is taken.

A decision will be given, if reasonably practicable, within 5 working days of the meeting, and confirmed to you in writing. You will be notified of your right to appeal the decision.

Appeal

If you wish to appeal, you must inform Jock Fraser, Chief Education Officer in writing within 5 working days of receipt of the decision, setting out the grounds of your appeal.

You will be invited to attend a meeting to discuss your grounds of appeal. Where possible, your appeal will be heard by the next most senior manager or appointed representative of the organisation who was not involved in the decision from which the appeal is made.

A decision will be given, if reasonably practicable, within 5 working days of the meeting, and confirmed to you in writing. This decision will be final and you will have no further right of appeal. This disciplinary procedure does not apply to any employee who has been employed by the organisation for less than one year or who are in their probationary period.

19. GRIEVANCE PROCEDURE

This procedure is designed to encourage good working relations and the quick and fair resolution of grievances concerning work-related matters. This procedure is not contractual.

If you have a grievance, which requires resolution, you should in the first instance discuss the matter on an informal basis with your manager. The organisation hopes that most grievances can be fully resolved at this stage. Where your grievance is against your manager, and you feel unable to approach him or her you should talk to another manager.

Notification

If the grievance cannot be resolved on an informal basis, you should set out your grievance in writing and send a copy of it to Jock Fraser, Chief Education Officer. You will then be invited to attend a meeting, as soon as reasonably practicable, to discuss your grievance. Prior to the meeting, you must ensure that you have informed Jock Fraser, Chief Education Officer in full what the basis is for your grievance.

Meeting

A meeting will take place to discuss your grievance. You have the right to be accompanied by a colleague at this meeting if you make a reasonable request. A decision will be given, if reasonably practicable, within 5 working days of the meeting, and confirmed to you in writing. You will be notified of your right to appeal the decision.

Appeal

If you wish to appeal, you must inform Jock Fraser, Chief Education Officer in writing within 5 working days of receipt of the decision, setting out the grounds of your appeal.

You will be invited to attend a meeting to discuss your grounds of appeal. Where possible, your appeal will be heard by the next most senior manager or a representative appointed by the organisation who was not involved in the decision from which the appeal is made. You have the right to be accompanied by a colleague at this meeting if you make a reasonable request.

A decision will be given, if reasonably practicable, within 5 working days of the meeting, and confirmed to you in writing. This decision will be final and you will have no further right of appeal.

Other procedures

If your grievance relates to any disciplinary action or a dismissal, you should appeal the decision under the organisation's disciplinary procedure.

If you wish to raise any concerns about a wrongdoing or suspected wrongdoing within the organisation, you should refer in the first instance to the organisation's whistle blowing policy.

20. ALCOHOL & DRUGS

The organisation is committed to ensuring the health, safety and welfare of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all employees and all persons coming onto the organisation's premises.

The organisation prohibits the drinking of alcohol by employees [and contractors] at any time in the workplace or on organisation's business.

The organisation expressly prohibits the use of any illegal drugs (including psychoactive substances, including those formerly known as "legal highs") or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance and to produce, supply or possess with intent to supply psychoactive substances. If any such incidents take place on organisation premises or in organisation functions, they will be regarded as serious, will be investigated by the organisation, and may lead to disciplinary action and possible reporting to the police.

No employee or other person under the organisation's control shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render them unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol while on duty [unless, in the case of alcohol, with the agreement of line management for the purposes of official organisation entertaining];
- store drugs or alcohol in personal areas such as lockers and desk drawers; or
- attempt to sell or give drugs or alcohol to any other employee or other person on the organisation premises.

Employees must inform their line manager regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used while at work.

Any employee suffering from drug or alcohol dependency should declare such dependency, and the organisation will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.)

21. BULLYING & HARASSMENT

Procedure for Dealing with Harassment

It is in everyone's interests for the environment in which we work to be harmonious and respectful. Although we would like to think that this is always the case, this policy recognises that inappropriate behaviour, which may include harassment, can and does take place. This policy aims to ensure that if inappropriate behaviour does occur in the workplace it is dealt with in a serious, sensitive and confidential manner so that the matter can be resolved as quickly as possible for all concerned.

We are committed to tackling incidents of inappropriate behaviour swiftly and decisively. A strong stand is needed on this issue to enable people of all backgrounds to have dignity at work, and enable them to progress in the organisation and fully contribute to our success.

