



Employee Handbook

2020 - 2021

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1 INTRODUCTION

1.1 Welcome

We are delighted you have joined our team of committed and professional individuals who retain the high standard of integrity, hard work and service common to the Crescent Education Services (College) ethos.

The Staff Handbook has been designed to provide additional information and guidance to staff working at Crescent Education Services. Staff are encouraged to read and become familiar with the policies of the College. This handbook:

1. supersedes all previous versions
2. is presented for informational purposes only and is not intended to create a contract of employment
3. complements the written particulars of terms & conditions of employment relating to your particular role issued to you prior to joining the College

1.2 Mission Statement

"Crescent Education aims to provider of quality education that enhances the opportunities presented to students in society at large"

1.3 Vision

Our vision is to put the learner at the heart of all we do, developing a motivational and well-resourced environment for all, forming a positive, supportive and participative culture where students are valued and developed.

1.4 Strategic Objectives

The main objectives are:

- Provide excellent education services to the community
- Promote equality and diversity
- Achieve and maintain outstanding customer service.
- Introduce more vibrant courses to meet the needs of new era
- Increase community outreach.
- Increase efficiencies through use of virtual technology.
- Improve internal communications.
- To develop the leadership abilities and potential of our team.
- To align incentives and staff rewards with performance.
- To continually learn and adopt current best practices.

2. TERMS AND CONDITIONS OF EMPLOYMENT

2.1 Induction

Individuals who accept employment at will receive an induction to the College as soon as employment commences. The content of this induction will include:

- An overview of the Mission and Objectives of Crescent Education Services
- The College Team Structure
- Contracts and Benefits
- Attendance and Punctuality
- Introductions as appropriate for the position
- An overview of duties and responsibilities
- General health and safety information
- Security information
- General information as appropriate
- The provision of personal details and payroll information
- The Employee Handbook and how to access this information

2.2 Training

We believe that trainings help individuals to gain transferable skills, improve abilities and increase their contribution to the College. All employees will be given the appropriate requisite training for their position. The format of this training will either be the formal classroom style, on-the-job training or a combination of both.

Failure to meet our standards will preclude employment at the College. During a training period of one month or less no notice is required to be given.

2.3 Staff Development

We are committed to ensure that the academic and training needs of staff are met fully and ensures that tutors will be offered support and assistance to encourage and enhance their teaching abilities.

Equality training

Aimed at increasing staff awareness of equality and cultural issues.

Health and safety training

We provide awareness and training programmes to the staff members to ensure that staff members are able to carry out their work safely. Sessions include Fire Awareness, First Aid, Manual Handling, Risk Assessment and Workstation Safety.

Personal & professional development programmes

These are personal development and improvement programmes aiming to help staff realistically assess their situation, decide on the direction for their personal and professional growth, and gain a positive attitude and skills to take adequate steps to accept responsibility for their own development. Staff development review meeting organised to identify training and development needs.

2.4 Pay

Methods of Payment

Salary will be paid, two weeks in arrears, via bank credit transfer directly into the bank account/ cheque bearing your name.

Payroll Queries

You will be sent an itemised pay slip detailing, under various headings, the calculation of gross pay and deductions.

Overtime

Should you be required to work additional hours, you will be paid at the standard rate only. We may, however, offer premium rates on an ad hoc basis. Please consult your manager for further information on premium rates.

2.5 Expenses

All employees will be reimbursed the actual costs of expenses incurred wholly, exclusively and necessary in the performance of their employment. Reimbursement will be made only on the production of receipts or invoices. All expenses should be pre-approved by your Manager.

2.6 Performance Related Pay

Pay progression is a form of recognition for employees who meet stated productivity and performance criteria. On completion of a specified period of service your Manager will conduct a Performance Review with you to measure your performance against a set criterion. Employees will progress to the enhanced rate of pay providing the following criteria are met:

The individual has met and sustained at least 95% of the agreed performance standards over the previous 12 months

No formal disciplinary action i.e. written warning stage or above has been placed on record. This will only be relevant at the first review, however disciplinary action will remain on an employee's file for the duration indicated in the disciplinary letter

A maximum of two absences due to illness and not exceeding five cumulative dates will be accepted.

Late arrivals at / early departures from the College must not be in excess of two incidents.

2.7 Appraisals

The performance of all employees is important and valued. During your tenure of employment, your Manager will arrange a review meeting and you will be given every opportunity to share your views and participate during this review process to ensure that a mutually beneficial outcome is achieved.

2.8 Probation Period

Upon completion of formalised training you will be placed on probation, the length and detail of which will have been communicated to you in your Written Statement of Terms and Conditions. The purpose of this period is to allow senior management time to assess your suitability for advancement to the permanent staff. During this period the full disciplinary/poor performance procedures will not be utilised.

2.9 Hours of Work

We operate 8 hour day with a 30 minute unpaid lunch break during a five day week (exclusive of Bank and religious holidays) for full-time staff. Work hours will be attuned to the position occupied. Employment is dependent on full staff compliance with College word-day requirements.

2.10 Punctuality

Punctuality is essential. The late arrival by staff is not acceptable. Lateness is defined as an employee not being at their desk at the designated commencement time of duty. We are committed to best service to students, service providers and staff, especially during official working hours.

If you expect to be late due you must contact the reception staff before the start of your duty hours. Your Manager will then be notified.

If you are late for the start of your duty, or after returning from a break, your Manager will complete a late form. Details of the late period will be logged on this form and you will be given the opportunity to record your reason for poor timekeeping. This late form will be held in your personnel file.

During each rolling six month period attendance is monitored and the following breaches of responsible timekeeping will lead to disciplinary action:

Four instances = a 1st stage warning

Three further occurrences = a 2nd stage warning.

Two further late arrivals after the second = a 3rd stage warning.

One final breach of the good timekeeping rule will result in dismissal.

If, during a six month period there are no repeat late arrivals then the most recent warning stage will be removed.

Unacceptable attendance will lead to disciplinary action and be construed as misconduct.

2.11 Working Time Regulations

We ensures full compliance with the provisions of the Working Time Regulations. For the avoidance of doubt, employees will not be required to work in excess of the 37.5 average hour maximum working week as imposed by the regulations unless they agree in writing that this limit should not apply, but should not exceed more than 40 hours.

2.12 Holiday Entitlement

You are entitled to 28 days of annual holiday (01 January to 31 December). This is including public holidays. Your annual entitlement will be calculated on a pro-rata basis for each completed month of service during the first holiday year.

You may not carry any holiday entitlement forward to a subsequent holiday year and are not entitled to payment for any unused or accrued holidays.

Holidays may only be taken with the written consent of your manager. Approval of holidays will be granted where the exigency of service permits.

When completing your holiday request form, please indicate the full period of time required, inclusive of rest days. This is to ensure that your temporary replacement shares the work prior to the commencement of your authorised holidays. Holiday Requests are approved on a first come first served basis.

Holidays may not be possible during peak periods: Enrolment sessions, teaching sessions, examination and assessment period.

All employees should utilise at least one week of their entitlement within the first quarter of the year, a further two weeks within the following six months and their final week within the last quarter of the year.

Please note it is your responsibility to schedule your holidays and any unspent holidays will not be carried forward to next year.

Holiday pay will be calculated in line with your normal working hours and paid at the basic rate.

2.13 Sickness/Absence

Regular attendance is of the utmost importance, as poor attendance severely affects the overall service of the College. If you cannot attend work for any reason, you must advise as follows:

- 1 You must telephone Reception on the first day of absence at least one hour prior to the commencement of your duty.
- 2 Supply the following information: your name, the reason for your absence so that details can be recorded on a Self-Certification Form and your expected date of return.
- 3 The Reception Team will inform your Manager with details of your absence to allow for necessary cover.
- 4 If you are absent for more than one day you must repeat this procedure until such time as a Doctor's Sick Note covers your absence.

On return to the workplace you must report to your Manager.

For any absence over seven days you must supply a Medical Certificate. A fresh Sick Note must be submitted as soon as the preceding certificate expires.

If you fail to follow the above procedure you will be automatically classed as being absent without leave (AWOL) and may be subject to disciplinary proceedings.

