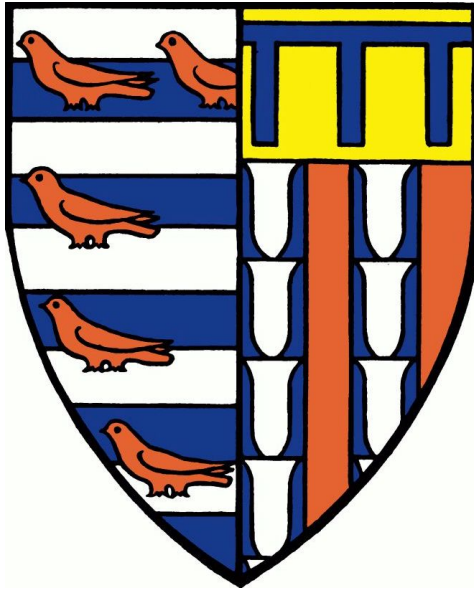


# **PEMBROKE COLLEGE**

## **CAMBRIDGE**



# **CASUAL WORKERS HANDBOOK**

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## INTRODUCTION

Pembroke College has a long and distinguished history. It is well known for its relaxed but disciplined achievement, in academic life and beyond. The College is committed to building on these traditions of diversity in excellence. But the real heart of the College remains the people who live and work in this environment and it is, therefore, important that staff understand the nature of their employment at Pembroke.

This Casual Workers Handbook is a reference document setting out what our employees should and need to know about their employment. It will help them appreciate their responsibilities to the College and to their fellow employees, as well as their individual rights. It emphasises that all employees will receive fair and consistent treatment at work with regard to standards of performance and conduct.

The Casual Workers Handbook refers to, and complies with, current employment, health & safety and equal opportunity legislation. It sets out how the College's HR policies and procedures are to operate. It should be read in conjunction with your contract of employment and with the original offer letter issued to all members of staff. This Casual Workers Handbook is not contractual but is intended as a general guide. Whilst it does not form part of your contract of employment, you should be aware that a breach of any of the policies, procedures or guidelines that it contains or makes reference to could lead to disciplinary action. Please therefore ensure that you read it carefully and, if there are any points you do not understand, or you would like any further details, please discuss with your Head of Department/Line Manager or the HR Manager.

From time to time changes to the contents may be necessary, and we reserve the right to modify or discontinue the benefits, policies and terms and conditions described in this handbook. If any part of the handbook is considered to be in conflict with existing law, regulations or other statutory requirements, only the part that is in direct conflict will be invalid. Notification of any changes or additions will be given by the HR Manager. Any variations to your contractual terms will be notified to you individually.

We are committed to the principle of equal opportunity in our employment practices. We aim to ensure that no employee receives less favourable treatment due to race, sex, disability, sexual orientation, religion or belief, age, marital status or civil partnership, maternity/pregnancy or gender reassignment, or is disadvantaged by any conditions or requirements being placed on them which cannot be justified.

We will not condone any discriminatory act or attitude in the conduct of our business with our employees, students, suppliers or anyone with whom we deal and we look to you to support us in implementing these policies.

We hope that you settle quickly into your new role, and that you have a long, successful and happy relationship with us.

## HISTORY OF THE COLLEGE

Pembroke College was founded by Marie de St Pol, daughter of Guy de Châtillon and widow of Aymer de Valence, Earl of Pembroke. Pembroke is the third oldest Cambridge College still in existence, after Peterhouse and Clare. Marie was granted her licence for the foundation by Edward III on Christmas Eve 1347.

The College originally housed up to thirty scholars, and the original buildings – chapel, hall, kitchen, buttery, Master's lodgings and students' rooms – were arranged in a single court (now First Court). All the scholars were male and unmarried and would have been priests. The original statutes also provided for four staff – a manciple, cook, barber and laundress – to look after the needs of this small community.

Marie was closely involved with College affairs in the thirty years up to her death in 1377. She seems to have been something of a disciplinarian: the original Foundation documents had strict penalties for drunkenness and lechery, required that all students' debts were settled within two weeks of the end of term, and gave strict limits on numbers at graduation parties.

Founded on part of its current site, it took over 500 years to accumulate all the land of which it is now comprised. Over succeeding centuries, the College buildings spread out from that first court along Pembroke and Trumpington Streets. One of the earliest major changes to the look of the College came in the turbulent years of the mid-seventeenth century. Matthew Wren, Bishop of Ely, was imprisoned for eighteen years for his support of the King during the Civil War. While languishing in the Tower of London, he vowed that if he was ever freed he would build a new chapel for the College. He kept his promise after his release in 1659, and approached his nephew, then known mainly for his mathematical skills, to build the chapel. Pembroke has gloried ever since in possessing the first building designed by Christopher Wren.

Ivy Court was built during the seventeenth century, but it was not until the end of the nineteenth century that Pembroke started to look much like it does today. A major expansion in student numbers at this time brought about a major building programme – a new hall, replacing the small medieval hall, Master's Lodge (N staircase), residential block (Red Buildings) and a new library, all designed by the fashionable architect Alfred Waterhouse. These were followed slightly later by New Court and the Pitt Building. At the same time, Pembroke undergraduates established a mission in South London, at Walworth: this survives today as Pembroke House, one of the few College missions still in existence.

In its early years, Pembroke had a strong reputation for theology: the College produced twenty-two Bishops in 300 years. One of the most famous of these men was Nicholas Ridley, Master during the dangerous times of the Reformation. Ridley's involvement in Protestant politics led first to his imprisonment by Queen Mary and then burning at the stake in Oxford in 1556. His portrait hangs today next to the fireplace in Hall.

In more recent centuries, the College has produced famous scholars in all disciplines. Notable alumni include the physicist George Gabriel Stokes, Nobel Laureates Sir John Sulston and Rodney Porter, ophthalmologist Sir Harold Ridley, audio technology pioneer Ray Dolby, the poets Edmund Spenser, Thomas Gray and Ted Hughes, writers Tom Sharpe, Clive James and Robert Macfarlane; politicians William Pitt the Younger, Rab Butler, Lord Smith of Finsbury and Jo Cox; musicians Sir Arthur Bliss and Emma Johnson; and entertainers Peter Cook, Tim Brooke-Taylor, Bill Oddie, Eric Idle, Tom Hiddleston and Naomie Harris. It also has a strong sporting reputation and has nurtured many outstanding sportsmen and women including an England cricket captain, Peter May, an England rugby captain Wavell Wakefield, a two-times Wimbledon finalist, H. W. "Bunny" Austin, and most recently an Olympic rowing silver medallist, Cath Bishop.

By the early twentieth century Pembroke had taken on much of its current physical form. Student numbers had continued to grow, particularly the numbers of graduate students, thus contributing to the reputation of the University of Cambridge as one of the finest research universities in the world. Another significant change was the admittance for the first time of women undergraduates in 1984. The growth in numbers led to the building in 1997 of Foundress Court, adding 92 student rooms, allowing the College to house for the first time in many years most Junior Members on site; and to the renovation and extension of the Library, which was completed in 2002.

In 2017 Pembroke announced its intention to purchase and redevelop land owned by the University, directly across the road from the College. Thanks to a very generous gift of £35 million from Ray Dolby and his family, Pembroke will be able to build Ray and Dagmar Dolby court, which will house 90 students. The Mill Lane Project also includes plans for a new café bar, student facilities, partnership facilities, an art gallery and a second Porters' Lodge. The recent purchase of Emmanuel United Reformed Church, adjacent to this site, will finally provide the College with an auditorium (220 seats), which can support large lectures and musical performances. In February 2019 the College completed the first phase of the project, with the relocation of three departments and the Master's Office across the road into a refurbished 74 Trumpington Street. Planning permission for the project was granted in June 2019. The total cost of the project is estimated at around £75 million. Money for this project, as well as a further £15 million for student support and student activities, is being raised under the banner of the £90 million *The Time and The Place* Campaign. The estimated completion of the project is 2024.

Today the College comprises approximately 442 undergraduates, 260 graduate students, 84 Fellows, and around 220 staff. This number is supplemented as necessary at various times of the year by temporary staff. Pembroke contributes to teaching and research across all subjects in the University, and is currently performing very strongly academically. It has a reputation as a friendly college, in which Fellows, students and staff work together to create an environment in which people can excel. The College has also developed extensive development, conference and international study programmes in recent years, which have added much to the financial security of the College and enabled it to undertake many recent initiatives. Surely Marie de St Pol would not recognise the place today – but hopefully she would be pleasantly surprised about the size, scale and character of the College that she founded over 660 years ago.



**1. APPLICATION OR CV**

Your application form and/or CV, and any other documentation submitted as part of your application, must be completed accurately and truthfully. Failure to do so may be classed as gross misconduct and may result in the termination of your employment. If you become aware of any inaccuracy or omission in the information supplied, you should advise your Head of Department/Line Manager immediately.

**2. REFERENCES**

All offers of employment are made subject to satisfactory references, and we normally take up two references from previous employers (or other relevant sources, where employer references are not available). In the event of an unsatisfactory reference being received during or before employment starting, this could result in the withdrawal of our offer, or dismissal (if you have already started work for us). In such cases, we will usually discuss the unsatisfactory reference with you before making a decision.

**3. RIGHT TO WORK IN THE UK AND TAX DECLARATION**

By law, we are required to check that all new employees have the right to work in the UK. Unless you have already provided this information to us, it is essential that you provide one of the following original documents, as failure to do so may result in us delaying your joining date and the offer of employment may be withdrawn:

- A current or expired passport showing that you are a British citizen (or are named in the passport as a child of a British citizen) or a citizen of the UK and Colonies having the right of abode in the UK.
- Other relevant documents identifying you as a British citizen.
- A current passport or a national identity card which identifies you as a national of the EEA or Switzerland (or the child of such a person).
- A Registration Certificate or document certifying Permanent Residence issued by the Home Office to you as a national of the EEA or Switzerland.
- A Permanent Residence Card issued by the Home Office to you as a family member of a national of an EEA country or Switzerland.
- A current Biometric Residence Permit issued by the Home Office which gives you the right to stay indefinitely in the UK, or which has no time limit.
- A passport or other travel document endorsed to show that you are exempt from immigration control, are allowed to stay indefinitely in the UK, have the right of abode in the UK, or have no time limit on your stay in the UK.

A copy of this document will be taken and retained on your personal file and the original returned to you. Note that you will not be permitted to start working for us until the right to work checks have been completed to our satisfaction.

Should you cease to be entitled to work in the UK at any time during your employment with us, failure to notify either your manager or the HR Manager may trigger disciplinary proceedings and amount to gross misconduct warranting summary dismissal. Any restrictions on your working hours should be fully complied with.

Upon joining us, you should also provide a P45; if you cannot do this within your first week, you will be requested to sign a declaration about your employment situation (this confirms whether this is your first job since 6 April or your only job, and what taxable benefits or pension payments you have received) and also, we need to know whether any student loan repayments should be deducted from your pay.

**4. INDUCTION**

In your first week you will receive a comprehensive induction programme led by your Head of Department/Line Manager, during which you will be introduced to the key employees and departments with which you will interact and start to understand our processes and procedures.

Usually within your first month of employment at Pembroke College you will be invited to attend a further induction programme organised by the HR Department which will include important information relevant to your employment and a health and safety briefing.

We recognise that starting a new job can be stressful. Please do raise any queries or concerns that you may have as soon as possible in order that we may resolve these.

**5. JOB DESCRIPTION**

You will be provided with a job description which details the main duties of the position to which you have been appointed. We may make amendments to your job description from time to time, in relation to the changing needs of the College and your own abilities. No changes will be made without first consulting you and giving you the opportunity to comment on the changes.