Identifying Harassment

Different things affect us all in different ways, and therefore what one individual might think of as harmless could be felt to be harassment by another.

It is important to note that the question of whether or not behaviour constitutes harassment rests with the person on the receiving end of the behaviour. Friendly, welcome and reciprocated actions are fine, but great care should be taken when interacting with others to distinguish between behaviour that is viewed as welcome and behaviour that is unwanted and potentially offensive to another person. For example, someone tells a joke that they think is funny. Although the person telling the joke did not intend to upset anyone, a colleague finds it offensive. This individual may have a valid claim that they have been harassed.

A single incident can constitute harassment, if it is sufficiently serious. Alternatively, a series of relatively minor incidents or actions can be collectively viewed as harassment, in particular if the behaviour persists after the individual has expressed an objection to it or asked for it to stop. The organisation's position is that no harassment of any kind should take place and all employees have a responsibility to ensure at all times that their own behaviour does not offend others.

It is important to remember that harassment:

- Depends on the view of the individual on the receiving end of another person's behaviour
- Does not depend on the severity of the behaviour – a joke or throw away comment could be perceived as harassment by anyone who hears it
- Can include behaviour that you hear or see, even if it is not directed at you and has nothing to do with you

Bullying

Bullying is regarded as any behaviour, occasional or persistent, by anyone that intimidates or oppresses another person, possibly through misuse of authority or power. It invariably has a negative effect on the victim's self-confidence, self-esteem and general well-being. It is subtle in nature and is intended to hurt. It can take place with your work colleagues in public or private. Bullying is not legitimate, constructive and fair criticism of someone's performance or behaviour at work.

Preventing Harassment

We all have a responsibility to discourage harassment and prevent it from taking place by:

- Being aware of the problems that harassment can cause, and ensuring that our own behaviour does not cause others to feel harassed
- Making our colleagues aware if certain behaviour or conduct is causing concern or offence to ourselves or others

Line-managers have a particular responsibility to prevent harassment taking place by:

- Being alert to the possibility that harassment may be happening in their area
- Using their judgement to correct behaviour that could be considered offensive, and reminding employees of organisation policy on this matter
- Taking prompt action to stop harassment as soon as it is identified
- Dealing with all incidences quickly, seriously, sensitively and in confidence

Forms and Examples of Harassment, Discrimination and Bullying

The following behaviours are not intended to be exhaustive and may, or may not, be accompanied by:

- explicit promises of reward
- punishment involving misuse of institutional authority
- misuse of a position of respect or trust
- threat of disclosing information, whether true or fictitious
- physical assault or threat of physical assault

Sexual harassment can take many forms, including:

- unwanted sexual advances (whether verbal, written or by conduct)
- sexually explicit derogatory statements or comments
- unnecessary/uninvited physical contact, touching, patting, brushing-up against another person's body, etc.
- unwanted comments on dress or appearance
- requests for social or sexual encounters and favours, which the person making them might reasonably believe to be unwelcome
- conversations, jokes, leering, gestures which are likely to cause offence
- display of pornographic materials, pictures and/or computer imagery
- questioning, bantering, lewd or derogatory comments or innuendo about aspects of a person's personal life, sexuality, personal appearance, or that person's partner(s)
- graffiti, letters or other written material containing elements of the above

Racial harassment can take many forms, including:

- derogatory name calling
- abusive or patronising language or jokes
- offensive written or visual materials
- racist graffiti or insignia
- ridicule of an individual for cultural differences
- provocative behaviour such as wearing racist badges or insignia
- threats, gestures or insults
- attempts to recruit people into racist (as opposed to ethnic) organisations or groups

- unfair allocation of work responsibilities
- exclusion from normal day-to-day social interactions
- inappropriate or intrusive questioning regarding racial, religious or ethnic culture or background

Harassment on the grounds of disability may include:

- undue pressure or intimidation
- impractical or unfair expectations
- offensive language, name-calling or jokes
- hostility towards removing barriers to disabled people
- uninvited, patronising or offensive attempts to assist a person with a disability

Harassment on the grounds of sexuality may include:

- offensive behaviour, language, gestures, baiting, jokes, or name-calling
- offensive written materials, graffiti or imagery
- unwanted touching or physical threats
- threat to expose a person's sexual orientation
- innuendo or malicious gossip
- expressing or acting on offensive stereotypical assumptions
- refusal to accept or recognise the existence of same-sex partners
- exclusion from normal day-to-day social interactions in the Organisation.