SSP

If you are absent from work due to sickness or injury and you meet the qualifying conditions, you will be paid Statutory Sick Pay.

SSP is payable once you have been sick for 4 or more consecutive days. Your first three qualifying days during one spell of sickness (or periods of sickness separated by less than 8 weeks) are known as waiting days.

We will be responsible for paying Statutory Sick Pay to employees for periods of up to a total of twenty-eight weeks of sickness absence.

Medical Reports

In circumstances where an individual has a medical condition which is causing high levels of absence we may seek permission from employees to contact their doctor and/or an independent practitioner to ascertain whether the situation is likely to be on-going, and what if any action we can take to assist the employee back to the workplace

Unacceptable Absence from work

Where an employee’s absence record reaches an unacceptable level (whether certified or not) the disciplinary procedure will be invoked.

In any rolling six month period the attendance standards are monitored and the following instances of absence will lead to disciplinary action being instigated.

Three instances absence may result in being issued with a First stage verbal warning

Two further instances after the first stage warning may progress to a second stage written warning.

One further instance after the second stage warning may progress to a 3rd stage written warning.

One further instance may result in dismissal.

If a period of six months passes without any further absence from work then the most recent warning stage will be removed.

Unauthorised absence of work is not acceptable and will not be condoned or tolerated.

Occupational Sick Pay

Currently the we are not running any Occupational Sick pay scheme.

3 GENERAL POLICIES AND PROCEDURES

3.1 Leaving Employment

The College will give and expect to receive the following minimum periods of notice of termination of an employment contract:

Period of Service	Notice by College	Notice by Employee
Less than four week’s continuous employment	No Notice	No notice
More than four week’s continuous employment but less than one year’s continuous employment	Two week’s notice	Two week’s notice
More than one year’s continuous employment	One week for each year of continuous service up to a maximum of twelve weeks	Four week’s notice

These notice periods will apply with the exception of the following
The College may terminate your employment without notice for gross misconduct.
The College reserves the right to make a payment in lieu of notice.

Your notice must be given in writing to your Manager. When the required notice period is not given we reserves the right to withhold monies equivalent to two week's basic pay from monies owed as at the date of leaving

On leaving you will receive any outstanding pay and your P45 will be sent to the home address kept on file.

References

Prospective employers should write to your Manager for a reference.

Exit Interviews

On termination of your employment, an exit interview may be conducted by your Manager.

Return of Materials Issued

All equipment issued to you must be returned to on your last day of employment.

Retirement

The normal retirement age for all employees is 65 years of age. Your employment will terminate automatically upon you reaching 65 years of age unless and until mutually agreed.

3.2 Email and Internet Usage

The email system, hardware and software are the property of Crescent Education Services and are to be used solely for the purpose of its business. All messages composed, sent or received are the property of Crescent Education Services and, as such, will be subject to periodic reviews and/or audits.

Access to the Internet has been provided to employees for the benefit of the organisation and students. To ensure all employees are responsible, productive internet users and are protecting the College's public image all employees will be issued with email and Internet Policy Guidelines at Induction.

Unacceptable Use of the Internet

Use of the Internet/Intranet must not interfere with work related productivity and responsibility.

The Internet/Intranet may not be used for transmitting, receiving or storing of any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated in nature, are of a defamatory or threatening nature or for any other purpose which is illegal or against Crescent Education Services policy or contrary to College interests.

Staffs are reminded that access to illegal or pornographic sites is prohibited and, where appropriate, the police will be contacted if this rule is breached.

The internet should not be used for personal gain or advancement of individual views. The solicitation of non-College business is strictly prohibited,

Employees must respect the confidentiality of the use of the Internet by other employees. Trespassing into the privacy of files by other users will be construed as serious misconduct and result in instant dismissal.

No communication may be sent which attempts to hide the identity of the sender, or

represent the sender as someone else.

All employees must respect other College's/individuals copyright and may not copy, retrieve, modify or forward copyright materials except as permitted by the copyright owner or as a single copy for reference only.

To prevent computer viruses from being transmitted, no unauthorised downloading of any software is permitted.

The transmission of data and/or information to others with regards to client identification, practises or Crescent Education Services proprietary information is strictly prohibited. Access must be authorised by the Principal of Crescent Education Services.

Any employee found to be breaching the Internet and Email Policy faces disciplinary action that could result in dismissal.

3.3 Data Protection

The Data Protection Act, 1998 & GDPR is designed to prevent the misuse and abuse of personal information, held in a form that can be processed by equipment acting automatically in response to instructions given for that purpose (i.e. all forms of computer including word processors) and data collected and held on manual or paper based filing systems.

If an employee wants to access personal data held on him/her by the College they must put the request in writing. The HR department must provide the information, in an understandable form, to the employee within 14 days of receipt of the written request. Payment for this service may be levied.

Principles of the Data Protection Act

The organisation and its employees must follow the code of conduct of the Act, which requires data to:

- Be obtained fairly and lawfully
- Be held only for specific purposes
- Not to be used or disclosed incompatibly with those purposes
- Be accurate and kept up to date
- Be kept no longer than necessary
- Be made available to data subjects on request
- Be appropriately protected against unauthorised access, alteration, disclosure, destruction and accidental loss.

If the above principles are breached, and the College is prevented from processing / accessing personal data, the individuals may claim compensation through legal means.

Processing Data

When processing data we will ensure one of the (below) lawful bases for processing as set out in Article 6 of the GDPR applies:

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone's life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

We will ensure that it gives employees appropriate instructions regarding how they are to handle personal data on the company behalf. This will include:

- if they can share the information and how they do this securely
- processing in line with appropriate consent
- how they store information securely
- how they can respond to questions, concerns or incidents

Data will only be processed in line with its original purpose for collection unless there is a legal basis or further consent is gained. All data subjects will be able to access the information that we holds on them to ensure its accuracy, to correct their data or to withdraw consent at any time (where consent has been asked for).

Sharing Data with Partners

Personal and/or Special Category data will only be shared with third party organisations where there is a legitimate purpose; data subjects have been informed with the relevant level of consent has been sought. When sharing personal and/or special category data with other organisations we will ensure that this is done by secure means ensuring it can only be accessed by the intended recipient. For organisations that we share personal and/or special category data we will seek assurance that there approach to processing personal and/or special category data is compliant with GDPR.

3.4 Equal Opportunities

Policy Statement

We are committed to treating all employees and applicants equally regardless of race, colour, ethnic or national origin, religion, sex, sexual orientation or marital status, disability or age and ensuring that all employees and applicants have equality of opportunity.

Applying the Policy

This policy applies to the advertisement of jobs, recruitment and appointment to them, promotion, training, conditions of work, pay and to every other aspect of employment. The Employee Handbook 2020-21

policy also applies to the treatment and service provided to students.

Recruitment, selection and developmental decisions will be made solely on the basis of the suitability of the individual's skills and experience and ability to best do the job.

Monitoring

The College will regularly review the operation of its recruitment, promotion, training and development policies to ensure that no applicant or employee is disadvantaged by conditions or requirements, which cannot be shown to be justifiable.

All employees and job applicants will be asked to complete a section on the application form denoting their ethnic origin and any disabilities. The College guarantees that this information will be used only for the purpose of monitoring the effectiveness of its Equal Opportunities Policy.

Reasonable Adjustments for Disabilities

Employees who are disabled or become disabled in the course of their employment should advise their manager and the HR Department in writing. If applicable, they may also advise the College of any "reasonable adjustments" to employment or working conditions that would enhance their work performance. Careful consideration will be given to such written proposals where reasonable or practicable adjustments could be made. There may however be circumstances where it will not be possible for the College to accommodate the proposals.

Recruitment and Selection

The recruitment and selection processes are governed by the College's principles of non-discrimination and are designed to achieve the best match between the individual's knowledge, skills experience and character and the requirements of vacant positions, whilst recognising the need for flexibility in response to changing conditions.

The College will, where appropriate, recruit also from within, using an internal job advertising procedure.