Please note that we do expect employees to be flexible and you may be requested to take on tasks usually conducted by colleagues (but similar to your own) during times of holiday and/or sickness or in order to help meet deadlines if the need arises.

**1. NORMAL HOURS OF WORK**

You will have no normal hours of work, but once you have been offered and accepted a period of work, our normal standards apply. We place a high emphasis on good time-keeping as lateness or early departure affects productivity and puts extra burden on your colleagues.

You are expected to be at your place of work and prepared to begin work at the start of any shift. Habitual lateness or early departure may result in deductions from pay and termination of your casual agreement.

If you expect to be late on any occasion you should inform the appropriate person to explain the circumstances of the delay and advise your anticipated time of arrival. You are expected to make every possible attempt to attend work when you experience difficulties and disruptions to your normal means of transport, e.g. due to strike action, the failure of public or private transport or adverse weather conditions. If you are aware of or experience any difficulties you should notify your Head of Department/Line Manager as soon as possible. If you are late, you may be required to make up the time on that or a subsequent day.

If for any reason you need to leave work due to a personal emergency or illness, you must inform your Head of Department/Line Manager and await permission to leave site. Leaving site without permission may result in disciplinary action.

**2. WORKING TIME REGULATIONS**

You do not fall within the scope of the Working Time Directive as your role allows you to pre-determine your own working time. You should however ensure that you do not work excessive hours over sustained periods.

**1. PAYSLEIPS AND QUERIES**

On joining us you are requested to provide a P45 (or to sign a declaration about your employment situation) and to complete a form giving your name, home address and bank or building society details. Any changes to these should be notified to your Head of Department/Line Manager in writing as soon as they occur. It is your responsibility to ensure that you also notify HMRC of any such changes. However, we will include details of any changes of employees' addresses on our submission to HMRC and they will note these and update their records. You should continue to notify them of any other changes directly.

You will receive a payslip showing how the total amount of your pay has been calculated. It will also show the deductions made, and the reasons for them (e.g. tax, National Insurance contributions etc.). Any queries regarding your payslip should be raised in the first instance with your Head of Department/Line Manager and may subsequently be raised with the Payroll Officer. If you have a query regarding any tax coding or deductions, the address and reference code of the Tax Office which deals with our affairs is as follows:

Telephone No:	0300 200 3300
Pembroke College Employer Reference:	126/U33
HMRC Website:	<a href="http://www.gov.uk/HMRC">www.gov.uk/HMRC</a>

If you are overpaid for any reason you are required to notify your Head of Department/Line Manager. The amount of overpayment will normally be deducted from the following payment, but if this would cause hardship, alternative arrangements to repay may be made. Failure to report an overpayment may result in disciplinary action.

At the end of each tax year current employees will be given a form P60 showing the total pay you have received from the College during that year, and the amount of deductions for Income Tax and National Insurance. You may also be given a form P11D showing non-salary benefits. You should keep these documents in a safe place as you may need to produce them if making enquiries with HMRC or if completing a self-assessment form.

### 1. ANNUAL HOLIDAYS

You are entitled to statutory paid holiday pro rata of 5.6 weeks each year in accordance with the relevant statutory provisions. Your leave year commences on the date you start a period of work or series of periods of work. Payment in respect of statutory annual leave will be in accordance with the Working Time Regulations.

You will accrue annual leave pro rata of 33 days per annum for full time employees/workers, based on calculating the average of your previous 12 weeks of work. The holiday element of your payments will be separately identified on your pay slip.

## SICKNESS/INJURY PAYMENTS AND CONDITIONS

If you are unable to attend work on a day when you have been offered and accepted work, you should contact your Head of Department/Line Manager personally as soon as possible, but in any event no later than 30 minutes after your scheduled start time on your first day of absence. In order to minimise disruption it is important that you give as much notice of your absence as practically possible. If you are unable to notify us personally, please ensure that you get a relative, neighbour or friend to contact us. In addition, we ask that you notify your Head of Department/Line Manager of the reason for your absence and provide an indication of its likely duration. The reason for your absence will be kept confidential.

It is your responsibility to keep the Head of Department/Line Manager informed of your situation on a regular basis.

Any payments made in respect of absence due to sickness or injury will be made only in accordance with the Statutory Sick Pay scheme.

The College does not operate any contractual sickness or injury schemes for casual workers. You may however be entitled to SSP, subject to you meeting the eligibility criteria. To be entitled to SSP you must earn at least the equivalent of the Class 1 National Insurance lower earnings limit. As your work is of a casual nature, you will be working for defined short periods only and it is therefore unlikely that you will meet the eligibility requirements. Any absence from work will therefore normally be unpaid; however should you meet the eligibility requirements for SSP this will be paid to you.

As you work irregular hours, you have no normal days of work: therefore, for SSP purposes, your qualifying day of work will be Wednesday.

### 1. HEALTH AND SAFETY POLICY FOR PEMBROKE COLLEGE

Pembroke College has a separate Health & Safety Policy. Copies of this Policy are available in all departments and on the College Website: <https://www.pem.cam.ac.uk/the-college/human-resources/>. All employees should ensure they are familiar with this policy.

### 2. HEALTH AND SAFETY POLICY STATEMENT

The Governing Body regards health and safety matters to be a high priority and an integral part of all its activities including the maintenance of quality and standards. The Governing Body considers health and safety to be a management responsibility equal to that of any other function. It is, therefore, the policy of the Governing Body to provide and maintain a working and educational environment that is safe and without risks to health, adequate as regards welfare facilities and that ensures that persons not in the College's employment are not exposed to risks that may arise from the College's activities.

The Governing Body is resolved to provide and maintain equipment and systems of work that are safe and will provide such information, training and supervision as is necessary to achieve this aim.

The Governing Body will provide such resources as may be necessary to enable it and its employees to meet their health and safety responsibilities.

In order to implement this policy the commitment of everyone concerned is necessary and it is a condition of employment that all employees will co-operate with the Governing Body by:

- Following instructions in the safety rules or notices displayed on College property.
- Complying with any code of practice or guidance that may apply to their work or workplace.
- Taking reasonable care for the health and safety of themselves and of any other persons who may be affected by their acts or omissions at work.

We are committed to effectively managing health and safety risks arising from our work activities and complying with our legal obligations. In particular, we will ensure, so far as is reasonably practicable, that:

- Adequate financial and operational resources are made available for managing health and safety risks.
- Plant and safe systems of work are provided and maintained that are safe and without risks to health.
- Arrangements are in place for safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances.
- Such information, instruction, training and supervision as is necessary are provided for the health and safety at work of employees and workers.
- The place of work under our control is maintained in a safe condition and that the means of access to and egress from it are provided and maintained in a safe condition without risks to health.
- The working environment is provided and maintained so that it is safe, without risk to health and adequate with respect to facilities and arrangements for the welfare of employees.

We firmly believe that the success of our policy relies on the full co-operation of all employees; therefore, we will ensure that it is brought to their notice. We will regularly review our health and safety policy to take account of any significant changes in our operations.

### 3. HOUSEKEEPING AND USE OF RESOURCES

Both from the point of view of safety and of appearance, personal and general work areas, the Porters' Lodge and the dining areas must be kept clean and tidy at all times.

We also try wherever possible to ensure minimum waste of resources and equipment, to ensure the cost-effective and efficient running of our activities. Employees are asked to take care to avoid unnecessary or extravagant use of services, time, materials and equipment.

The following are illustrations of the ways you can help:

- Turn off any unnecessary lighting and heating. Preserve heat whenever possible.
- Turn off computers and other electrical equipment at the end of the day; do not leave equipment on standby.
- Ask for other work if your job has come to a standstill.
- Start with the minimum of delay after arriving for work and after breaks.

Please refer to your contract of employment for our rules on repayment for loss or damage of College equipment.

Note that the following provision is an express written term of all employees' contracts of employment: "We may also deduct the full or part cost of the repair or replacement of any equipment, stock or property (including non-statutory safety equipment) that is damaged or lost as the result of your negligence or deliberate vandalism".

Any loss that is the result of your failure to observe rules, procedures or instruction, or is as a result of your negligent behaviour or your unsatisfactory standards of work, may render you liable to reimburse the full, or part of, the cost of the loss. A disciplinary hearing and full investigation will be conducted before any deductions from salary are made.

#### **4. ACCIDENT REPORTING AND FIRST AID**

If you have an accident or are taken ill while at work, you should let your Head of Department/Line Manager know as soon as you can. Assistance is available within College from the Nurse and First Aiders. The Nurse is available at set times, Monday to Friday (for current details, consult the glass notice boards outside the kitchen area). A list of current First Aiders is displayed on all College notice boards.

If you are given assistance by a First Aider or the College Nurse because of an accident at work, the First Aider will be required to complete a First Aid Report. This form is given to the HR Department for investigation. You should report all accidents at work, no matter how minor, to the HR Department, based in 74 Trumpington Street.

#### **5. HYGIENE**

- Any exposed cut or burn must be covered with a first-aid dressing.
- If you are suffering from an infectious or contagious disease or illness such as rubella or hepatitis you must not report for work without clearance from your own doctor.
- Contact with any person suffering from an infectious or contagious disease must be reported to your Head of Department/Line Manager and the HR Office before commencing work.

#### **6. PROTECTIVE CLOTHING AND EQUIPMENT**

Protective clothing and other equipment that may be issued for your protection because of the nature of your job must be worn and used at all appropriate times and as instructed. Failure to do so could be a contravention of your health and safety responsibilities. Once issued, this protective wear/equipment is your responsibility and you should ensure that it is looked after and kept clean and serviceable. Persistent failure to use protective clothing and equipment may result in disciplinary action.

Protective clothing and equipment will be replaced when necessary due to reasonable wear and tear. If you lose your protective clothing or equipment or damage it to the extent that it cannot be used/worn (or it is not doing the job it was designed for) we will replace this for you, but you will be responsible for meeting the cost of the replacement article. This will be deducted from your pay.

#### **7. USE OF PERSONAL MUSIC SYSTEMS**

Personal music systems and/or headphones or earpieces may only be used where these will not distract either the wearer or those who work in close proximity to the wearer; adversely impact on job performance or create a health and safety risk due to inattention or impaired hearing. Such equipment may therefore only be used at work with the prior consent, and at the discretion of your Head of Department/Line Manager.

#### **8. EMERGENCY PROCEDURES**

Full details of the College's emergency procedures are held at the Porters' Lodge.

#### **9. SMOKING/VAPING**

You are not permitted to smoke in any office, function room or College building. There are two designated smoking areas within the College grounds (see map page 8 for details). Extra smoking areas may be designated for other College functions.

Smokers may use their standard rest breaks to smoke in the designated areas only, but should not take additional breaks to do so. Please note that failure to observe our "no smoking" policy may lead to disciplinary action being taken.

#### **10. ALCOHOL, DRUGS AND SUBSTANCE ABUSE**

We have a duty to ensure, so far as is reasonably practicable, the health and safety and welfare at work of all our employees/workers and similarly you have a responsibility to yourself and your colleagues. Apart from College-arranged celebration drinks and entertaining, you are not permitted to consume alcohol on the premises. You should not consume alcohol before or whilst driving on official business. The use of alcohol, non-prescribed drugs, and the misuse of substances such as glue or solvents, may impair the safe and efficient running of the College and is forbidden both during working hours and in the time prior to this where it could affect your ability to work safely. If you are unable to work properly, or cause your colleagues to have reason to object to your conduct, through either alcohol, drug use, or substance misuse, this may lead to action being taken against you under the Disciplinary Procedure.