What is bullying?

Persistent behaviour, directed against an individual, which is intimidating, offensive or malicious, which undermines the confidence and self-esteem of the recipient, and which may cause them to suffer stress.

What bullying is not:

Legitimate, constructive and fair criticism of someone's performance or behaviour at work.

Examples of bullying may include:

- written or verbal threats of physical violence, either immediately or later
- threatening behaviour e.g. threats with a weapon of fist causing fear or upset
- insulting, aggressive or intimidating behaviour, including offensive language
- persistent negative comments; offensive or abusive personal remarks
- disproportionate work-overload, designed to put the person at a disadvantage
- humiliating someone in front of others; persistent belittling of their opinions
- unjustified, excessive criticism; making false allegations
- deliberately and frequently setting unrealistic/unattainable objectives
- constantly changing work targets in order to cause someone to fail
- undermining someone's contributions, belittling or undervaluing their work
- reducing someone's effectiveness by deliberately withholding information
- not giving credit where it is due; claiming credit for the work of others
- monitoring work unnecessarily/intrusively
- imposing unfair/unwarranted sanctions

Dealing with Harassment

The organisation will deal with all complaints of harassment promptly, fairly, sensitively and in confidence. They do not expect their employees to be subject to any unwelcome behaviours on client sites and will take any allegations seriously.

Most people who complain that they are being harassed simply want the behaviour to stop. Where appropriate they can be encouraged to take charge of the situation themselves by informing the harasser that his or her behaviour is unacceptable and that it must stop.

If you feel that you are unable to deal with a particular situation without support, you should ask your line-manager to explain to the person causing offence that their behaviour is unwelcome and must stop. Should you be in the situation where you feel that your line-manager is harassing you then please contact Jock Fraser, Chief Education Officer

If this initial approach fails to resolve the problem, you may use the formal grievance procedure. Disciplinary action will be considered in all cases where a claim of harassment is substantiated.

22. DATA PROTECTION POLICY

The organisation is committed to ensuring that all data held by it is processed in accordance with the General Data Protection Regulation (2018) (GDPR).

The organisation is a data controller and is obliged to keep your personal data secure and process it fairly and lawfully.

During your employment, the organisation will collect, retain and use details about you, which it may store electronically or as part of a paper filing system, including information concerning:

- your home address and contact details
- recruitment records and references
- bank details
- appraisals and performance records
- sickness records
- salary, and other benefits
- warnings
- any other appropriate employee records e.g. confirmation of a satisfactory DBS check

The organisation takes all reasonable steps to keep your information confidential and will not disclose your personal information to anyone outside the organisation. However, the organisation may do so if it is required for the administration of your employment and associated benefits (e.g. in relation to pension providers).

The organisation may also need to make your personal information available to its professional advisers (e.g. lawyers, accountants) or legal and regulatory authorities (e.g. Revenue and Customs).

You are entitled to request access to any personal data concerning you, which is held by the organisation. If you wish to do so, you should make a written request to the organisation.

You are required to notify the organisation promptly of any changes in any of your personal information which you are aware is held by the organisation, for example, contact details, bank details, marital status or criminal convictions.

The organisation's person responsible for data protection is Jock Fraser, Chief Education Officer. If you have any queries about the way in which the organisation uses your personal information, please contact them on admin@iateducation.co.uk.

23. IT, INTERNET, EMAIL, TELEPHONE & SOCIAL NETWORKING SITES

If you are given access to the organisation email accounts or the internet on organisation equipment it is your responsibility to use these resources in a professional and lawful manner and to maintain a safe and efficient operation of all email, systems and Internet facilities you are given access to. The internet facilities provided by the organisation are for business use only.

Email

You should only use email for business communications and not for personal use. The content of an email should be consistent with the standards that the organisation expects in relation to any other written communication.

Email should not be treated as a confidential means of communication. Confidential or sensitive information belonging to or relating to the organisation or any of its customers or clients should not be sent externally by email without the express written authority of your line manager. If you are in any doubt as to whether certain information is confidential, or if you wish to encrypt or password protect any message or attachment, you should discuss the matter with your line manager.

Internet

The organisation permits restricted access to the internet in the workplace and recognises that certain material on the Internet is valuable to the business of the organisation.

Misuse

Misuse of the organisation's email and Internet system will not be tolerated. Any breach of this policy or unauthorised access or use of the organisation's email and internet system may render you subject to disciplinary action under the organisation's disciplinary procedure (up to and including summary dismissal) and liable to civil and criminal penalties.