Legal Context

The statutory position is set out in the following Acts available in the College manual

- Sex Discrimination Act
- Race Relations Act
- Disability Discrimination Act
- The Human Rights Act
- The Employment Relations Act

Allegations of unjustified and unfair discrimination on the grounds of gender, race or disability may result in legal action. Employment tribunals are empowered to award damages to individuals who have been found to have suffered unlawful discrimination. Everyone, regardless of their employment status, is protected against unfair discrimination.

Grievances

If at any time, you feel that you have been treated inappropriately or less favourably than others, you may use the Harassment Procedure for submitting a complaint to your manager.

3.5 Harassment

It is important to remember that different people are prepared to accept different types of behaviour. A comment which one person finds acceptable may be offensive to someone else. In this regard, please be sensitive to the feelings of all colleagues.

For the purpose of clarity, harassment means inappropriate conduct or conduct that is unwanted by the recipient. It may include a wide range of behaviour including the following examples, which are by no means exhaustive:

Unwanted physical contact / sexual advances

Subjecting someone to insults or ridicule because of their gender / sexual

Orientation/ race / culture / disability / religion

Making jokes based on someone's sex / sexual orientation / race / culture /disability / religion

Basing decisions affecting an employee's career on their willingness or refusal to respond to the sexual advances of a colleague / student / service provider

Making offensive comments, such as lewd, suggestive or over familiar comments regarding race / sexual orientation / religion or the display or circulation of sexually suggestive material.

The College deplores all forms of harassment and seeks to ensure that the working environment is safe for employees. Crescent Education Services operates a zero tolerance policy regarding harassment of any kind in the work place. Such conduct or behaviour is not permitted or condoned and all employees must complain should they feel uncomfortable or threatened in any manner whatsoever.

Bullying

Bullying is defined as persistent actions, criticism or personal abuse, which humiliates, intimidates or undermines the status of an individual. Bullying can be the abuse of power by a senior staff person or the intimidation of a colleague by another employee and can take various forms including:

-
- verbal abuse
- intimidating or aggressive behaviour
- teasing or humiliation
- imposing unrealistic targets
- unfair and excessive criticism, possibly in front of colleagues
- isolating or openly ignoring someone
- physical abuse
- taking credit for the initiatives and achievements of others sending abusive or intimidating messages in writing or by email

As with harassment, bullying is defined largely by the impact of the behaviour on the recipient, not its intention.

The policy covers the interaction of all College employees with each other, students and other third parties both inside and outside the College premises.

Procedure for Making a Complaint

Employees who feel that they have been harassed or bullied or placed in a position where they are likely to be harassed or bullied and who wish to make a formal complaint should raise their concerns in writing with their Manager or Principal. The matter will be dealt with sensitively.

Initially, if you are a victim of harassment you should make it clear to the harasser, on an informal basis, that their behaviour is unwelcome and ask them to stop.

You should make your complaint in writing and where possible you should keep identifying notes of the incidents so that your complaint can include:

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred the
- names of any witnesses
- any action taken by you to stop the alleged harassment

Once the complaint has been received by the Manager an investigation will be made within two working days. When concluded, the College will formally write to the complaint outlining fully their decision. If an investigation reveals that the complaint is valid, appropriate action will be taken against the offending party. Such measures are designed to put an immediate stop to the harassment and bullying as well as to prevent their recurrence. The College reserves the right to take whatever disciplinary action it deems appropriate under the circumstances, including warning the harasser, suspension or termination of their contract. Employees who bring a complaint will be protected against victimisation or retaliation.

Confidentiality

The College has a duty to investigate fully every allegation. All investigations will be handled with care and sensitivity and will remain, to the greatest extent possible, confidential.

Informal Discussions

If you do not wish to make a formal complaint or are undecided as to whether you wish to make a formal complaint, you may raise the matter on an informal basis, and in the strictest confidence, with the HR Manager.

Discipline

The perpetrator of any proven instance of discrimination or harassment will be subject to the College's disciplinary procedure. In serious cases, such behaviour will be deemed to constitute gross misconduct and as such, in the absence of mitigating circumstances, will result in summary dismissal.

3.6 Whistle blowing

We are committed to achieving the best possible standards of service and maintaining high ethical standards in public life and services. To achieve these ends, we encourage freedom of speech. It also encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees.

3.7 Drugs (non-prescription) and Alcohol

Policy Statement

The College's policy is to maintain a drug and alcohol free workplace

Definitions

Workplace - any premises owned by the College including the yard and car parking areas

Alcohol - any alcoholic beverage or food

Drug – illegal and non-prescription substances

Drug misuse – the illegal use of drugs or the deliberate, or unintentional misuse of prescribed drugs, or the use of any solvent or gas for the purposes of intoxication.

Rules

Crescent Education Services strictly prohibits:

- The possession or consumption without permission of alcohol, or the possession or use of a prohibited substance whilst on College property, reporting to work, working or attempting to work under the influence of alcohol or a prohibited substance
- Reporting to work, working or attempting to work while under the influence of any drug, prescribed or otherwise unless directed by a doctor or where such use will affect adversely an employee's ability to perform their duties safely or affect the wellbeing of others
- Possessing, dispensing, distributing, buying, selling, offering to buy or sell a prohibited substance whilst on property

Any employee who is suspected of contravening the drugs and alcohol policy on site will be suspended and sent from the premises pending a full investigation of the alleged misconduct.

Notification

Any employee who is using a prescription drug which may impair their ability or affect the safety or wellbeing of others must notify their Manager by providing a letter from their doctor as to the likely effects of the medication.

Social Functions

Employees are expected to act in a reasonable and orderly manner during any social function. Any employee whose conduct is deemed unacceptable by any Crescent Education Services staff member, and who thus brings the name and reputation of the College into disrepute, will be subject to disciplinary procedures.

Testing and Searching

Should the College have reasonable cause to suspect that an employee is under the influence of drugs or alcohol on College premises they may request that the individual concerned is properly tested and also conduct a search the individual's person and belongings. For this action the College requires the employee's consent and should the individual refuse the College will be forced to draw their own conclusions and respond accordingly. The College may also request that an employee be examined by a nominated doctor for possible drug or alcohol abuse following a Health and Safety incident.

Any breach of the rules will lead to disciplinary action up to and including summary dismissal for gross misconduct.

3.8 Redundancy

Definition

In law an employee becomes redundant in his / her position if the position is no longer needed for a reason attributable wholly or mainly to one of the following:

The employer has ceased or intends to cease to carry on the business

The employer has ceased or intends to cease to carry on the business at the place in which

the employee was employed

The requirements of the business for employees to carry out work of a particular kind in the place at which the employees were employed have ceased or diminished or are expected to cease or diminish

Policy Statement

Crescent Education Services will take all measures practicable to avoid the need for compulsory redundancies. However, it is necessary to ensure the economic viability of the College. Changes in markets, technology and the corporate environment may impact negatively on Crescent Education Services and lead to essential staff reductions. In such circumstances all employees will be treated fairly and be selected for redundancy against formal criteria.

Selection

A points based selection procedure will use objective non-discriminatory criteria such as disciplinary records, attendance and performance. The procedure will be discussed in detail during the consultation prior to the final selection being made.

Compensation

An employee who has a minimum of two years continuous service with Crescent Education Services is entitled to a Statutory Redundancy payment in the event of dismissal for redundancy.

3.9 Flexible working

You have the statutory right to apply for flexible working if you are eligible to do so.

Eligibility

In order to apply for flexible working you must meet the following criteria:

- Be an employee
- Have a child under six, or under eighteen, where disabled
- Make the request no later than two weeks before the child's appropriate birthday
- Be responsible for the upbringing of the child and be making the application to enable you to care for the child
- Be either:
 - The mother, father, adopter, guardian or foster parent of the child; or married to or the partner of the child's mother, father, adopter, guardian or foster parent
- Have worked for Crescent Education Services continuously for 26 weeks
- Not be an agency worker or a member of the armed forces
- Not have made another application to work flexibly under the right during the past 12 months

An application can only be made in order to help you to care for the child.