If we suspect that you are under the influence of alcohol or drugs you may be suspended immediately and we may ask for an alcohol or drug test to be carried out by a nominated person on the day suspected or after suspension. Action will also be taken if the misuse takes place at a conference, exhibition or social event either organised by Pembroke College or that you are attending as a representative of the College.

If you face a situation where you have become dependent on alcohol, drugs or substances, and you bring this to our attention prior to us raising any concerns or taking any disciplinary action, we may help you to seek appropriate treatment and allow time to recover. Disciplinary action may be suspended provided that you follow a suitable course of action outlined in an agreement that can be monitored by your Head of Department/Line Manager. Your duties may be restricted during this period and we will seek to offer alternative tasks that you are capable of undertaking without risk to your, or others, safety. If we are not able to keep your post open during a prolonged period of absence, or if you are not able to return to the same job after effective treatment or this is not advisable for whatever reason, we may offer suitable alternative employment where possible but cannot guarantee this.

If a prescription drug affects your working capabilities, (e.g. makes you tired, drowsy, or dizzy), your Head of Department/Line Manager should be informed as to any risks this may cause to you and those who work with you.

## 11. HYGIENE FOR FOOD HANDLERS/CATERING STAFF

- You must wash your hands immediately before commencing work and after using the toilet.
- Any cut or burn on the hand or arm must be covered with an approved visible dressing.
- Head or beard coverings and overalls/uniforms, where provided, must be worn at all times and long hair must be tied back.
- No jewellery should be worn, other than plain band wedding rings, without the permission of the Head of Department/Line Manager.
- You should not wear excessive amounts of make-up or perfume. Nail varnish/nail extensions are not permitted.
- If you are suffering from an infectious or contagious disease or illness, or have a bowel disorder, boils, skin or mouth infection, you must not report for work without clearance from your own doctor.
- Contact with any person suffering from an infectious or contagious disease must be reported and you must have clearance from your own doctor before commencing work.

## 12. LIFTING AND HANDLING TECHNIQUES

All reasonable effort is made to limit the need for manual handling within the College. However, we do ask that employees take sensible precautions to protect themselves, as set out below:

Wherever possible, design your workload to minimise any lifting, for example, by keeping heavy files and breakable items on the middle and lower shelves, placing the most frequently used files and books closest to your workstation, splitting loads before lifting them, making use of any trolleys that are available for conveying goods.

You should always take care when lifting heavy loads and obtain help if necessary, especially with computers/heavy stationery. When carrying files or boxes, make sure that you can see where you are going, particularly if moving up or down stairs. Always follow these guidelines when:

### LIFTING

- Before lifting the object, check there are no sharp or rough parts sticking out.
- Place your feet slightly apart to give a comfortable stance.
- Keeping your feet flat on the floor, squat down, keeping your back straight.
- Take a firm grip of the object and keeping it as near as possible to the body, stand up using your legs to do the work.
- If the object feels too heavy, or is awkward to manage on your own, **do not attempt to lift it**, get assistance.

### PULLING/PUSHING

- Pushing is much easier than pulling.
- Always remain upright.
- Keep your spine straight.
- Put your hands straight out in front of you and grasp the object firmly.
- Depending on the direction, lean backwards and/or forwards, transferring the weight to the most backward or forward foot.
- Remain upright at all times, keeping your spine straight.

Where necessary, employees will be provided with information and training on safe handling.

## 13. SECURITY

If you are issued with keys to our premises, you should never let another person have these unless that person is a Head of Department/Line Manager. If you lose a key you should report this immediately to your Head of Department/Line Manager.

It is the responsibility of all our employees to ensure that on leaving the premises, windows are shut and secured, internal and external doors are locked, and all computers and electrical equipment shut down and locked away, where appropriate.

## 14. CLOSED CIRCUIT TELEVISION

CCTV cameras are in operation in Pembroke College. These have been installed to help protect the assets of Pembroke College, investigate and/or to detect crime, apprehend and/or prosecute offenders, and to protect personal safety. CCTV footage may be used as evidence in criminal proceedings, in disciplinary investigations and hearings, and for safety monitoring. Appropriate signage informing employees, workers and visitors of the CCTV system is in place. CCTV footage is stored securely with only authorised people having access. It is retained in accordance with our impact assessment and only for as long as is necessary.

For further information please see the CCTV Policy and Code of Practice in the Health and Safety Policy and Procedures Handbook, website: <https://www.pem.cam.ac.uk/college/about-pembroke/human-resources>.

## 15. RIGHT OF SEARCH

We reserve the right of search to combat theft, or the use of drugs or any other illegal substances on College premises. To this end, we may carry out random checks on visitors', workers and employees. We reserve the right to search the person and their property, including vehicles whilst on our premises, many of which are simple precautionary measures and do not imply suspicion.

Any employee who is searched will have the right to be accompanied by a colleague who is on the premises at the time of the search. We also reserve the right to call the police for assistance at any stage should we believe this to be necessary.

## 16. ACCIDENTAL DAMAGE OR LOSS OF YOUR PROPERTY

We do everything possible to keep our premises secure, but there is always the risk that petty crime will occur. We cannot and do not guarantee the security of your personal belongings; nor can we make insurance claims or offer financial compensation if thefts do occur without evidence of a physical break-in. You should not therefore leave your belongings unattended or unsecured.

Any items of personal or financial value should be kept with you or locked away and should either be taken home with you at the end of the day or locked away in a drawer, cupboard, filing cabinet or locker.

Similarly, we do not accept any liability for cars, other vehicles or bicycles brought onto our premises.

#### **17. LOST PROPERTY**

Articles of lost property should be handed to the Porters' Lodge who will retain them whilst reasonable attempts are made to discover the identity of the owner and inform that person. Lost property items will be kept for one month.

#### **18. REMOVAL OF WASTE OR SCRAP PRODUCTS**

All materials and equipment kept on College premises remain the property of Pembroke College and may not be removed without the prior approval of a Head of Department/Line Manager.

We reserve the right to define 'materials' in specific instances but, generally, if it does not belong to you, do not remove it even if you consider it to be scrap or unwanted material. For the avoidance of doubt, any materials or equipment include those which may be deemed to be scrap, broken, obsolete or surplus to requirements and includes consumables such as food and beverages.

Unauthorised removal of any College property is regarded as theft. We operate a zero-tolerance policy on theft and regard this as gross misconduct. Theft is grounds for immediate termination of employment and may cause us to bring criminal charges.

#### **19. PARKING**

##### **CAR PARKING:**

Car parking on-site is extremely limited and under considerable pressure. Not all staff who wish to park on site are able to do so, though some additional parking is available at nearby hostels. Spaces are allocated by the HR Office in consultation with the Bursar's Office on the basis of need, considering factors such as distance travelled, hours worked and disability. If you wish to apply for a parking space, contact the HR Office. Only staff with permission to park may do so. No liability is accepted for damage to private vehicles brought onto College premises, however it may be caused.

##### **MOTORCYCLES:**

Motorcycles may be kept in the car park behind the Orchard Building. Please do not leave motorcycles elsewhere as they can constitute a fire hazard. No liability is accepted for damage to private motorcycles brought onto College premises, however it may be caused.

Under no circumstances should you park in areas designated for disabled people or visitors unless eligible to do so.

##### **CYCLES:**

If you cycle to work you must register your bicycle with the Porters' Lodge. You will be issued with a weatherproof sticker displaying the College and your unique ID number which you should stick to your cycle on the upper section of the main frame as soon as possible. Unregistered cycles left on College grounds may be culled and disposed of.

Cycles parked within the College must only be left in the cycle racks, not propped against walls, and should always be locked securely. Cycles must not be ridden within the main College site. No liability is accepted for damage to private cycles brought onto College premises, however it may be caused.

### **1. CONFIDENTIALITY**

Pembroke College holds confidential information about all employees, Fellows and students. All staff, students, Fellows and customers of the College have a right to confidentiality in their private affairs, their personal information being handled properly and not disclosed irresponsibly or unnecessarily. Therefore, it is important that staff who have access to confidential information ensure that confidentiality is maintained properly at all times.

If during the course of your employment you have access to, or reason to handle, personal information, you should make every effort to comply with the General Data Protection Regulations (GDPR). If you are unsure of the current legal requirements please check with your Head of Department/Line Manager.

In general, all information that:

- Has been acquired by you during or in the course of your employment, or has otherwise been acquired by you in confidence and;
  - Relates to College affairs including minutes of meetings and supporting papers, College members, employees, Fellows, students or other persons or businesses with whom we have dealings of any sort and;
  - Has not been made public by, or with, College authority
- will be considered confidential.

Other than in the course of your legitimate work activities, or as required by law or permitted under the Public Interest Disclosure Act 1998, you must not at any time, whether before or after the termination of your employment, disclose such information to any person without the Bursar's written consent.

It is also important that good standards of confidentiality are maintained within the College. Please ensure that you pursue your daily work in a way that has regard to the information you hold, see or hear, and make sure that you do not compromise this through your working practices, for example, by leaving papers out in view when visitors are around, or at the end of the day, or discuss confidential information with colleagues. If you are in any doubt about what confidential information is, or how to deal with it, please seek advice from your Head of Department/Line Manager.

You are to exercise reasonable care to keep safe all documentary or other material containing confidential information, and shall at the time of termination of your employment with the College, or at any other time upon demand, return to the College any such material in your possession.

You should also endeavour to prevent any such information from unauthorised disclosure or publication. The restrictions in this clause shall cease to apply to such information which comes into the public domain, other than as a result of an unauthorised disclosure by you or any employee or ex-employee of Pembroke College.

The College wishes to ensure that confidential material is disposed of appropriately and has a contract with a confidential shredding company. This is the preferred and most secure method of disposal. Please ask your Head of Department/Line Manager for more information about this service. In-house shredders are provided but are considered to be less reliable as a method of destruction. Please ask your Head of Department/Line Manager if you are in any doubt as to whether to use the contract service or in-house shredders.

### **2. THE GENERAL DATA PROTECTION REGULATIONS (GDPR) 2018**

The College holds personal data about job applicants, employees, clients, suppliers and other individuals for a variety of business purposes.

This policy sets out how the College seeks to protect personal data and ensure all staff understand the rules governing their use of personal data to which they have access in the course of their work.

In particular, this policy requires staff to ensure that the Bursar should be consulted before any significant new data processing activity is initiated to ensure that relevant compliance steps are addressed.

The Bursar is responsible for the monitoring and implementation of this policy. If you have any questions about the content of this policy or other comments you should contact the Bursar.

### **3. SCOPE**

This policy applies to all staff, which for these purposes includes employees, temporary and agency workers, other contractors, interns and volunteers.

All staff must be familiar with this policy and comply with its terms.

The College may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be circulated to staff before being adopted.

### **4. DEFINITIONS**

In this policy:

- "business purposes" means the purposes for which personal data may be used by the College, e.g. personnel, administrative, financial, regulatory, payroll and business development purposes and health and safety;

- "personal data" means information relating to identifiable individuals, such as job applicants, current and former employees, agency, contract and other staff, clients, suppliers and marketing contacts. This includes expression of opinion about the individual and any indication of someone else's intentions towards the individual;
- "sensitive personal data" means personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership (or non-membership), physical or mental health or condition, sexual life, criminal offences, or related proceedings. Any use of sensitive personal data must be strictly controlled in accordance with this policy;
- "processing data" means obtaining, recording, holding or doing anything with data, such as organising, using, altering, retrieving, disclosing or deleting it.

## **5. GENERAL PRINCIPLES**

The College's policy is to process personal data in accordance with the applicable data protection (GDPR) laws and rights of individuals as set out below. All employees have personal responsibility for the practical application of the College's (GDPR) policy.