You must not knowingly access, transmit, download, upload, store, distribute, display, view, retrieve, receive or otherwise process the following information using the organisation's email and internet system:

- defamatory material: i.e. any material or information held on any medium (e.g. video, picture or sound files), which has the potential to injure the reputation of a person or class of persons;
- obscene material: i.e. any material which may deprave or corrupt persons who are likely to see it or which may be reasonably be expected to be distasteful or regarded as offensive by other employees;

- copyrighted material: i.e. most documents and other medium are subject to copyright and permission may be required before transmitting or downloading copies of such documents or extracts;
- confidential information: i.e. any material belonging to the organisation which is confidential in nature, concerns trade secrets or other confidential data of the organisation or its clients and learners; and
- discriminatory material: i.e. any material which is or may be discriminatory on the grounds of sex, pregnancy & maternity, marital or civil partnership status, sexual orientation, race, colour, ethnic or national origins, religion or belief, disability or age and any material which may cause harassment, violate an individual's dignity, or create an intimidating, hostile, degrading, humiliating or offensive environment for any person or class of persons on these grounds. This list is intended as guide and is not exhaustive.

It is also strictly forbidden to download any software from, or to load software onto, the organisation's IT system, whether from the Internet or otherwise, or make unauthorised orders for personal goods or services by e-mail except with the prior written authorisation of your line manager. The deliberate or reckless importation of a computer virus into the organisation's system is strictly prohibited.

Monitoring

The organisation reserves the right to monitor and keep records of your use of the organisation's IT system and email and internet access for a number of reasons relevant to the organisation's business, including but not limited to:

- ensuring compliance with this policy;
- training and monitoring standards of service;
- ascertaining whether internal or external communications are relevant to the organisation's business;
- preventing, investigating or detecting unauthorised use of the organisation's IT system or criminal activities; and
- maintaining the effective operation of the organisation's IT system.

The organisation has a legitimate interest in protecting its business reputation and communication systems, limiting its exposure to legal liability and ensuring that employees conduct themselves and perform their work to the level expected of them.

Emails addressed to you which are received or sent from any computer you have had access to may be reviewed by the organisation. This may require the organisation to access personal communications to you.

The organisation also reserves the right to monitor employees' e-mails, use of the internet and telephone calls both during routine audits and in specific cases where a problem relating to excessive and/or unauthorised use is suspected.

Such monitoring will be undertaken by Jock Fraser, Chief Education Officer who is required to keep secure and confidential any data obtained as a result of monitoring. Information which the organisation obtains about your use of the organisation's email and internet systems may only be disclosed to other appropriate persons, and, if required, law enforcement officials.

Social networking

You must not make reference to the organisation, its employees, clients, customers or suppliers on personal social media sites. When using social media sites please be aware that your views and comments may be viewed by those who know you are associated with the organisation and you must not damage the organisation's reputation by any activities you engage in online.

Telephone and mobile phone use

If mobile phones are provided for employees by the organisation they are for work purposes only. Personal calls on either your work or personal phone should be kept to a minimum and not interfere with work.

Your organisation provided phone must be on at all times during your working day, switching to silent mode when necessary.

The organisation's telephone lines are for the exclusive use by employees in connection with the organisation's business.

Whilst the organisation will tolerate emergency personal telephone calls concerning an employee's domestic arrangements in work time, excessive use of telephone, mobile calls or text messages is prohibited.

Where lengthy, casual chats on the telephone or mobile phone leads to a loss of productivity, this constitutes an unauthorised use of the organisation's time. If the organisation discovers that the telephone or mobile phone have been used excessively for personal calls, this will be dealt with under the disciplinary procedure.

Personal telephone calls should be timed so as to cause minimum disruption and as a general rule, only be made during breaks except in the case of a genuine emergency.

24. BRIBERY POLICY

The organisation is committed to applying the highest standards of ethical conduct and integrity in its business activities and in the services that it provides. Every employee and individual acting on the organisation's behalf is responsible for maintaining the organisation's reputation and for conducting organisation business and services honestly and professionally.

The organisation considers that bribery and corruption has a detrimental impact on business by undermining good governance and distorting free markets. Transparent, fair conduct helps to foster deeper relationships of trust between the organisation and its business partners and customers. It is vital for the organisation's reputation and future growth.