Application

In order for your application to be valid it must comply with the following conditions:

- Be in writing
- State the application is being made under the statutory right to request a flexible working pattern

- Confirm that you have the responsibility for the upbringing of the child and that your relationship with the child is as detailed in the eligibility criteria
- Explain what effect, if any, you think that the proposed change would have on the business and how, in your opinion, any such effect might be dealt with
Specify the flexible working pattern that you are applying for
- State the date on which you propose the change should become effective
- State whether you have made a previous application to Crescent Education Services and if so, when it was made
- Be dated and signed

3.10 Recruitment

Crescent Education Services is committed to ensuring that the best person is recruited for every vacancy through professional best practice, compliance with current employment legislation and ensuring equality of opportunity.

Job descriptions are designed for each position and the College seeks qualified individuals who exhibit the required skills and competencies to fulfil the requirements of the job.

A structured recruitment process that assesses both skills and competencies ensures that only qualified, professional candidates are selected.

3.11 Pension Arrangements

The Pensions Act 2008 introduced new rules for workplace pensions in the UK. These changes affect every workplace and make sure that every worker will have a chance to save for their retirement. Under the new rules, every employer will have to give their workers the opportunity to join a workplace pension scheme that meets certain standards. Depending on how old they are and how much they earn, many workers will be automatically enrolled into the scheme. Other workers will be entitled to join the scheme if they want to.

Workers earning over a certain amount will also be entitled to a minimum contribution into their retirement pot. It's usually made up of money taken from the workers' pay, money paid in by their employer and money from the government, although employers can pay the entire minimum contribution themselves if they want to.

4 CODES OF PRACTICE

4.1 Confidentiality and Security

Copyright

All written material, whether held on paper, electronically, magnetically or acquired by an employee during the course of employment with Crescent Education Services, remains the property of the College plus the copyright. At the time of termination of employment all such materials must be returned.

Communication / contact with the Media

You are not permitted to make statements to the media. Any statement to reporters from newspapers, radio, television, third parties will be given only by authorisation from Principal.

Security

Security will be dealt with as part of induction training where staff will be required to sign a confidentiality form. It is an expectation that all employees will show consideration of security issues as they go about their daily business within Crescent Education Services. The College will provide full information as appropriate.

Confidentiality

Staff are not permitted, during or after employment, to disclose confidential information belonging to the College. Personnel have a personal responsibility to protect and maintain confidentiality pertaining to the College, service users and providers. Staff members must not, except as authorised or required by law or professional duties, reveal any confidential information relating to the College, student or service provider. This obligation will continue until such information comes into the public domain other than through any breach of this provision by a staff member.

This is applicable to:

- All financial information (including management and published accounts and back up data).
- Salaries and personal details
- All service user information
- Customer details including names, addresses and post codes
- Customer Credit Card details.

This list is neither exclusive nor exhaustive but it should also be noted that since much of this information is held on a computerised system disclosure of such information is also in breach of the Data Protection Act.

Any breach of confidentiality will be treated as Gross Misconduct and will result in dismissal.

4.2 Computer Passwords

You must not in any circumstances share or divulge allocated computer passwords with anyone either inside or outside Crescent Education Services.

4.3 Internal Communications

Crescent Education Services wishes to encourage the open flow of communication throughout and between its departments and indeed through the College as a whole. Each department may utilise slightly different methods of sharing information or generating ideas including employee forums, suggestion schemes, newsletters and related means.

4.4 Smoking

There is a No Smoking Policy on premises. Smoking including e-cigarette are not allowed in any part of the building.

4.5 Dress Code

Crescent Education Services has a smart-casual dress code on their premises.

4.6 Telephones and Photocopiers – Private Use

Your workstation telephone should not be used for personal telephone calls. Any personal telephone calls made must be kept as brief as possible, and made outside working hours unless authorised by your Principal. Photocopiers can only be used for personal use when you have the express permission of a Manager.

4.7 Personnel Records

It is important that our records are correct, as inaccurate or out of date information may affect your salary or cause difficulties in situations where contact is required for emergencies. You **must** notify your Line Manager immediately of all changes in the following personal information:

- Name
- Home address
- Telephone number
- Bank account details
- Examinations passed/qualifications gained
- Emergency contact
- Driving licence penalties (if you are required to drive on Company business)
- Criminal charge, caution or conviction
- Conflict, or potential conflict of interest

Personal data on employees is held in accordance with the provisions of the Company's Data Protection Policy which will be made available for inspection by you if required.

4.8 Personal Property

All employees are solely responsible for the safety of their personal possessions whilst on College premises. Staff must ensure that their personal property is kept in a safe place.

There is no insurance cover for employee's personal possessions whether lost or stolen on College premises and the College does not accept any liability for any loss or damage to property of any employee.

4.9 Receipt of Gifts

Your working relationships may bring you into contact with outside organisations where it is normal business practice or social convention to offer hospitality, and sometimes gifts. Offers of this kind to you or your family can place you in a difficult position. Therefore no employee or any member of his or her immediate family should accept from a supplier, customer or other person doing business with us, payments of money under any circumstances, or special considerations, such as discounts or gifts of materials, equipment, services, facilities or anything else of value unless:

- They are in each instance of a very minor nature usually associated with accepted business practice.
- They do not improperly interfere with your independence of judgement or action in the performance of your employment.

In every circumstance where a gift is offered, the advice of your line manager must be sought.

4.10 Bribery and other Corrupt Behaviour

The College has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the company, or to obtain or retain an advantage in the conduct of the company's business this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the College's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

4.11 Conflicts of interest

The highest standards of behaviour are also expected in all areas of College life, especially where individuals are in positions to make decisions which may have significant impact on others including students. In all such cases it is important that decisions are taken in a fair and balanced way that can withstand external scrutiny. Conflicts of interest should be identified so that individuals are not involved in decisions where their actions could be seen as biased.

4.12 Relationships with other members of staff, students and customers of the College

The College does not concern itself with the private lives of its staff unless they affect its effective operation or its reputation. Members of staff who are relatives or who have a close personal relationship should not normally have a supervisory, assessing or authorising relationship with each other. Employees must inform their line manager if they have a close personal relationship with another employee, a student, or a client or customer of the College which could be considered by colleagues, students or others, as impacting on the way they conduct themselves at work.

4.13 Gambling

Gambling activities must not be conducted on the College premises, discretion may be used in relation to small raffles for charitable purposes, national lottery syndicates, occasional sweepstakes etc.

4.14 Environmental Sustainability

It is a core value of the College to care for the environment and meet legal requirements. All staff are expected to comply with policies and procedures related to environmental protection e.g. waste segregation and disposal, purchasing, and energy efficiency; and to promote waste minimisation when procuring, storing or using any College resource.

5 LEAVE OF ABSENCE

5.1 Medical reasons

All non-emergency appointments should be arranged outside of working hours. Where this is not possible staff should make appointments either at the start or end of working hours. Release for any such appointments may only be authorised at the discretion of a Manager. Staff will be asked to produce the relevant documentation to support their appointment application.

In the case of medical / dental emergencies at work, where staff either have to attend hospital or be sent home, absence must first be authorised by the HR Manager.

In the event of admission to a hospital staff should notify the HR department as far in advance as possible (unless it is an emergency). The documentation to support any term in hospital must be produced along with the anticipated date of return to work.

5.2 Bereavement

If you suffer the loss of an immediate member of your family e.g. husband, wife, child, parent, brother, sister, you should inform the manager as soon as possible. Unpaid absence of up to three days may then be authorised by the manager.

5.3 Compassionate Leave

The College appreciates that there may be occasions where employees need to be absent from work for personal reasons. Application for compassionate leave must be made to the manager.

In the event that all holiday entitlement has been utilised, each request will be considered on its own merits. Compassionate leave will be unpaid.

5.4 Unpaid Leave

This will only be authorised where there is a verified need to take time off from work. This absence from work will be considered only in exceptional circumstances when a staff member has exhausted all other entitlements. The College reserves the right to refuse an application for unpaid leave of absence for any reason not covered by College policies.