The College will observe the following principles in respect of the processing of personal data:

- to process personal data fairly and lawfully in line with individuals' rights;
- to make sure that any personal data processed for a specific purpose are adequate, relevant and not excessive for that purpose;
- to keep personal data accurate and up to date;
- to keep personal data for no longer than is necessary;
- to keep personal data secure against loss or misuse;
- not to transfer personal data outside the EEA (which includes the EU countries, Norway, Iceland and Liechtenstein) without adequate protection.

## **6. FAIR AND LAWFUL PROCESSING**

Staff should generally not process personal data unless:

- the individual whose details are being processed has consented to this;
- the processing is necessary to perform the College's legal obligations or exercise legal rights, or
- the processing is otherwise in the College's legitimate interests and does not unduly prejudice the individual's privacy.

When gathering personal data or establishing new data protection (GDPR) activities, staff should ensure that individuals whose data is being processed receive appropriate (GDPR) notices to inform them how the data will be used. There are limited exceptions to this notice requirement. In any case of uncertainty as to whether a notification should be given, staff should contact the Bursar's office.

It will normally be necessary to have an individual's explicit consent to process 'sensitive personal data', unless exceptional circumstances apply or the processing is necessary to comply with a legal requirement. The consent should be informed, which means it needs to identify the relevant data, why it is being processed and to whom it will be disclosed. Staff should contact the Bursar's office for more information on obtaining consent to process sensitive personal data.

## **7. ACCURACY, ADEQUACY, RELEVANCE AND PROPORTIONALITY**

Staff should make sure data processed by them is accurate, adequate, relevant and proportionate for the purpose for which it was obtained. Personal data obtained for one purpose should generally not be used for unconnected purposes unless the individual has agreed to this or would otherwise reasonably expect the data to be used in this way.

Individuals may ask the College to correct personal data relating to them which they consider to be inaccurate. If a member of staff receives such a request and does not agree that the personal data held is inaccurate, they should nevertheless record the fact that it is disputed and inform the Bursar's office.

Staff must ensure that personal data held by the College relating to them is accurate and updated as required. If personal details or circumstances change, staff should inform the Bursar's office so the College's records can be updated.

## **8. CCTV**

We utilise CCTV at our premises for the purposes of crime prevention and protection of our staff, visitors and premises. We recognise that the use of CCTV is potentially intrusive and as such, access to CCTV footage is restricted to those staff that have a need to access. You should refer to the CCTV Policy for more detailed information.

## **9. SECURITY**

Staff must keep personal data secure against loss or misuse. Personal data must not be provided to third parties unless it is necessary to do so and in accordance with the data protection (GDPR) principles. Where the College uses external organisations to process personal data on its behalf, additional security arrangements need to be implemented in contracts with those organisations to safeguard the security of personal data. Staff should consult the Bursar to discuss the necessary steps to ensure compliance when setting up any new agreement or altering any existing agreement.

## **10. DATA PROCESSORS**

Where any personal data that we hold is passed to third parties to process on our behalf, this must only be done where we have satisfied ourselves as to the suitability of such third party and have a formal written agreement in place. All such agreements must be approved by the Bursar and entered on our data processor register.

## **11. DATA RETENTION**

Personal data should not be retained for any longer than necessary. The length of time over which data should be retained will depend upon the circumstances including the reasons why the personal data were obtained.

## **12. INTERNATIONAL TRANSFER**

Staff should not transfer personal data internationally without first consulting the Bursar. There are restrictions on international transfers of personal data from the UK to other countries because of the need to ensure adequate safeguards are in place to protect the personal data. Staff who are unsure of what arrangements have been or need to be put in place to address this requirement should contact the Bursar.

## **13. RIGHTS OF INDIVIDUALS**

Individuals are entitled (subject to certain exceptions) to request access to information held about them. All such requests should be referred immediately to the Data Protection Officer. This is particularly important because the College must respond to a valid request within the legally prescribed time limits.

Any member of staff who would like to correct or request information that the College holds relating to them should contact the Bursar's office. It should be noted that there are certain restrictions on the information to which individuals are entitled under applicable law.

Staff should not send direct marketing material to someone electronically (e.g. by email) unless they have consented to receiving such communications. Staff should abide by any request from an individual not to use their personal data for direct marketing purposes and should notify the Bursar about any such request. Staff should contact the Bursar for advice on direct marketing before starting any new direct marketing activity.

## **14. REPORTING BREACHES**

Staff have an obligation to immediately report actual or potential data protection (GDPR) compliance failures to the Data Protection Officer as soon as they are identified. This allows the College to:

- investigate the failure and take remedial steps if necessary; and
- make any applicable reports to the Information Commissioner and others. We have a very short period of time to make such reports.

## **15. CONSEQUENCES OF FAILING TO COMPLY**

The College takes compliance with this policy very seriously. Failure to comply puts both staff and the College at risk. The importance of this policy means that failure to comply with any requirement may lead to disciplinary action, which may result in dismissal.

Staff with any questions or concerns about anything in this policy should not hesitate to discuss these with the Bursar.

If you have any concerns over the requirements of GDPR, or over the handling of your own or another person's personal data, please discuss them with your Head of Department/Line Manager and the Data Protection Officer.

Pembroke College's (GDPR) Policy is situated on the Pembroke College Website: the address is:

<https://www.pem.cam.ac.uk/college/about-pembroke/legal-information/data-protection>.

All material, whether held on paper, electronically, magnetically or other formats, which was created by you solely for Pembroke College, in the course of your employment, is College property and copyright. At the time of termination of your employment with the College, or at any other time upon demand, you shall return to the College any such material in your possession.

## **16. SOCIAL MEDIA**

For details refer to the Social Media Policy.

**1. PROFESSIONAL CONDUCT**

We aim to encourage the highest professional and ethical standards and require all employees to maintain our good reputation by behaving with responsibility and integrity and acting in a courteous, honest and fair manner towards anyone with whom they deal.

Our employees are our best ambassadors, and they represent us whenever they meet the public, visitors, our students and alumni. We therefore ask that the dress, appearance, conduct and personal hygiene of all our employees presents us in a professional light at all times. This includes at events outside of the workplace such as training courses, seminars and conferences, or social functions.

We aim to create pride in the College and generate a feeling of loyalty and trust with everyone with whom we come into contact.

All of our employees must comply with the laws of any country in which they operate, and meet the requirements of any relevant regulatory authorities and/or appropriate codes of practice and conduct. If you are in any doubts as to what is required you should discuss this with your Head of Department/Line Manager.

You are required to notify the HR Manager immediately if you become aware of any legal proceedings being taken against you (including any motoring offence if you drive a College vehicle for business use or use a College vehicle for personal use), or if any allegations of impropriety or misconduct are made against you that may affect your ability to undertake your work for the College or may affect the College's reputation. If you are charged with a criminal offence you must notify the HR Manager immediately.

**2. DRESS CODE AND APPEARANCE**

Your personal appearance is an important contribution to the image and reputation of the College and we expect that all staff will maintain a high standard of personal presentation including dress, cleanliness and personal hygiene.

Uniforms must be worn where they are provided, as must personal protective equipment where it has been judged essential for safe working, e.g. Catering. In some departments particular standards are required. Your Head of Department/Line Manager should ensure that you receive the information and training you need, but ask if you are in any doubt. Where uniforms are not provided staff should present a professional image with regard to appearance and standards of dress, as appropriate to their responsibilities. Heads of Department may relax dress code standards in exceptional circumstances for specific tasks.

Please observe standards of dress and appearance (e.g. hair and body adornment) appropriate to working in a professional environment. In all cases we expect you to be both conventionally dressed and smart. This means that clothes should fit properly and be wrinkle free, with no tears, rips or holes. Clothing that distracts other people is unacceptable, including T-shirts with offensive slogans, graphics or imprints, and tight clothing. These items never generate a professional image. Your dress should be wholly appropriate and should not distract or offend the people you are working with, to the point that it impacts on your ability to perform your role responsibly.

The Head of Department/Line Manager will advise you if your dress or appearance is not appropriate for working in a professional environment.

Your Head of Department/Line Manager may request that any visible tattoos be covered whilst at work. We aim to be fair and reasonable and for our requirements to apply with equal formality to all genders.

**3. GENERAL UPKEEP OF PERSONAL WORK AREAS**

Both from the point of view of safety and of appearance, personal work areas must be kept clean and tidy at all times.

**4. STUDENT RELATIONS**

We place great emphasis on maintaining good and long-term relationships with our students. You are therefore reminded that you are a representative of Pembroke College when dealing with students and must act in a responsible, courteous and professional manner.

Pembroke College expects employees to behave in-line with their pastoral responsibility towards all students whatever their age.

Whilst you are in our employment, you are strictly forbidden from contacting (whether formally or informally, and by any means) any of our past, current or prospective suppliers, students for any purpose other than for the legitimate business interests of Pembroke College. This includes but is not limited to activities which may be linked to setting up in a competing business or working for a competitor after leaving our employment. We would regard such behaviour as gross misconduct which could result in summary dismissal.

**5. PERSONAL RELATIONSHIPS AT WORK**

We recognise that, from time to time, close personal relationships may develop between members of staff and between staff and students.

We fully acknowledge the right of employees to privacy in their personal affairs; however, experience has shown that the effect of such relationships may have an adverse impact on the College, especially where a conflict of interest or breach of confidentiality may arise.

Close personal relationships are of concern to us where there may be an abuse of the employee's position of trust, a breach of our required standards of propriety, a compromise of professional standards, a conflict of interests or a potential breach of confidentiality.

Employees whose personal relationship may potentially adversely impact on their ability to fulfil their roles for us in any way are strongly recommended to advise the HR Manager.

Any such information will be treated in the strictest confidence if requested; the focus will be on determining whether there is a potential or actual conflict of interest and if so, to determine what, if any, steps may need to be taken to protect both the individuals and the College.

## **6. GIFTS AND HOSPITALITY**

Note that it is an offence under the Bribery Act 2010 to offer, promise or give a bribe or to receive a bribe. (The latter includes requesting, agreeing to receive or accepting a bribe).

It is a strict rule therefore that nothing that could be viewed as an inducement (e.g. personal gifts or any hospitality or entertainment of any kind), may be accepted from a supplier, student or prospective supplier without the prior agreement of your Head of Department/Line Manager. The details of any offer of such a gift/hospitality must be declared immediately to the HR Department/Line Manager.

If you are found to have accepted or given any bribe you will face disciplinary action, which could include dismissal for gross misconduct.

At times of special occasions such as Christmas, small gifts of nominal value may be accepted by prior agreement with your Head of Department/Line Manager. Gifts such as wine or consumables will be distributed according to the instruction of the Head of Department/Line Manager.

However, on no account may any inducement be offered to, or received from any client/customer or supplier of goods or services with the intention of gaining a business advantage (i.e. a bribe). If you are found to have accepted or given any bribe you will face disciplinary action, which could include dismissal for gross misconduct. You are also required to disclose any concerns about bribery (or any other unlawful activity), whether in relation to your colleagues, Head of Department/Line Manager, contractors or anyone associated with our College.

## **7. FRAUD, THEFT AND SUSPICIOUS ACTS**

If you have knowledge of, or reasonably suspect, any fraud theft or other suspicious act taking place within the College you should report this to your Head of Department/Line Manager, or use our Whistleblowing Policy, a copy of which is included at the back of this Staff Handbook.

Equally, if you have knowledge, or suspect, that financial proceeds from crime are being passed through the College to cleanse their identity and make them appear to be from legitimate sources, you are required by law to report this to your Head of Department/Line Manager as soon as reasonably practicable after the information comes to your attention. Failure to do so may constitute an offence.