The organisation does not tolerate any form of bribery, whether direct or indirect, by, or of, its employees, officers, agents or consultants or any persons or companies acting for it or on its behalf. The management is committed to implementing and enforcing effective systems throughout the organisation to prevent, monitor and eliminate bribery, in accordance with the Bribery Act 2010.

Definition

A bribe is a financial advantage or other reward that is offered to, given to, or received by an individual or organisation (whether directly or indirectly) to induce or influence that individual or organisation to perform corporate functions, services or duties improperly.

Employees and others acting for or on behalf of the organisation are strictly prohibited from making, soliciting or receiving any bribes or unauthorised payments. As part of its anti-bribery measures, the organisation is committed to transparent, proportionate, reasonable and bona fide hospitality and promotional expenditure. Such expenditure must be authorised in advance.

Sanctions for Breaching this Policy

A breach of the organisation's anti-bribery policy by an employee will be treated as grounds for disciplinary action, which may result in a finding of gross misconduct, and immediate dismissal. Employees and other individuals acting for the organisation should note that bribery is a criminal offence that may result in up to 10 years' imprisonment and/or an unlimited fine for the individual and an unlimited fine for the organisation.

The organisation will not conduct business with service providers, agents or representatives that do not support the organisation's anti-bribery objectives. The organisation reserves the right to terminate its contractual arrangements with any third parties acting for, or on behalf of, the organisation with immediate effect where there is evidence that they have committed acts of bribery.

Whistle-blowing

The success of the organisation's anti-bribery measures depends on all employees, and those acting for the organisation, playing their part in helping to detect and eradicate bribery. Therefore, all employees and others acting for, or on behalf of, the organisation are encouraged to report any suspected bribery. The organisation will support any individuals who make such a report, provided that it is made in good faith.

25. WHISTLEBLOWING POLICY

IAT Education is committed to maintaining the highest standards of integrity, honesty and professionalism in the workplace and complying with its legal obligations.

Whilst the organisation makes every effort to ensure that its business is conducted according to these standards, employees may be aware of, or suspect, certain failures or wrong doings within the organisation. Employees are strongly encouraged to raise any concerns they may have in accordance with this policy.

This policy provides employees with a general outline of the governing legislation in this area for guidance purposes only and should not be regarded as a complete or authoritative statement of the law.

Policy

Under the Public Interest Disclosure Act 1998 ("PIDA"), you have the statutory right to disclose concerns relating to the organisation without fear of victimisation or detriment.

The concerns covered by PIDA relate to one or more of the following events. You must reasonably believe that the event has happened, is happening, or is likely to happen in the near future:

- a criminal offence;
- a failure to comply with any legal obligation;
- an act of bribery or acceptance of a bribe;
- a miscarriage of justice;
- danger to the health and safety of any individual;
- danger to the environment; and
- deliberate concealment of any one of the above.

If your concern relates to any internal procedure or act, which affects your employment directly, then this should be raised through the organisation's grievance procedure.

If you genuinely and in good faith believe that one of the above events has happened, is happening or is likely to happen in the near future, you should raise the issue with your manager or, in their absence, or if the concern relates to your manager, with Jock Fraser, Chief Education Officer.

You will be informed who will investigate your concerns and advised of the likely timescale of the investigation. You may be asked to put your concerns in writing, provide as much information and evidence as possible, and attend further meetings as part of the investigation. You are entitled to be accompanied to any meeting that you attend in connection with the investigation by a work colleague.

Within ten working days of the concern being received Jock Fraser, Chief Education Officer will write to you (subject to any restrictions arising from the GDPR):

- acknowledging that the concern has been received
- Indicating how it is proposed to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling you whether any initial enquiries have been made and whether further action is proposed.

As you need to be assured that the matter has been properly addressed you will receive information about the outcome of any investigation, subject to any legal or confidentiality constraints.

The organisation will endeavour to maintain confidentiality where possible, but this cannot be guaranteed. Depending on the nature of the complaint, the police for example, may need to be involved. If you may raise your concerns anonymously, it may be impossible to investigate or take further action if you do so.

If, for any reason, you feel that the person with whom you initially raised your concern has failed to deal with the issue in a satisfactory manner, you should set out your concerns in writing and give them to Jock Fraser, Chief Education Officer.

Save in exceptional circumstances, you should not disclose your concerns outside the organisation unless you have first provided the organisation with the opportunity to address the problem.