5.5 Jury Service

If staff are required to serve on a jury, they should notify the HR department and produce the official notification. Whilst on jury service, they are entitled to claim allowances from the court covering fares, subsistence, and loss of earnings (up to a specific amount). Staff should claim the full entitlement

5.6 Maternity Rights

Notification

Staff must advise their Manager and the Manager of their pregnancy, at the earliest opportunity, but no later than the 15th week prior to the expected week of confinement (EWC). On being notified of the intention to take maternity leave, Crescent Education Services will then, within 28 days of the notification, advise the expected return to work date. This includes any entitlement to additional maternity leave.

Around the 26th week of pregnancy a GP/midwife will issue a Certificate of Expected confinement (MATB1). This form must be handled immediately to Manager. A copy of the MATB1 will be retained and the original returned to the staff member.

Ante-Natal Care

Staff are entitled to paid time away from work for ante-natal care. This includes appointments with the doctor and / or midwife and for relaxation classes in relation to a pregnancy. To ensure that the normal pay is processed, the following must be produced:

- A doctor's certificate confirming pregnancy and
- An appointment card relating to the second and subsequent visits, Other
- evidence where appropriate

The Manager should be given as much notice as possible of such appointments. These should be arranged as near to the start or end of the day as possible.

Maternity Leave and Pay Entitlement

Compulsory Maternity Leave

Compulsory maternity leave is a health and safety provision, intended to fall within ordinary leave, which prohibits a woman from returning to work within two weeks of giving birth

Ordinary Maternity Leave

There is a statutory right to twenty six week's ordinary maternity leave that does not depend upon length of service or hours worked. In order to qualify for ordinary maternity leave the staff member must continue to be employed at the fifteenth week before the Expected Week of Confinement (EWC)

Additional Maternity Leave

Provided the staff member has 26 weeks continuous service at the fifteenth week before the EWC, and all the required statutory information has been submitted, there will be an entitlement to:

- Take maternity leave no earlier than eleven weeks before the EWC and up to fifty two weeks from the actual date of childbirth (counting from the Sunday at the beginning of the week in which the baby was born)
- Return to work at any time before the end of your fifty two weeks maternity leave, provided that all the notification rules before and after the maternity leave have been complied with

Statutory Maternity Pay

As long as you have a minimum of twenty six weeks continuous service at the fifteenth week before the expected week of confinement (EWC) you will be entitled to receive statutory maternity pay (SMP) for twenty six weeks comprising:

Six weeks at 90% of average earnings followed by a maximum of twenty weeks at the lower rate SMP.

In order to be eligible for payment of SMP you must:

- Have been employed by the College for a continuous period of at least twenty six weeks at the fifteenth week before the EWC
- Have average weekly earnings of not less than the lower earnings limit for National Insurance Contributions
- Still be pregnant at the eleventh week before the EWC or already have been confined
- Provide a Certificate of Expected Confinement to the College
- Give at least twenty one day notice to the College that you intend to be absent from work due to pregnancy
- Have stopped work

- SMP cannot be paid for more than twenty six weeks and may be paid for a lesser period if a staff member:
 - travels abroad outside the EEC
 - are taken into legal custody

If either of the above occur, the staff member is responsible for notifying the College. Any State Benefit received whilst being paid SMP must be advised to the DSS Office.

Starting Maternity Leave

Staff must inform their Manager and the HR department of the date when they wish to commence their ordinary maternity leave not later than the fifteenth week prior to the EWC. The notice to start maternity leave is exactly the same whether qualifying for ordinary leave only or for ordinary and additionally maternity leave.

Maternity leave will commence on the date notified to the College in the Maternity Rights Claim Form. Paid maternity leave cannot start earlier than the eleventh week before the EWC or, if earlier, the first day of absence from work wholly or partly because of the pregnancy or childbirth after the beginning of the fourth week before the EWC.

The College reserves the right to require a staff member to commence maternity leave no earlier than the fourth week before the EWC if absent for a pregnancy related reason. In such circumstances any sickness payments will cease and statutory maternity pay will commence.

Illness for a non-pregnancy related reason qualifies the staff person to remain on sick leave until the baby is born or the date advising the commencement of maternity leave. If the baby is born earlier than the eleventh week before the EWC, maternity leave then pay will commence at the beginning of the week after the week in which the baby was born.

Suspension on the Grounds of Health and Safety

There are statutory provisions which provide for suitable alternative employment on terms and conditions not substantially less favourable, or suspension on full pay where, on medical grounds, it is not safe for a staff member to continue doing their normal job. Further advice is available from the HR department.

Date of Return

Staff may return at any time during, or at the end of, the twenty six weeks (if relevant). If a staff member qualifies for additional maternity leave they may return to work at any time

before the end of the fifty two weeks, provided they have complied with the notification rules before and after the leave.

Staff do not have to notify the College in advance if returning to work at the end of their 26 week ordinary maternity leave.

5.7 Paternity Rights

Eligibility

In order to qualify for paternity leave staff must:

- Have or expect to have responsibility for the child's upbringing
- Be the biological father of the child, or the mother's husband or partner
- Have worked continuously for the employer for twenty six weeks leading to the fifteenth week before the birth of the baby.

Staff will be required to complete a self-certificate as evidence that they have satisfied the eligibility conditions

5.8 Adoption Rights

Eligibility

To qualify for adoption leave the following applies:

- Be newly matched with a child by an adoption agency. Adoption leave and pay are not available where the child is not newly matched, for example when a step-parent is adopting a partner's child
- Have worked continuously for Crescent Education Services for twenty six weeks ending with the week in which you notification of is advised by the adoption agency.

Adoption Leave

Staff are entitled to up to twenty weeks ordinary adoption leave followed immediately by up to twenty six weeks additional adoption leave.

5.9 Time Off to Care for Dependants

Staff may take a reasonable amount of unpaid time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer term arrangements. Such emergencies must involve dependants. This is a guaranteed employment right.

Definition of Dependant

- Husband, wife child or parent
- Someone who lives in the staff person's household, for example, partner or elderly relative but excluding tenants, boarders or anyone employed in the household
- Someone who reasonably relies on the staff member for assistance as a primary carer or, in cases of an emergency, for example an elderly neighbour

Staff will be asked to declare the names of all dependants at the recruitment stage.

Circumstances that Count as Emergencies

Circumstances under which you have a right to take time off to deal with an emergency are:

- If a dependant falls ill, or has been injured or assaulted
- When a dependant is having a baby
- To make longer term arrangements for a dependant who is ill or injured
- To deal with the death of a dependant e.g. make funeral arrangements
- To deal with the unexpected disruption or breakdown of care arrangements for a dependant e.g. a nursery unexpectedly closes
- Unexpected incident involving you child during school hours e.g. your child is injured or involved in a fight at school

6 DISCIPLINE AND GRIEVANCES

6.1 Disciplinary Procedure

The objective of the disciplinary procedure is to help and encourage all staff to achieve and maintain a high standard of conduct, attendance and best job performance.

All employees will have the opportunity to exercise their fundamental rights using the disciplinary procedure:

The right to be represented at a disciplinary hearing by a colleague from Crescent Education Services. The right to a full and fair hearing at which employees have the opportunity to state their case.

The right to appeal against disciplinary warnings or dismissal

All employees will be given a minimum of forty eight hours' notice of any disciplinary meetings and will be provided with documentary evidence that will be used at the hearing.

At every stage in the procedure a member of staff will be advised of the nature of the complaint and given every opportunity to state their case before a decision is made.

Crescent Education Services may, in appropriate circumstances, place a member of staff on any stage of the Disciplinary Procedure.

Disciplinary Stages

Stage 1 - Verbal Warning

A member of the HR team will conduct an interview with you and inform you of the expected standards, explain how and to what extent you are falling short, and the period in which you are expected to achieve them. A record of the warning will normally be retained in the employee's personnel file for six months

Stage 2 - Written Warning

If the unsatisfactory conduct persists, a member of the HR Team will interview you, and advise you, in writing, how and to what extent your performance is falling short. Again, the period of time for you to achieve the required standards will be clearly stated. A record of the warning will normally be retained in the employee's personnel file for twelve

months

Stage 3 - Final Written Warning

A Final Written Warning is appropriate when :

- an employee's offence is of a serious nature falling just short of one justifying dismissal.
- an employee persists in the misconduct which previously warranted a lesser warning.