## **8. DEALING WITH THE MEDIA**

No interviews with, or statements to, the media should be given about your employment at the College or on issues surrounding College business without the prior consent of the Master, Bursar or Senior Tutor. You should refer all communications and enquiries from the media to your Head of Department/Line Manager.

Please do not discuss the College or any of its students, whether officially or 'off the record', or endorse any product or service or person without our specific permission. If approached by a member of the press, do not say 'no comment'. Take the contact details and ensure that the message is passed on immediately to the Bursar's Office in the first instance.

No publication of any material or opinion based on experience gained with us may be made without the written consent of the Bursar's office.

## **9. INTERNAL COMMUNICATIONS**

Good communications are essential to the effective running of the College and we welcome the contributions of all staff to improving communications. Information on developments and opportunities within the College can be found on the College's website: <http://www.pem.cam.ac.uk/>.

Staff meetings are held periodically and all staff are invited to attend. These provide an opportunity to ask questions or raise general issues of concern. Agenda items should be sent to the HR Office at least five days before the meeting. Staff meetings are not an appropriate forum for airing personal or individual matters, which should be raised with your Head of Department/Line Manager or the HR Manager, as appropriate.

It may not always be possible to communicate issues to all employees at the same time. Face-to-face sharing of information is encouraged but alternative forms of communication, such as email, intranet, Staff Bulletin and noticeboards, may also be utilised to keep you informed. All notices, vacancies, and other information of general interest will be displayed on our website/noticeboards and placed in the Staff Bulletin if time allows. Please do not display any posters or notices of your own without gaining the prior permission of your Head of Department/Line Manager.

## **10. PERSONNEL INFORMATION AND RECORDS**

For the purposes of administration, it is necessary that we hold and process personal data on our employees. Data relating to you will be held for the duration of your employment or for any longer period to enable us to answer any question relating to your employment with us.

Electronic and personal files are kept securely in the HR Office. The information contained in these records includes personal data; sensitive personal data; salary and benefit details; details of jobs held and information on performance and conduct. The information is used to administer salaries and benefits, to assist with appointment decisions and in managing employee performance. It is also used to provide management information.

We make every effort to ensure that the information is held securely and we will comply with legislative requirements in terms of allowing you access to the information held about you. Should you wish to view your personal file, you may do so at any time by sending a request to the HR Manager. The form is available to download from the College website. We will aim to deliver a copy, in your preferred format, of any information requested within 40 days. If any of the information is inaccurate, please let us know what and provide full details so that we may correct this.

We will not ask you for, or record on paper or electronically, personal information which is not necessary for us to operate effectively.

We will not give out your personal details to any external body unless these are required for the purposes of payroll administration, health and safety reasons (e.g. the provision of details to paramedics about a medical condition or the details of any medication being taken), or a criminal or PAYE investigation etc. We will only give references for mortgage or other purposes, or employment references if you have given your permission for this.

If during the course of your employment you have access to, or reason to handle, personal information, you should make every effort to comply with the General Data Protection Regulation (GDPR). If you are unsure of the current legal requirements please check with the HR Manager.

Please refer to our GDPR policy, a copy of which is on the College Website for further details:

<https://www.pem.cam.ac.uk/college/about-pembroke/legal-information/data-protection>.

## **11. CHANGES TO PERSONAL DETAILS**

The Data Protection Act 1998 and General Data Protection Regulation (GDPR) requires that any personal information kept by us is maintained, up to date and accurate.

Please ensure that the HR Department is informed immediately of any changes to your personal details. These include change of name; home address; home telephone or personal mobile number; e-mail address; marital status; emergency contacts; gain or loss of a dependant; attainment of a professional qualification or membership of a professional organisation and change of registration number (if you use your car for business use or park it on our premises). Please also advise the HR Department of any changes in your personal circumstances which could affect your employment, e.g. changes in health, endorsements on your driving licence (if you are required to drive on business), etc.

## **12. USE OF BUSINESS FACILITIES FOR PERSONAL USE**

Our facilities (such as the photocopier, fax and franking machines and computers) are intended for business use only and may only be used for personal matters with prior authorisation.

## **13. PERSONAL MAIL**

Personal mail, as distinct from business correspondence, may be sent to the College address, but employees should seek prior authorisation from their Head of Department/Line Manager. Such mail may be opened if it cannot be identified and we cannot accept responsibility for the safe delivery of the contents to individuals. Parcels must be collected from the Porters' Lodge as soon as you are notified that they have arrived. Employees are permitted to use the College franking, for which payment should be made to the Porters' Lodge immediately after use. A record book showing personal usage is placed in the Porters' Lodge and must be completed each time the franking machine is used. Porters will not accept parcels that require them to give their own ID for reference.

## **14. PERSONAL TELEPHONE CALLS**

Any telephone calls made from our premises are not regarded as private or confidential and logs of calls showing the numbers dialled may be monitored and checked at any time. Local private calls may be made from the offices without charge but should be kept brief and infrequent. Private long-distance calls within the UK must be avoided except in an emergency; private calls abroad are not permitted. Personal calls should be kept to a minimum and the College reserves the right to charge for excessive personal calls made.

Private incoming calls are permitted, but the frequency and duration of such calls should be kept to a minimum. Reverse charge calls will not be accepted: should it be discovered that personal calls have been received on this basis disciplinary action may be taken and the employee will normally be required to refund the cost of such calls.

Personal mobile phones should only be used for essential calls during normal working hours and their use is not permitted in the Hall or serving areas. If we consider personal use of a mobile phone to be excessive we reserve the right to require the employee to keep it turned off during working hours.

## **15. PERSONAL VISITORS**

In order to uphold a professional environment, visits of a personal nature from friends or family members (other than in emergencies) are strongly discouraged. If necessary such visits must take place during break times and follow the usual procedure for visitors.

## **16. BUYING OR SELLING GOODS**

You are not allowed to buy or sell goods on your own behalf on our premises unless you have the prior authorisation of your Head of Department/Line Manager. This includes catalogue sales and sales of items to benefit charitable or other causes.

## **17. COLLECTIONS**

No collections of any kind are allowed on our premises without the prior specific authorisation of your Head of Department/Line Manager.

Suppliers or clients/customers should also not be approached for any charitable donations without the previous agreement of your Head of Department/Line Manager.

## **18. IDEAS AND INVENTIONS**

We encourage all our employees to develop new ideas and innovations to the benefit of Pembroke College. Any intellectual property rights subsisting in any idea, work or item created, modified or held by you in the course of your employment will automatically become the property of Pembroke College unless the idea or work falls outside the mainstream of our business interests. We ask that you discuss the existence of such intellectual property with your Head of Department/Line Manager. This would not normally include academic research.

## **19. PURCHASES ON BEHALF OF PEMBROKE COLLEGE**

Specified individuals only are authorised to purchase goods and/or services on behalf of Pembroke College. If you are unsure whether you have the requisite authority, please speak to your Head of Department/Line Manager before committing us to any expenditure.

## **20. RESIGNATION**

Should you wish to terminate your employment, please discuss your decision with your Head of Department/Line Manager prior to submitting your formal notice of resignation. Your notice, which should be in writing, and be dated, should be handed to your Head of Department/Line Manager. The period of notice to terminate your employment by either party is specified in your contract of employment.

Your Head of Department/Line Manager will complete a Staff Leaver Form for HR and payroll purposes. You will be paid in the next available payroll run after notification, and will be sent a P45 after your final payment is made.

You may also be asked to attend an exit interview with the HR Manager or another College Officer. Exit interviews can be of great assistance to a department in assessing whether it is providing a supportive and effective working environment, and the co-operation of staff in this process is valued.

At your request, we may waive the requirement for you to work some or all of the required period of notice. In such circumstances, salary will not be payable for the portion of the notice period which is not worked. If you do not provide the required period of notice, or leave before your notice period expires, you will only be paid up to the last day you worked. Holiday entitlement will only accrue up to this date.

We may require you to take some or all of any outstanding accrued holiday entitlement during your notice period; but also, if you have already booked some holiday during your notice period, then we may require that you do not take holiday booked in your notice period although it had previously been authorised, but work out your complete notice period. Alternatively, if we agree that you take the authorised holiday, we may require you to extend your notice period by the same amount so that you work the full notice period.

If you commit any act of gross misconduct during your notice period we have the right to terminate your employment summarily without notice.

## **21. RETURN OF COLLEGE PROPERTY AND FINAL PAYMENTS**

When your employment with us ends (or immediately on request) please ensure that all College property and information, (including files, keys, mobile telephone, car, laptop (and passwords), credit cards, training manuals, office equipment, university card and swipe card etc.) which belongs to us is returned to the College. Final payments may be withheld until all items are received and accounted for. You are not entitled to refuse to return our property while waiting to receive your final wage/salary or other payment as such payments will be made to you in the normal way.

Failure to return such items may result in the cost of replacing the items being deducted from any monies owed to you.

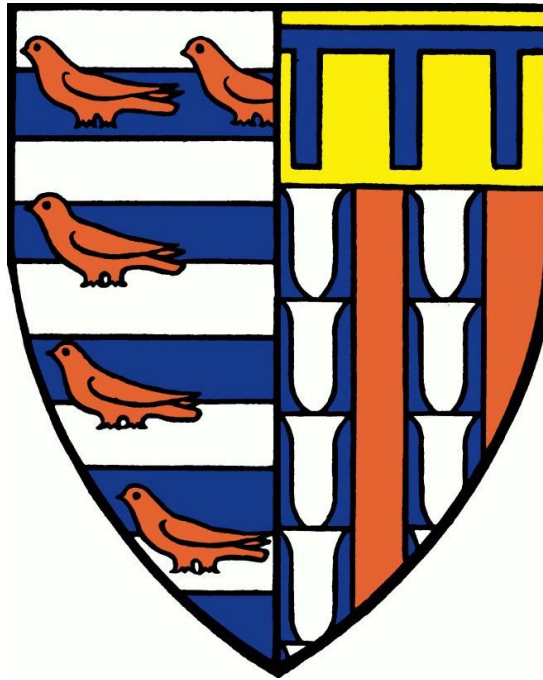
Should you leave our employment before the salaries have been processed in the month, your P45 and payment for the net salary for the time you have worked that month will be posted to you when the salaries are processed.

## **22. REFERENCES**

We do not normally give open 'to whom it may concern' references to employees leaving our employment, but will normally reply to written requests from prospective employers who should be advised to direct such requests to the HR Office. Whilst employees

may provide personal references for their colleagues, such references should be clearly marked as such, and our headed notepaper or email system must not be used for this purpose.

Pembroke College requires that all references of a professional nature are checked by the HR Department before despatch.



POLICIES AND PROCEDURES

### 1. INTRODUCTION

We believe all of our employees and workers have the right to work in an environment free from bullying behaviour and any form of harassment, be it on the grounds of a protected characteristic (race, sex, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment) or appearance. Such behaviour will not be tolerated and we seek to ensure that our working environment is sympathetic to everyone with whom we deal in the course of our working activities, and that they are treated with dignity and respect.

This policy is not contractual, but aims to set out how we normally deal with such issues.

### 2. SCOPE OF THIS POLICY

This policy applies to all employees and workers, at all levels at Pembroke College. It applies equally to an employee bullying or harassing a Head of Department/Line Manager as the other way around. In addition, we aim to ensure that (as far as is practicable) employees are protected from harassment of any kind from clients, customers and other contacts.

### 3. AIMS OF THIS POLICY

This policy aims to ensure that a zero-tolerance stance on bullying and harassment is adopted by all employees and workers; to provide:

- Guidance and a means by which any employee or worker who feels that they are being subjected to such behaviour may raise this without fear of reprisal.
- A policy under which any problems may be resolved and any further recurrence prevented.