If you feel that you are unable to raise your concerns within the organisation, you may consider raising them with the appropriate authority. However, the organisation hopes that most concerns raised on an internal basis will be fully resolved.

IAT Education believe they have the resources and expertise to investigate most concerns internally. If you feel it right to raise the matter externally, or have raised it internally but feel that it has not been properly investigated, there are a number of possible contact points, for example:

- A relevant professional or regulatory body
- The Police
- The Health and Safety Executive

If you make a disclosure in accordance with this policy, in good faith, and with a genuine belief that any of the events outlined above has happened, is happening or is likely to happen in the near future, the organisation will ensure that you do not suffer victimisation or any detriment as a result of raising your concerns.

If you make a disclosure outside the scope of this policy (e.g. in bad faith) or in breach of the policy, you will not be protected and may be subject to disciplinary action under the organisation's disciplinary procedure (up to and including summary dismissal).

26. HEALTH & SAFETY POLICY

IAT Education is committed to providing for the health, safety and welfare of all employees and to maintaining high standards. The organisation will observe the Health and Safety at Work etc. Act 1974 and all other relevant legislation, regulations and codes of practice made from time to time. The organisation will take into account any recommendations made by the Health and Safety Executive with regard to health and safety issues, and where appropriate will liaise with the Health and Safety Executive on health and safety issues that are of particular relevance to the organisation.

Employees are also expected to familiarise themselves with all Health & Safety policies and adhere to those requirements.

Definition

The organisation is concerned to ensure the safety of all its personnel and all visitors to the organisation's premises. Employees' will, where appropriate, be consulted on health and safety matters, in order to maintain health and safety at work.

Risk assessments

The organisation will take all such steps as are reasonably necessary to ensure proper working conditions for everybody. In order to enable that to be done, management will undertake suitable and sufficient risk assessments, whether by them or by anyone to whom they delegate the task.

Any such assessor will need to be trained in the task, and have sufficient knowledge of both current health and safety legislation and standards, and the work processes operated by the organisation.

Assessments will be repeated as often as circumstances (including in particular any changes to the organisation's work, premises or equipment) may require. Management will retain records of all such assessments.

The purpose of such assessments is to detect any potential problems before any damage or accidents occur, in order to identify any measures that can be taken to remove or reduce risk. When assessments are carried out, account will be taken of any particular vulnerabilities, e.g. for young persons, for those who are pregnant or nursing, or for those who are known to have any illness or disability. The organisation will be responsible for:

- taking such steps as may be needed immediately to ensure safety;
- undertaking such consultations, e.g. with the assessor and personnel in the affected area, as may be appropriate to identify appropriate remedial measures;
- taking such remedial steps, if that lies within their authority; or
- monitoring subsequently the effectiveness of the steps taken.

Circulating information

The management will take all such steps as may be reasonably practical to inform all personnel of health and safety issues which may affect them, by any or all of the following methods:

- training;
- written information;
- warning signs and notices.

Particular regard will be given to the matters which concern visitors to the organisation's premises, as well as to the organisation's own personnel.

Smoking

Smoking is not permitted anywhere on the organisation's premises and, since the law changed in July 2007, it is an offence to smoke anywhere within the site. Clients and other visitors who do ask to smoke must be told not to do so. To permit anyone to smoke while on the premises leaves the organisation open to criminal prosecution. Smoking is only allowed outside the premises on verbally agreed upon breaks.

Employee's Responsibility

Employees are expected and encouraged to be proactive on health and safety issues as part of the continued development of the health and safety culture of the organisation. If an employee has any concerns about possible health and safety issues e.g. they should raise them immediately with their manager.

All employees, contractors and sub-contractors are required to cooperate with the organisation and their colleagues in implementing the policy and shall ensure that their own work is without risks to themselves and others as far as reasonably practicable.

A prime source of assistance for the maintenance of proper working conditions is the help of all personnel throughout the organisation. This may take any of the following forms:

- Employee's exercising their own judgement in taking suitable precautions to ensure not only their own health and safety, but also that of all those who may be affected by what they do, or leave undone.
- Participation in consultation exercises that may be arranged with regard to health and safety matters.
- Actively supporting the organisation's health and safety programme by complying with such procedures as may from time to time be laid down.
- Participating in such training as the organisation may arrange.
- Reporting any relevant concerns they may have in a timely manner.

If you have any queries regarding this Employee Handbook, please send these to admin@iateducation.co.uk for further information.