The warning letter will clearly state the consequences of failure to achieve the standards required. A record of the warning will normally be retained in the employee's personnel file for twelve months

Downgrading or Transfer to another Post

This action is appropriate when :

- previous attempts, via the disciplinary procedure, to rectify a problem have failed and this is a final attempt to solve a problem without having to dismiss an employee.
- an employee is considered by the Manager of the department to be incompetent or otherwise unfit to fulfil the duties for which he is employed but where dismissal is not thought to be appropriate.

Stage 4 – Dismissal

Dismissal is appropriate when

- an employee's behaviour is considered to be Gross Misconduct.
- an employees misconduct has persisted, exhausting all other lines of disciplinary procedure.

Misconduct

Misconduct will normally be dealt with at Stage 1 of the disciplinary procedure, but for offences of a more serious nature, it may be necessary to commence disciplinary procedures at Stage 2 or even Stage 3.

Examples of misconduct:

- Poor Timekeeping
- Unauthorised absence
- Persistent Absenteeism
- Unsatisfactory Standards or output of work
- Abusive or offensive language
- Call Avoidance
- Insubordination
- Disloyalty
- Unauthorised use or negligent damage or loss of Crescent Education Services property
- Refusal to obey reasonable instruction

In all cases a warning will be issued for misconduct, irrespective of the precise matter concerned and any further breach of the procedure in relation to similar or entirely independent matters of misconduct will be treated as a further disciplinary matter and allow continuation of the disciplinary process through to dismissal.

Gross Misconduct

Gross misconduct usually applies to a first offence or incident, which is extremely detrimental or prejudicial to the College reputation, staff, service providers or staff. If gross misconduct is substantiated, the appropriate penalty could be summary dismissal.

The following offences (although not exhaustive) are classed as acts of Gross Misconduct and will normally result in summary dismissal:

- Being under the influence of alcohol or drugs
- Professional misconduct
- Violence, threat of violence, fighting or inciting others to commit these acts
- Breach of confidentiality
- Theft or malicious damage
- Acts of indecency or sexual harassment
- Dishonesty
- Fraudulent Timekeeping
- Falsifying College documents
- Gross insubordination or continual refusal to carry out legitimate instructions
- Abuse of the personal harassment policy
- Breach of E-Mail / Internet Policy
- Serious breaches of the Health and Safety Rules

Unsatisfactory Performance

Where performance is considered to be below requirements, Crescent Education Services will aim to help and bring staff to an acceptable standard. The procedure operates in stages exactly as in the disciplinary procedures. The appropriate Manager will do everything possible to help staff identify the problem and then to agree a timescale for achieving the necessary improvements. During the time agreed for improvement, a member of the HR team and relevant Manager will continually review the staff member's progress.

At the various stages staff retain their rights as in the disciplinary procedures, including that of appeal. Copies of written documentation will be given to all involved and the receipt thereof will be confirmed through the appropriate signing of each document.

APPEALS

Every employee has the right to appeal against the outcome of a disciplinary hearing. The basis of an appeal should normally relate to one of the following areas:

- that the College's Procedure had not been followed correctly.
- that the resulting disciplinary action was inappropriate.
- that the need for disciplinary action was not warranted.
- that new information regarding disciplinary action, has arisen

An appeal should be put in writing. The letter of appeal may be constructed by the employee or their representative. The letter should contain the grounds for appeal and should be lodged within 10 days of receipt of the warning / dismissal letter.

An appeal will be arranged within 20 working days of receipt of the appeal letter.

Appeals against Verbal and First Warnings

In the case of verbal and first warnings, the appeal will be heard by the manager next in line to the one who issued the warning.

Appeals against Downgrading, Final Warnings and Dismissal

The hearing and determining of appeals against final warnings and dismissal will be heard by the appropriate Director or Chief Executive. They may also involve another senior manager / Director not previously involved with the case.

When dealing with an appeal against a Final Warning or Dismissal written statements of case may be submitted no later than 2 days prior to the date of Appeal Hearing. No additional written evidence will be admitted by the Appeal Committee on the date of the Hearing.

Witnesses may be required by either party at an appeal hearing, dependent upon the circumstances and nature of the case. However, there is no specific obligation on either party to produce a witness. Either party must give 5 days prior notice that they intend to call specific persons involved or associated with the case under consideration.

It is the responsibility of the management representative and for the appellant to each arrange for the availability and attendance of any witness they wish to call.

6.2 Grievance

1. Grievance Policy

- a) The aim of the College's Grievance Procedure is to provide a fair process for individual employees to obtain a speedy resolution to problems relating to their employment. This includes problems or concerns about work, management, working conditions, working relationships with colleagues, health and safety, new working practices, organisational change and equal opportunities. This procedure also applies to cases of alleged bullying and harassment, i.e. where an individual feels that they has been subjected to unwelcome and unwarranted treatment thereby causing him/her a detrimental effect or where an individual wishes to complain of behaviour directed at others that they find offensive.
- b) One of the key aims of the policy is to enable the College to provide a working environment in which all employees feel comfortable and in which everyone is treated with respect and dignity, regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, disability or any other personal factor or quality.
- c) Grievances can damage working relations and/or cause low morale or ill health, therefore both employees and managers have a responsibility to raise and deal with grievances as speedily as possible. The information disclosed should be treated in strict confidence as far as it is possible to do so.
- d) Where possible concerns, problems or complaints should be raised at an early stage, informally proposing a possible solution with the immediate line manager, or the next most senior manager if the complaint is against the line manager, in order to try to resolve the issue promptly. Mediation using a third party may, subject to agreement, be an alternative option for informal resolution.
- e) Where it is not possible or appropriate to resolve matters on an informal basis the formal procedure for handling a grievance should be used. This formal procedure should usually only be used when other attempts have failed, and not as the first option.
- f) The objective of all grievance meetings will be to understand and seek to resolve the issue.

2. Scope of the Procedure

- a) This procedure applies to all Staff groups.
- b) The definition of a manager for the purposes of this procedure is any member of the College, including Heads of Departments, with line management responsibility for one or more members of staff.
- c) The definition of the investigator is the line manager or the person nominated by the line manager to carry out the investigation. If the line manager is the cause of the grievance then the investigator should be the line manager's manager or nominee.
- d) Subject to the agreement of all parties involved in the grievance, the procedure may be suspended at any stage for mediation or discussions to discuss options with the aim of promoting a more speedy resolution of the grievance.

3. Roles and Responsibilities

- a) Employees have a responsibility to:
- raise a grievance with their manager within a reasonable amount of time;
 - clearly state the basis of their grievance and provide the manager with all relevant details.
 - where possible, attempt to deal with the grievance informally before resorting to the formal stages of the procedure;
 - indicate what would be a satisfactory outcome to their complaint;
 - attend meetings held under the grievance procedure and provide the relevant details

in relation to the grievance.

b) Failure to comply with these responsibilities could prevent the College from offering support it might otherwise be able to provide.

c) Managers have a responsibility to:

- deal with grievances promptly, fairly and consistently in accordance with the relevant procedure and with advice from the relevant HR Manager; clearly explain the reasons behind a decision in respect of a grievance and provide any necessary details if a hearing is held.
- consider whether a group grievance against an individual should be investigated on a separate or group basis.

4. Support and Advice

e) ACAS also provide a helpline for employees who need advice in dealing with employment issues. The number is 08457 47 47 47 <http://www.acas.org.uk>.

g) The College has a duty of care to all employees who are the victims of bullying or discrimination and will provide support to any employee who believes they are a victim of such behaviour.

5. Mediation

a) Mediation is a process that involves the appointment of a third-party mediator, who will discuss the issues raised by the employee's grievance with all those involved and seek to facilitate a resolution for agreement by the parties. It may be requested or recommended at any stage in dealing with a grievance. However, while it is usually preferable for mediation to take place before formal grievance proceedings are commenced it may form part of the proposed remedies for the settlement of a grievance.

b) If mediation is an appropriate option, the parties should contact the relevant HR Manager. If the HR Manager agrees that mediation may help to resolve the grievance, the HR Manager will appoint an internal or external mediator to help towards a resolution.

c) Agreement to mediation does not preclude the employee from submitting a formal grievance either in parallel or subsequently, bearing in mind the responsibility to raise the grievance within a reasonable amount of time.