### 4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this policy:

- The Health and Safety at Work Act 1976
- The Protection from Harassment Act 1997
- The Equality Act 2010 (harassment arising from a protected characteristic).

### 5. DEFINITIONS

**Bullying** is defined as persistent behaviour against an individual that is intimidating, degrading, offensive or malicious and undermines the confidence and self-esteem of the recipient.

**Harassment** is defined as unwanted conduct that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to any personal characteristic of the individual (whether perceived or real), or by association (e.g. related to the individual's relationship or dealings with others who have that personal characteristic, even if they do not). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence.

Employees may not always realise that their behaviour constitutes bullying or harassment but they must recognise that what is acceptable to one person may not be acceptable to another. The fact that harassment was not intended does not mean that it cannot have occurred.

Note that the person reporting harassment need not necessarily be the person towards whom the behaviour was directed. For example, a person who overhears comments made to someone else, and who is offended by those comments, may still complain of harassment.

### 6. RESPONSIBILITY

It is the duty of Head of Department/Line Manager to implement this policy, and all employees are expected to comply.

Any Head of Department/Line Manager who becomes aware of behaviour which breaches this policy, irrespective of whether a complaint has been made or not, has a responsibility to take the matter forward through investigation and to ensure it is dealt with confidentially and promptly.

Employees also have a responsibility to behave appropriately in the workplace. They should raise with other employees their concerns if they observe or have evidence of inappropriate behaviour and should respond promptly to any feedback on their own behaviour, be it from a colleague or Head of Department/Line Manager.

### 7. EXAMPLES OF BULLYING AND HARASSMENT

We outline below the types of behaviour that are unacceptable and the actions employees should take if they feel they are being subjected to bullying or harassment.

The examples below are not exhaustive but give a clear indication of the sorts of actions that constitute bullying or harassment. Serious examples may constitute gross misconduct which could lead to summary dismissal.

- **Unwanted physical conduct** - such as unnecessary touching, patting, pinching, brushing against another person's body; insulting behaviour or obscene gestures; physical threats, aggressive behaviour and/or assault.

- **Unwanted verbal conduct** - such as unwelcome advances; patronising titles or nicknames; offensive or insulting comments; propositions or remarks; innuendo; lewd or suggestive comments; over-familiar behaviour; slogans or songs; insensitive jokes, gossip and slander (including speculation about a person's private life and sexual activities); banter or abusive/offensive language which is either threatening or refers to a person's sex, race (including colour and ethnic or national origins), disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment.
- **Unwanted non-verbal conduct** - such as racially or sexually based graffiti or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures; leering, whistling, creation or distribution of suggestive or offensive pictures (including "pin-up" calendars) or videos through any means.
- **Bullying** - includes unwanted physical conduct or assault but also verbal bullying such as insulting or threatening comments; comments intended to undermine, belittle, embarrass or humiliate the recipient; personal abuse, either in public or private, which humiliates or demeans the individual involved.
- **Virtual bullying** - includes distribution of unwanted emails, texts, images or humiliating data published on social networking internet sites or abusing our technology or using the employee's own technology to contact a colleague in an intimidating or malicious manner.
- **Coercion** - including threats of dismissal or loss of promotion etc. for refusal of sexual favours (or promises made in return for sexual favours); pressure to participate in political or religious groups etc.
- **Isolation or non-co-operation at work** - deliberate exclusion from communications including group emails, conversations or social activities; setting unrealistic deadlines; substituting responsible tasks with menial or trivial ones; withholding information or giving false information; constantly undervaluing effort.

Such conduct is employment related if, for example, submission to, or rejection of, the conduct is used as a basis for an employment decision; or if the conduct interferes with the affected person's work performance; or if it creates an intimidating, hostile, humiliating or offensive working environment.

Bullying or harassment can be a single serious incident or persistent and repeated, continuing after the person subjected to it makes it clear that they want it to stop.

All employees should note that any act(s) of bullying or harassment committed by them in the course of their employment will be dealt with under this procedure. This includes not only situations occurring whilst at work, but also at any time on College premises, or externally whilst attending social functions or training courses etc. in the course of their employment. It also covers emails, phone calls and texts made outside of work using either our or the employee's own equipment, as well as abusing employees via social networking sites.

Employees should always consider how their behaviour or conduct would appear to a Head of Department/Line Manager, or if it was reported to the press or on TV, and to refrain from any language or behaviour which would reflect on them unfavourably.

## 8. WORKING ENVIRONMENT

In addition to bullying and harassment at work being a violation of employment and health and safety laws, and also a contravention of criminal and/or civil law in some circumstances, this type of behaviour can reduce the effectiveness of our College by creating a hostile or threatening environment. The damage, tension and conflict which harassment and bullying creates not only results in poor morale for all, but also in divided teams and reduced productivity. Employees can be subject to fear, stress and anxiety, which not only affect their contribution within the workplace but can also put great strains on their personal and family life, leading to illness, increased absenteeism and higher staff turnover.

Therefore, all employees will be informed of our policy towards bullying and harassment and that all complaints of harassment will be treated very seriously. All Head of Department/Line Manager's must ensure that this policy and procedure is adhered to at all times.

The display of offensive material (including "pin-up" calendars) is not permitted and any such offending material will be removed and destroyed.

## 9. PROCEDURE FOR DEALING WITH BULLYING OR HARASSMENT

The sensitive nature of complaints of bullying or harassment is recognised and therefore a choice of routes is provided in order to encourage employees and workers to discuss any problems in confidence with someone they trust and feel comfortable talking to. Anyone who believes they have been the subject of harassment or bullying in the course of their work may either initially address the matter informally with their immediate Head of Department/Line Manager or may make a formal complaint using this procedure. If they prefer, one of the following designated people may be contacted as an alternative: Head of Department/Line Manager or the HR Manager. In all cases, the matter will be treated as strictly confidential.

## 10. DEALING WITH BULLYING AND HARASSMENT AT AN INFORMAL STAGE

An employee or worker who, at any time, feels that they are a victim of minor bullying or harassment should make it clear to the perpetrator as soon as possible that the behaviour is unacceptable to them, explain the effect that the behaviour is having on them and that it must stop. If they feel unable to do this verbally then a written request may be effective.

The following are some words which it may be helpful to use in a letter or in speech:

- Describe the behaviour very precisely, where and when it happened. If you are vague the person causing the problem may be able to pretend that they do not understand what you are talking about.
- Tell the person how you feel about what has happened.

- Describe the effect it is having on you (you may find you are avoiding the person, or working less effectively so that your work performance is affected).
- Say precisely what you want to happen. Including the steps above, you could write or say “on the (day/date) at (time), you (describe the behaviour precisely). Your behaviour made me feel (describe your feelings and reactions). I wish you to stop (the behaviour). You are harassing/bullying me and I have made a written record of the details. If this behaviour towards me is repeated I may make a formal complaint.

Alternatively, one of the people designated above may be requested to approach the person on the individual's behalf or to help them in taking such action.

The employee or worker may wish to keep a written record of the details of any incidents of perceived bullying (including date; time; place; name of person allegedly harassing the individual; what happened including verbatim quotes of relevant comments where possible; how the individual felt at the time; names of any witnesses and any action taken), and retain any texts, emails, voice messages or other evidence that may support their allegations.

## **11. FORMAL PROCEDURE**

Where informal methods fail, or serious bullying or harassment occurs, a formal written complaint should be made and, if necessary, assistance should be sought from one of the people designated above. Whilst recognising the employee or worker's feelings and the effect the alleged behaviour may have had on them, it is important to establish the facts and they will be asked to provide details of the allegations, i.e.:

- What happened?
- Where did it occur?
- Who was involved?
- Was this the first incident?
- When did it occur?
- Were there any witnesses?
- Has any action been taken to prevent further repetition of the behaviour?

This complaint may be made to either to your Head of Department/Line Manager or the HR Manager.

The employee or worker may, if they wish, be supported throughout the procedure and at any meetings by any of the people designated above or by a colleague of their choice.

The person receiving the complaint will carry out a thorough investigation as quickly as possible. When asking questions it is important for Heads of Department to be sensitive and to take care not to phrase questions in a way that implies that the bullying/harassment may in some way have been directly or indirectly invited and to avoid remarks that appear to trivialise the experience or suggest that it was imaginary. The intention of the alleged bully/harasser is irrelevant; it is the effect on the complainant that is important.

All employees (and also any external parties) involved in the investigation are expected to respect the need for confidentiality. Failure on the part of employees (whether recipient, perpetrator or witnesses) to do so will be considered a disciplinary offence. Copies of statements made by witnesses will be made available to both the person making the complaint and the alleged bully/harasser, but the names of the witnesses may be withheld if they request to remain anonymous, and particularly if they have a genuine belief or fear of reprisal.

If the alleged bully/harasser is an employee, the Head of Department dealing with the complaint will invoke the Disciplinary Procedure to ensure that an employee accused of this behaviour has every opportunity to defend or explain their actions. The employee will be entitled to be accompanied at any disciplinary hearing. Common responses to allegations of bullying/harassment include denial or disbelief that the behaviour was offensive or was not welcome. None of this alters the fact that a complaint has been made which may lead to disciplinary action.

The severity of the penalty imposed upon an employee believed to be guilty of bullying/harassment will be consistent with other disciplinary offences. Where the bully/harasser is given a warning short of dismissal, discussions will take place with the person making the complaint, and, where necessary, any reasonable steps will be taken to alter working practices to minimise contact between the affected employees.

An employee who receives a warning or is dismissed for bullying or harassment may appeal against the penalty in accordance with our Disciplinary Procedure. In serious cases, for example rape or assault, criminal charges may be appropriate and it may be necessary to refer the case to the Police.

Where the complaint is made against a client/customer, supplier or other College contact, this will be investigated and such steps will be taken as are reasonably practicable to protect the employee or worker.

Anyone who brings a complaint of bullying or harassment will not suffer victimisation for having brought the complaint. The complainant should not be moved except at their request or in exceptional circumstances. Following the investigation, if the complaint is untrue and has been brought in bad faith disciplinary action may be taken.

## **12. FOLLOWING THE INVESTIGATION**

Once the case has been resolved and time has been given to allow relationships to stabilise and return to normal in the workplace, contact should be maintained with the affected employees informally. If further problems of bullying, harassment or victimisation

are being encountered, or the employee or worker continues to suffer stress or anxiety, immediate action should be taken to investigate or find a solution.

### **13. GRIEVANCE PROCEDURE**

Our Bullying and Harassment Policy is intended to give guidance and support, taking into account the sensitivity and serious nature of such issues. However, an employee or worker who is not happy with the outcome of a complaint raised under this policy (or who feels, after time, that the situation has either not improved or has deteriorated again), may use the Grievance Procedure instead. Our Grievance Procedure may be used as an alternative procedure, but not as an additional procedure for the same issue.

### **14. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Disciplinary Procedure.
- Equal Opportunity Policy.
- Grievance Procedure.
- Whistleblowing Policy.

### **15. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.



## **1. INTRODUCTION**

The purpose of this Policy and Code of Practice is to ensure that the College uses CCTV responsibly and with effective safeguards. The intention is:

1. To create a safer working environment for staff and students in the College.
2. To protect property belonging to the College, its students and staff.
3. To provide evidence in support of any internal or external enquiry, disciplinary proceedings or prosecution, especially if associated with the security of the College site and members of the College community, criminal activity committed on College property, or the misuse of College property or equipment.

The cameras should not face into College buildings, except where agreed in advance with student representatives via the College's Consultative Committee except in exceptional circumstances. Cameras stream video to dedicated CCTV servers, from where they can be viewed on a real time basis in the Porter's Lodge, Library, and other approved locations. Recordings are made onto the hard disks of the CCTV servers for replay in the event of an incident.