7. Formal Procedure

a) There are two main steps to the Formal Grievance Procedure:

1. Employee submits the statement of grievance form
2. Formal grievance meetings are held.

8. Setting out the Grievance

a) If informal attempts to resolve the issue do not do so to the employee's satisfaction or are considered inappropriate in the circumstances, the employee should progress to the formal stages of the Grievance Procedure by setting out their grievance in writing using the Statement of Grievance Form (Appendix 1) and submitting it to the relevant HR Manager with all relevant documentation, whilst retaining a copy for themselves.

b) The employee, the complainant, should set out the facts of the specific complaint in the Grievance Form including any examples in support of the complaint, any steps already taken to try to reach a solution and how the employee would like to see the matter resolved. Further particulars may be requested of the employee where the specifics of the complaint are not clear to the manager dealing with the grievance.

9. Dealing with the Grievance

a) On receiving the statement of grievance the HR Manager shall contact an appropriate person to act as the investigator who may be the line manager or a person nominated by the line manager within five working days. An example of where a person, other than the line manager, may be contacted to deal with the investigation in full or part is where the manager's predetermined commitments would lead to an unacceptable delay in dealing with

the grievance. If the grievance is against the line manager, the line manager's manager or a person nominated by the line manager's manager will be contacted by the HR Manager. Awareness of the circumstances of the case shall not preclude an investigator from dealing with the grievance unless the grievance specifically relates to their behaviour. The employee who submits the grievance is hereafter referred to as the complainant.

b) The complainant shall be notified of the name of the investigator and the date for the initial meeting within five working days of the submission of the statement of grievance form. Wherever possible the meeting will be held within ten working days of the submission of the grievance at which they shall be given the opportunity of explaining their grievance, submitting any witness statements if appropriate, answering questions and suggesting how they would like the issue(s) resolved. Where it is not possible to hold the meeting within ten days of the submission of the grievance, the complainant will be informed of the reasons for the delay. If further details or examples emerge at the meeting that were not included in the original statement of grievance, the meeting may be adjourned and the individual asked to put these in writing to form part of the grievance. At the end of the meeting, the investigator shall sum up their understanding of the grievance, explain the proposed next steps and provide an estimate of the timescale. Where possible, a date for the next meeting shall be agreed.

c) The investigator will forward a copy of the completed Statement of Formal Grievance Form and any supporting documentation to the subject of a grievance and invite the person to a meeting. The person complained against will also be given the opportunity to respond to the grievance in writing within five working days of the request. Where it is not possible for the individual to respond within the timescale of five working days, the manager dealing with the grievance, with the advice of the relevant HR Manager shall consider a request for an extension and, if agreed, this will be communicated to the complainant.

d) If, after the initial meetings, the investigator dealing with the grievance decides to interview other members of staff, the investigator shall notify both the complainant and the person against whom the complaint has been made.

e) A work colleague may accompany the complainant who has submitted the grievance as well as the subject of the grievance at meetings. In cases of bullying and harassment people whose statements make reference to instances of bullying or harassment they have suffered may also be accompanied. Records of all meetings shall be sent to each individual to confirm they are accurate and to have the opportunity to correct any errors normally within two working days.

f) After receipt of confirmation or correction of the records of meetings, the complainant shall be given at least five working days' notice of the date, time and location of the second meeting. At the meeting, the investigator shall explain their findings to date listen to the complainant's comments and ask further questions of clarification. The meeting shall be adjourned for a short period to allow the investigator time to make a decision on the grievance and reconvened to communicate the decision to the complainant. The investigator shall also inform the person complained against of the outcome.

g) If further advice or information or further meetings with witnesses is required before the investigator is able to reach a valid decision, the investigator may choose to adjourn the meeting. Where delay in reconvening the meeting is unavoidable the investigator should inform the complainant as soon as possible.

h) The outcome of the grievance will be confirmed to the complainant in writing within five working days of the final meeting. The letter shall explain the right of appeal should the complainant not be satisfied with the outcome.

i) Where the investigator is the person nominated by the line manager of the complainant, the investigator will inform the line manager of any relevant issues arising from the outcome

of the grievance that need addressing in order to ensure effective management of the issues in the future.

j) The subject of a grievance shall be informed of the outcome and may request that this be sent to them in writing. The aforesaid person will not receive a copy of the full written statement of the outcome sent to the complainant.

k) The HR Manager responsible for the grievance shall monitor the progress of the grievance. The HR Manager shall inform the Principal of any grievance not resolved 60 days after the submission of the grievance. If the Principal believes there to have been undue delay they shall raise the issue with the relevant HR Manager to promote a speedy conclusion.

l) In the case of an allegation of bullying or harassment, where the Investigator has good cause to believe that there is a risk of further bullying or harassment they will inform the relevant line Manager and require them to take interim steps, without prejudice to the eventual findings, to prevent any recurrence.

10. Right of Accompaniment

a) Complainants and the subjects of a grievance can choose to be accompanied at meetings by a work colleague subject to the chosen companion being able to attend on the proposed date.

b) External lawyers by profession, cannot act as companions under this procedure.

11. In Attendance

a) Formal meetings shall be chaired by the Investigator, who may be accompanied by a senior member.

b) The complainant will attend to present their grievance and answer questions of clarification in relation to the original written submission.

c) Given the variety of organisational arrangements within the College, some modification from this procedure may, on occasions, be necessary in terms of the selection of the Investigator.

12. Possible Outcomes of Grievance Meetings

If the grievance is upheld

a) The Investigator should decide what steps and related timescale should be taken to resolve the grievance or underlying issues and either implement the steps or report to the relevant manager with authority to make a decision on the grievance and implement the steps.

b) If the Investigator concludes there has been bullying or harassment they shall report this to the offender's line manager with a view to instigating appropriate disciplinary action. In the case of bullying and harassment there will be no presumption that the issue will be resolved by moving the person bullied or harassed. It will be the responsibility of the College to take such measures, wherever practicable, to enable them to continue their existing duties free of the fear or threat of further bullying or harassment.

If the grievance is not upheld

c) The investigator should report the outcome to the manager responsible for taking action and include in the report any steps that need to be taken to address any underlying issues that have

13. Grievance against the Director

a) Where the grievance is against the Director personally and the matter has not been resolved informally, the aggrieved member of staff may submit the Statement of Formal Grievance Form to Council through the College Secretary. The formal grievance will be considered and determined by a panel of three independent members previously involved in the grievance.

14. Appeals Procedure

a) Appeals must be submitted in writing to the Principal no later than *five* working days after receipt of the decision in writing.

b) Appeal hearings may be a review of the decision made at the Grievance Hearing. Employees must be specific about the grounds of the appeal as these will form the agenda for the Appeal Hearing and may determine who should be present. Appeals may be raised on any grounds including:

- **procedure** - a failure to follow procedure at the Grievance hearing;
- **the decision** - the evidence did not support the conclusion reached;
- **any proposed action** - was inappropriate given the circumstances of the case;
- **new evidence** - which has come to light and was not available at the Grievance hearing.

The complainant should also outline the remedy or outcome sought.

c) The Appeal will be heard by a panel comprising three members of staff appointed by the Principal.

d) Appeal arrangements should be confirmed as soon as reasonably practicable after receipt of the appeal. The complainant should be given a minimum of five working day's advance notice of the time, date and place of the appeal hearing once it is scheduled. They will also be advised that they are entitled to be accompanied by a companion. The complainant should notify the Appeal Chair of any new witnesses they wish to appear at the Appeal hearing.

16. Appeal Hearing Procedure

a) At the Appeal Hearing the Chair of the appeal panel will explain the purpose of the meeting, how it will be conducted, and the action which may be taken as a result of the hearing. Depending on the circumstances, the Investigator who heard the formal grievance may be requested to attend in order to outline the reasoning behind their original decision.

b) The employee (or their companion) will be asked to explain their grounds of appeal including any new evidence they may wish to introduce. In the event of new witnesses being presented all parties will have the opportunity to question them. At the end of the hearing the employee (or their companion) should have the opportunity to summarise the case.

17. Decision

a) A decision on the appeal should be made in a prompt manner, having given due consideration to all the evidence presented and conducted any further investigations required.

b) The result of the appeal will normally be notified to the complainant in writing by the Principal no later than *five* working days after the decision is made. The notification should outline the decision made, reasons for the decision and if appropriate actions required for the redress of the Grievance. A copy should also be sent to the respondent(s) against whom the grievance was raised.

c) The decision of the Appeal panel is final.

7 HEALTH AND SAFETY

Purpose

To promote, communicate and enforce healthy and safe working practices that conform to the Health and Safety at Work Act 1974.

It is College policy that all reasonably practicable steps will be taken to responsibly ensure the health and safety of staff, students and service providers attending Crescent Education Services and to prevent damage to its property and assets. Staff are obliged to comply fully with all health and safety measures.

With regard to the above, 'safety' is defined to mean: The

- prevention of all injuries
- The promotion of occupational health and hygiene
- The control of all situations likely to cause damage to property or equipment.
- The investigation of 'near miss' situations
- Fire prevention and fire control
- The protection of the general public

Responsibilities

The Facilities Team in conjunction with the Board of Directors are responsible for the implementation of health and safety procedures. The Board of Directors will be kept informed of all health and safety matters to ensure that sufficient resources are made available. All employees are at all times responsible both for adhering to this policy, and immediately reporting to senior staff any situations of actual or potential health and safety risk.

7.2 Accident Reporting

All accident details must be entered immediately into Crescent Education Services Accident Book, which is located at Reception. In addition, as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1958 (RIDDOR), accidents resulting in a fatality, a major injury or in absence from normal work for more than three days must be reported to the Environmental Health Department. Accidents involving non-employees must also be reported using this system, as it is the College's responsibility to report injuries of non-employees. Fatal or major injury accidents must also be reported by telephone immediately to the Environmental Health Department.

To comply with the Health and Safety (First-Aid) Regulations 1981, the Crescent Education Services Facility Manager will supply the premises with adequate first-aid equipment and facilities where necessary. Names of qualified First Aid staff together with first aid boxes and facilities are displayed appropriately.

7.3 Fire and Emergency Procedures

On discovering a fire

Sound the alarm and, if possible, dial 999 for the Fire Brigade.

On hearing the alarm

- Leave the building by the nearest exit.
- Close all doors behind you.
- Report to the Fire Assembly Point, opposite security office. is available in the Emergency Procedures, with other members of your department.
- Do not use the lift.
- Do not take time to collect possessions, nor return to the building for whatever reason.

Fire exits are clearly marked. Fire Wardens are responsible for safe evacuation in the event of fire and for taking the roll call at the Fire Assembly Point. Information on Crescent Education Services fire drill and the name of the Fire Wardens are located at the appropriate places on the premises.

Fire doors are to be kept closed at all times and must be kept clear of obstructions. Passage areas must be kept free of any article that might cause an individual to stumble in the event of a hasty evacuation.

Equipment Testing

The College will ensure that all equipment is tested and maintained on a regular basis to meet the requirements of Health and Safety legislation. Suitably qualified staff or sub-contractors, in accordance with legal requirements will be contracted to undertake testing and maintenance. This includes fire extinguishers, fire alarms, lift, air conditioning units, heating and cooling systems. Records of these tests will be kept and made accessible to unit safety representatives.

7.4 Risk Assessment

We will carry out ongoing risk assessments associated with all work activities, as required by the Management of Health and Safety at Work Regulations 1992. The College's Risk Assessment Form will be used for this purpose. Where appropriate, customers and others likely to be affected by the work will be provided with a copy of the assessment, together with details of the methods of work to be followed, as appropriate. Risk assessments will be reviewed at annual intervals or whenever it is suspected that they may no longer be valid.

7.5 Display Screen Equipment and Eye Care

Under the Health and Safety (Display Screen Equipment) Regulations 1992 employers are required to provide and pay for eyesight tests for their employees who are users of Display Screen Equipment (DSE) and those who are about to become users if they request it. Users are also entitled to further tests at regular intervals after the first test and in-between if they are having visual difficulties which may be caused by display screen use.

8 CONSUMER PROTECTION

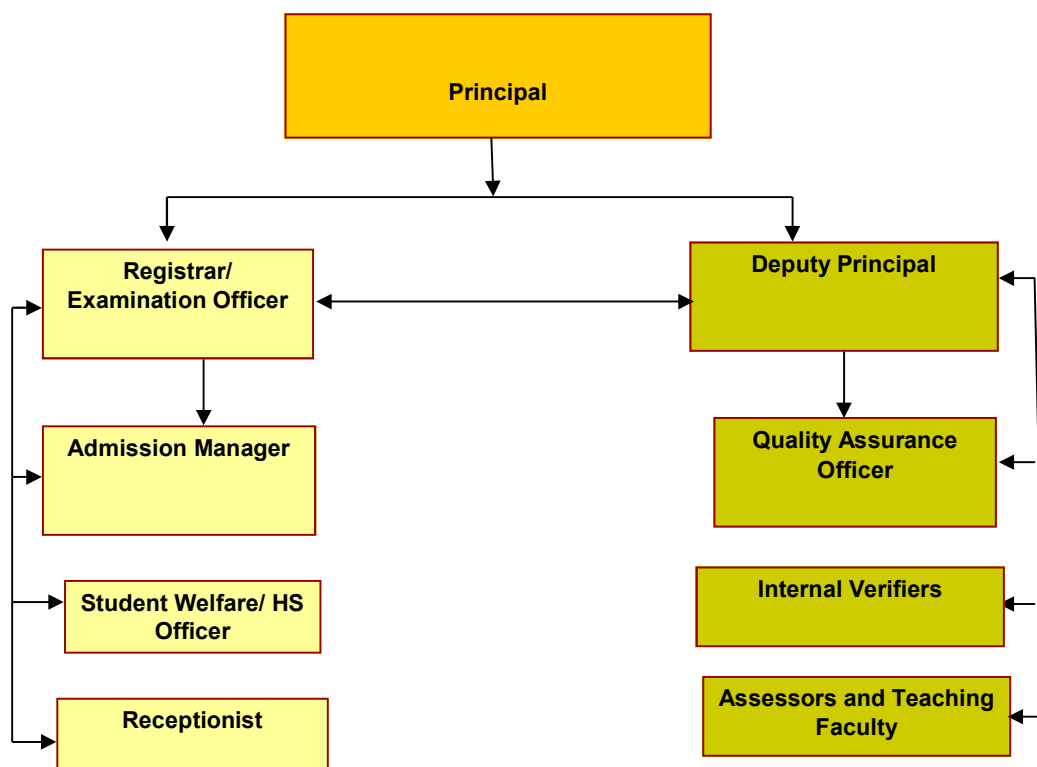
Consumer Protection Legislation (CPL) is intended to stop unfair commercial practices by ensuring that contracts between consumers and suppliers are fair and transparent. The Competitions and Markets Authority (CMA) has published guidance on the application of CPL in higher education and advise that to comply with CPL the Higher Education Provider must:

- Provide all material information to allow students to make informed choices about their institution and programmes;
- Ensure that the College terms and conditions are fair and accessible, with unusual

- terms clearly communicated to students;
- iii. Adopt a fair and transparent complaints procedure which students understand.

Crescent Education Services has always aimed to provide an excellent academic experience and been committed to ensuring a good relationship with our students. Consequently, the College has used the CMA guidance as an opportunity to clarify and better communicate our existing approaches as relevant and to allow us to uphold the principles of fairness, clarity and transparency as outlined in the CPL whilst safeguarding academic standards and the student experience within the College. All staff must adhere to the CMA guidelines.

Appendix 2: Management Structure
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CRESCENT
Education Services