This Policy and Code of Practice sets out the appropriate actions and procedures, which must be followed to comply with the relevant data protection legislation in respect of the use of CCTV surveillance systems managed by the College. This policy and code of conduct intends:

1. To inform all who come onto the College site that CCTV is in use.
2. To keep CCTV data secure and controlled by authorised personnel.
3. To maintain all CCTV equipment in working order.
4. To provide retention of CCTV data within the stated purpose only.
5. To state the manner and means of destroying stored CCTV data.
6. To prevent access by unauthorised individuals or third parties.

## **2. RESPONSIBILITIES**

The system is operated by the College and is in use all year round. The Bursar has overall responsibility for the implementation and use of the system. The IT Director and IT department ensures all equipment is maintained and in a suitable condition. The Porters, Library Staff, IT staff, and other College Officers will interrogate the system and its data. Operation of the system is restricted to those named above.

## **3. STAFF WHO USE THE CCTV SYSTEM HAVE THE FOLLOWING RESPONSIBILITIES:**

1. To uphold the arrangements of this Policy and Code of Practice.
2. To handle CCTV data securely and responsibly, within the aims of the Policy and Code of Practice.
3. To be aware that they could be committing a criminal offence if they misuse CCTV data.
4. To report any breach of procedure to the Bursar or College Data Protection Lead.
5. To attend training / refresher sessions as required.

## **4. SITING THE CAMERAS**

Prior to any camera installation the Bursar and the College Data Protection Lead will ensure that the installation complies with the relevant data protection legislation and the CCTV Policy and Code of Practice. It is essential that the location of the equipment is carefully considered; the way in which CCTV captures data will need to consider the privacy of all individuals. All camera locations are visible to public and staff. Signs have been erected at the main entrance to notify all those who enter that they are entering an area that is covered by CCTV cameras.

## **5. PROCESSING CCTV DATA FOR AN IN-PROGRESS INCIDENT**

The following procedures concern the viewing and use of the CCTV data in response to an in-progress incident in the College.

1. The Porters, Library staff and IT staff may directly view the live feeds from any camera during their working hours.
2. In response to an in-progress incident the above staff may view recently recorded data to ascertain facts necessary to respond to the event.
3. No recordings or copies of CCTV data is permitted; if this is necessary then the following policy for processing CCTV data for past incidents must be followed.

## **6. PROCESSING CCTV DATA FOR PAST INCIDENTS**

The following procedures concerning the use and retention of recordings should be followed to provide an acceptable level of security and accountability, and to ensure the acceptance of recordings in support of criminal proceedings.

1. Recordings for most cameras are retained on the CCTV server for up to 30 days and are then overwritten.
2. Recordings for cameras covering long term student storage areas (trunk stores, etc.) are retained on the CCTV server for up to 90 days and are then overwritten.
3. Requests for the retention and/or disclosure of CCTV material should be made to the Head Porter and be recorded on the CCTV Request form (Appendix A).

4. The Head Porter may view or authorise a Porter to view past recordings stored on the service to establish if the CCTV system has recorded images relevant to a request for disclosure or retention, and for this reason alone. All viewings of recordings, and the reason for viewing, must be logged in the CCTV Log held by the Head Porter.
5. If it appears that relevant material is held and that CCTV recordings need retaining or disclosing permission must be sought from two authorised College Officers, or one authorised College Officer and the Head Porter. Authorised College Officers in this regard are the College Data Protection Lead, the College Proctor, the Senior Tutor and the Bursar. As part of this process authorised College Officers may view the CCTV material in question.
6. Once a valid request has been made the IT department will process the footage and generate a master copy of the recording.
7. A copy of the relevant part of the recordings will be stored on digital media. The CCTV request form should be held with the digital media in a secure format and handed to the Head Porter immediately.
8. The Head Porter, or a nominated deputy, should mark each item of digital media with a unique reference number.
9. All digital media will be securely stored by the Head Porter until they are no longer needed by the college, are passed to the Police or are passed to a third party with approval of the College Data Protection Lead.
10. The IT Department is responsible for destroying all digital copies when they are no longer needed for evidence. Digital copies should be destroyed, by appropriate means for the specific media and disposed of in the confidential waste container. Each disposal should be noted in the CCTV Log.
11. The Head Porter, or a nominated deputy, is responsible for ensuring that the CCTV log is kept up to date.

## 7. ACCESS TO AND DISCLOSURE OF CCTV DATA TO THIRD PARTIES

Access to, and disclosure of, CCTV data is restricted and carefully controlled to ensure privacy of individuals, but also to ensure that the continuity of evidence remains intact should the data be required for evidential purposes.

IT staff need access to CCTV data for maintaining the CCTV system. Individuals requesting access to CCTV data should complete a CCTV Request form (Appendix A). Any request by a third party to view a CCTV recording **must be approved** by the College Data Protection Lead in consultation with the Bursar, who will determine whether disclosure is necessary, legitimate and lawful. All unsuccessful requests will be retained for 3 months.

Once this has been actioned the details should be recorded in the CCTV Log held by the Head Porter. Any digital media that is requested by the Police in connection with a criminal enquiry will be released against an Officer's signature and the completion of CCTV Request form (Appendix A), after authorisation by the Bursar in connection with staff matters and by the Senior Tutor in respect of students.

Any individual wishing to make a subject access request is asked to review the Colleges Data Protection policy at <http://www.pem.cam.ac.uk/the-college/legal-information/data-protection/>.

On no account may CCTV data be viewed by any unauthorised person, or removed from the College without the specific approval of the Senior Tutor, College Data Protection Lead, Bursar or Head Porter. Staff will be informed that any misuse or unauthorised access of live CCTV data will be considered as a serious disciplinary matter.

If the College is asked to retain a recording for evidential purposes, the Head Porter will take possession and securely store the relevant digital media for as long as is required, which would normally be until one month after the finalisation of any court proceedings.

## 8. COMPLAINTS PROCEDURE

Any individual who has concerns about the CCTV system or the control of it at Pembroke College is requested to write to the Bursar or the College Data Protection Lead outlining the reason for the complaint.

## 9. INFORMATION AND TRAINING

A copy of this Policy and Code of Practice will be published also in the Health and Safety Policy.

All Porters will be trained in the practical use of the CCTV system. The Head Porter, Senior Porters and IT Personnel will receive additional training in the storage, capture and recording of CCTV data. The Bursar, Head Porter, Senior Porters and IT Staff will be issued with a copy of the Information Commissioner's CCTV Code of Practice.

## 10. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY

This policy will take effect from May, 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.



PEMBROKE COLLEGE – CAMBRIDGE

**APPENDIX A**

REQUEST ID:

*Office Use Only*

**CCTV FORM**

<b>1. REQUESTERS PERSONAL DETAILS</b>	
Applicant's full name:	Applicant's postal address:
Applicant's email address:	
<b>2. INFORMATION REQUIRED</b>	
<b>To help us find the CCTV data you require, please complete the following section.</b>	
Location/position of CCTV camera:	Date and time of incident:
Brief description of the incident to be retrieved, the appearance of any individuals and likely activities captured by CCTV:	
<b>Please give all information that might assist us in finding the incident</b>	
Purpose of the request: (e.g. Subject Access Request / Evidence for investigation / Police Request / Disciplinary)	
<b>If the purpose of the request is a subject access request ensure the College Data Protection Lead is consulted, for all other requests consult the Bursar.</b>	
<b>3. WORKFLOW (Office Use Only)</b>	
Name/Role of Approvers:	Approval status (Confirmed/Denied):
Name/Role of individual consulting CCTV record:	Date Copies Made:
Digital Media Reference Number('s):	
Digital Media Destruction Date:	Digital Media Destruction Actioned By:
Name of recipient('s):	Organisation of Recipient('s):
Badge Number of Recipient('s):	Purpose of release:
<b>Optional – If digital media is being released to the Police service</b>	

### 1. INTRODUCTION

In any organisation there is a need for rules and standards. It is important that any breaches of our rules, or failure to achieve and maintain satisfactory standards of conduct, attendance or job performance, are dealt with effectively, fairly and consistently.

This procedure is non-contractual, and sets out the procedure The College will normally follow, although we reserve the right, at our discretion, to vary, replace or terminate the procedure at any stage.

The policy has been written with reference to the ACAS Code of Practice on Disciplinary and Grievance Procedures, and all Heads of Department are reminded of the requirement to comply with this.

### 2. SCOPE OF THIS PROCEDURE

This procedure applies to all employees, other than those in their probationary period. It does not apply to dismissals due to long-term ill-health, redundancy or the non-renewal of fixed-term contracts on their expiry.

### 3. AIMS OF THIS PROCEDURE

This procedure aims to help and encourage all of our employees to achieve and maintain satisfactory standards of conduct and performance and to ensure (as far as possible) consistent and fair treatment for all.

### 4. LEGAL CONSIDERATIONS

The following legislation applies to this procedure:

- The Employment Rights Act 1996
- The Employment Relations Act 1999
- The Employment Act 2008
- The Equality Act 2010
- The Data Protection Act 1998 and General Data Protection Regulation (GDPR)
- The ACAS Code of Practice on Disciplinary and Grievance Procedures.

Whilst not a legal requirement, failure to follow the Code will be taken into account in any subsequent tribunal proceedings.

### 5. CORE PRINCIPLES – GENERAL

The following core principles should be followed by those dealing with disciplinary matters:

- No disciplinary action will be taken without full and proper investigation, undertaken by an appropriate level of management.
- In misconduct cases, where practicable, different people will carry out the investigation and disciplinary hearings. An investigatory meeting will not by itself result in any disciplinary action. The investigating Head of Department will endeavour to establish the facts promptly before memory fades, and take statements from any witnesses. Note the right to be accompanied by a colleague or union representative does not apply to meetings held at the investigatory stage.
- Where the issue is one of unsatisfactory attendance, the matter will be dealt with under this procedure. However, we recognise that short-term absences due to health conditions may not be the result of a deliberate act on the part of the employee, and in such circumstances the matter may be referred to as an "incapability" issue to reflect this distinction.
- Each step in the procedure will be taken without unreasonable delay, the timing and location of any meetings will be reasonable and any meeting will be held in as private a location as possible without interruptions.
- A fair disciplinary process will always be followed, up to and including cases of dismissal for gross misconduct.
- Where appropriate, and depending on the severity of the offence, we may omit any of the stages within the Disciplinary Procedure detailed below. It should be noted that, despite ongoing disciplinary action, an individual may be dismissed for another unrelated disciplinary matter if sufficiently serious. It is recognised that the circumstances of each case will be different and that each case therefore should be treated on its merits.
- A right to appeal will apply at every formal stage of this procedure.

### 6. CORE PRINCIPLES - SUSPENSION

The following should be noted re suspension:

Except for paid suspension (used purely as a precautionary measure to allow a fair and impartial investigation to take place, and without any prejudgement of the outcome of any subsequent disciplinary hearing), no action will be taken against an employee until a disciplinary hearing has been held.

### 7. CORE PRINCIPLES – INVITATION TO THE HEARING

When inviting an employee to a disciplinary hearing:

The employee will always be given written notice of an invitation to any disciplinary hearing of which they are the subject, and will be advised of the nature of the complaint against them, the circumstances that have led to us contemplating the need for disciplinary action or dismissal and the procedure to be followed. Full copies of any written evidence will normally be provided in advance of the hearing, although we may withhold the identity of a witness or redact witness evidence, if we believe it to be appropriate and necessary to protect the witness.

The employee will be given sufficient information and time to enable them to prepare a response. This may vary depending on the circumstances of each case but is not likely to be less than 24 hours.

If either the employee or their chosen companion is unable to attend any meeting under this procedure for a reason that was not foreseeable at the time the meeting was arranged, then we will attempt to rearrange the meeting for a date within five working days of the original planned date. However, the employee is expected to take all reasonable steps to attend the hearing on the appointed date and at the appointed time. Where an employee persistently is unable or unwilling to attend an agreed disciplinary meeting, without good reason, a decision may be made in the employee's absence based on the evidence available.

## **8. CORE PRINCIPLES – AT THE HEARING**

The following should be borne in mind at the hearing:

At all formal stages of this procedure, the person chairing the meeting is advised to be accompanied by a suitable employee of the College who will act as a witness and to ensure the meeting is taped correctly. Where no internal person of sufficient seniority or confidential status is available, or where preferred, an external party may be invited to attend in this capacity.

Under no circumstances should any meeting or conversation be recorded without the prior permission of those present. Where consent is not given by all parties an appropriate person will be appointed to take written notes of the meeting.

The employee will have the right to be accompanied by a Fellow of the College, work colleague, a representative of a trade union (who must be certified in writing by that union as having experience of, or having received training in, acting as a worker's companion at disciplinary or grievance hearings) or an official employed by a trade union. The employee should tell the person conducting the hearing in advance whom they have requested to act as a companion. If the employee does not wish to be accompanied this should be noted. Fellow workers may not be compelled to attend as a companion.

The companion is there to act as a witness to what was said, to provide moral support and to assist and advise the employee in presenting their case. They may address the hearing (provided the employee wishes this), ask questions on behalf of the employee and confer with the employee but not answer questions on behalf of the employee, nor may the companion prevent the employer from explaining its case.

If the employee is disabled, reasonable adjustments will be made to ensure (as far as possible) that they are not disadvantaged at the hearing. This may include the provision of further assistance (e.g. a signer or other support) where necessary. Arrangements may also be made to assist any employee who does not have English as his or her first language and who may need an interpreter.

The person conducting the disciplinary hearing will outline the complaint against the employee and go through the evidence that has been gathered. The employee will be given the opportunity to present any information in their defence, explain or comment before any decision is made. Either party may ask questions, call witnesses, submit witness statements and also question any witnesses called by the other party. If the employee wishes to call any witnesses, they should notify the person conducting the hearing in advance. Witnesses cannot be compelled to attend.

A disciplinary hearing may be adjourned at any stage by the person conducting the hearing, in order to calm a tense situation, to check out facts or to take advice. Such adjournments will be kept brief wherever possible in order not to hold up the resolution of the hearing but may be extended where particular information needs to be checked in the interests of fairness or consistency. An adjournment may also be appropriate if a grievance is raised during the disciplinary proceedings that has a strong bearing on the matter to be decided.

## **9. CORE PRINCIPLES – MAKING A DECISION**

It is important to remember that the circumstances of each case will be different and that each case therefore should be treated on its merits. Before making any decision on disciplinary action, we will consider the employee's disciplinary and general record, any similar precedents, any mitigating circumstances or explanations given by the employee, what would be reasonable under the circumstances and whether any training, additional support or adjustments to the role or workload are necessary.

An employee who is given a disciplinary warning or improvement note will be told where their performance or conduct falls short of what we consider to be satisfactory, what improvement is required, and over what timescale this is to be achieved. For employees who are under-performing, a review date will be set and we will also confirm any support, including any training that we will provide to assist the employee.

A decision to dismiss should only be taken by someone with the authority to do so. The reasons for dismissal will be confirmed in writing, together with the date on which the employment will end, the appropriate period of notice and the right of appeal.

## **10. CORE PRINCIPLES – AFTER THE HEARING**

After the hearing, the following should be noted:

Any warning or improvement note will be confirmed in writing to the employee. It will identify the next stage in the procedure (should the employee fail to reach a satisfactory standard or commit a further act of misconduct), specify for how long the warning will stand, and will inform the employee of his or her right of appeal.

If the employee's standard of work or conduct remains unsatisfactory, and, after warnings, remains below the level that is acceptable, they may be dismissed.

## **11. EXAMPLES OF GENERAL MISCONDUCT**

The following is a non-exhaustive list of examples of offences which amount to misconduct falling short of gross misconduct:

- Unauthorised absence from work.

- Unsatisfactory time-keeping or attendance.
- Unsatisfactory job performance.
- Time wasting.
- Failure to follow a reasonable management instruction.
- Minor contravention of health and safety regulations.
- Disruptive, abusive, truculent or provocative behaviour.
- Unauthorised use of our telephone, e-mail and/or internet facilities.
- Failure to wear personal protective equipment (PPE), if issued.
- Minor damage to College property.
- Minor breach of College rules and/or policies.
- Leaving work without permission.
- Failing to follow our absence notification procedures.
- Persistent absence/sickness, excluding people with documented chronic conditions.
- Taking extended breaks.
- Disrupting College business by receiving and making what we consider to be excessive personal telephone calls, irrespective of whether this is on a personal mobile phone or our telephones.
- Failure to clock in and out of our premises, where required.
- Failure to notify us promptly of any endorsements to the driving licence or any diagnosis of a health condition that may affect the driver's ability to drive safely (if the employee drives on business).
- Minor breach of our cash handling procedures (including cash discrepancies and breaching till/safe operation rules).

## 12. EXAMPLES OF GROSS MISCONDUCT

An employee will not normally be dismissed for a first incident of misconduct, unless it amounts to gross misconduct, in which case summary dismissal without notice and without the need for any prior warnings may take place.

The list below is not exhaustive but is a guide to the type of offence which may normally result in summary dismissal (i.e. dismissal without notice or pay in lieu of notice):

- Theft, fraud or falsification of records e.g. Pembroke College documentation, expense claims or attendance/sick records, shared parental leave declarations etc.
- Being under the influence of alcohol during working time, or reporting for work whilst under the influence of alcohol.
- Being in possession of, or under the influence of, or attempting to deal in non-medically prescribed drugs.
- Assault or fighting, either on our premises or whilst engaged on our business or where the act committed irrevocably damages the required trust and mutual confidence between Pembroke College and the employee.
- Violent, abusive or intimidating conduct.
- Act of unlawful discrimination, harassment, bullying or offensive behaviour.
- Misuse of property belonging to Pembroke College or of our name.
- Malicious damage to property belonging to Pembroke College, our clients/customers or other employees.
- Flagrant disregard of our procedures, rules and regulations.
- Any action in serious breach of legislative requirements which may affect the College.
- Gross negligence.
- Use of foul language or any act that violates commonly accepted standards of behaviour.
- Actions which damage the reputation of Pembroke College or bring it into disrepute - this includes taking part in activities which result in adverse publicity for the College, or which cause us to lose faith in the employee's integrity.
- Any action constituting a criminal offence which makes the employee unsuitable for employment with us.
- Unauthorised use or disclosure of confidential information.
- The inclusion of incorrect or misleading information on the employee's job application documentation (including CV, letter of application or our application form) or the provision of false references.
- Serious breach of Health and Safety rules, whether or not this resulted in an accident.
- The acceptance or giving of anything that could be construed as a bribe.
- Acts of dishonesty.
- Undertaking private work on our premises and/or during working hours without express permission.
- Accepting gifts from outside organisations which have not been approved by Pembroke College.
- Using a hand-held mobile phone whilst driving or in control of a College vehicle at any time, or whilst driving or in control of any vehicle whilst on our business.
- Smoking in an unauthorised area where this constitutes a serious risk to health and safety.
- Driving whilst under the influence of unlawful drugs or alcohol.
- Sleeping on duty (with the exception of the night duty Porter at the agreed hours).
- Inappropriate use of the Internet or computer misuse in breach of our policies. This includes deliberately accessing Internet sites containing pornographic, offensive or obscene material and/or downloading, displaying, archiving, storing, distributing, purchasing, intending to purchase, editing or recording such material, or the inappropriate use of social media. Should accessing such material be necessary in the course of your duties, please notify your Head of Department/Line Manager.
- Setting off an alarm, such as a burglar or fire alarm, deliberately and without good cause.
- Gambling, bribery or corruption.
- Loading unauthorised software.
- The taking of unauthorised copies of software for use within the office or outside.
- The unauthorised use of another employee's or user's password or keys to gain access to confidential information.

- Contacting (formally or informally and by any means) any of our past, current or prospective suppliers, customers or clients for any purpose other than for the legitimate business interests of Pembroke College - this includes (but is not limited to) any activities which we consider may be linked to an intention of setting up in a competing business or working for a competitor after leaving our employment.
- Failure to notify us promptly of any driving ban or any diagnosis of a health condition that may result in a driving ban (if the employee drives on business).
- Serious breach of our cash handling procedures (including cash discrepancies and breaching till/safe operation rules).

### 13. INFORMAL COUNSELLING

We recognise that cases of minor misconduct or poor performance may best be resolved through informal counselling, goal or target setting, advice or training and these do not form a formal part of this procedure.

Where an improvement is required, we will ensure that the employee understands what is required, how this will be measured, and over what period. Any agreed action plan should be confirmed in writing.

Where a sustained improvement is not apparent, or where matters are more serious or the issue is one of misconduct, the formal Disciplinary Procedure will be used.

### 14. SUSPENSION

We reserve the right to suspend the employee at any stage of this procedure. Suspension will be on full basic pay and will be for as short a period as possible in order to carry out any investigation of an alleged serious offence or to prevent any recurrence. Such suspension is not disciplinary action and does not involve any pre-judgement.

If suspended, the employee must be available to attend any fact-finding interview called during the suspension period. Contact will be maintained with the employee throughout the period of suspension to keep them informed of the investigation. An employee who is suspended will only be allowed to contact Pembroke College through a nominated person. Heads of Department are permitted to authorise suspension.

### 15. STAGES OF THE FORMAL DISCIPLINARY PROCEDURE

Our procedure contains the following stages:

Verbal warning	For unsatisfactory performance or misconduct of a relatively minor nature
First written warning (or improvement note)	For incidents of misconduct or unsatisfactory performance
Final written warning	For further continued unsatisfactory performance or further misconduct or if an incident of serious misconduct occurs
Dismissal with notice	For continued unsatisfactory performance or conduct

### 16. GROSS MISCONDUCT AND SUMMARY DISMISSAL

Certain offences may be regarded as so serious as to render the employee liable to summary dismissal without prior warning (see examples above). A dismissal for gross misconduct will only be made following a disciplinary hearing and will be confirmed in writing, giving the reasons for dismissal, confirming that the employment terminates immediately without notice or pay in lieu of notice, and outlining the employee's right of appeal.

### 17. PENALTIES OTHER THAN DISMISSAL

There may be circumstances where we consider alternative disciplinary action to dismissal to be appropriate. Such action could include, demotion (which may result in a reduction in pay for the employee), or transfer to another position which may result in a reduction in pay.

### 18. DURATION AND REMOVAL OF WARNINGS

Warnings will remain 'active' for the following periods unless a different period is confirmed in writing to the employee:

**Verbal warning:** six months from the date the warning is first notified to the employee (either verbally or in writing) or such other period as may be specified

**First written warning or improvement note** - twelve months from the date the warning is first notified to the employee (either verbally or in writing) or such other period as may be specified

**Final written warning** - twelve months from the date the warning is first notified to the employee (either verbally or in writing), or indefinite, depending on the circumstances resulting in the warning.

Following completion of the appropriate period, the warning will no longer be active and will normally be disregarded for the purposes of any future disciplinary action. Records of disciplinary warnings will however be retained on file for purposes of disclosure as required by regulation 11 of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

A copy of the written confirmation of any warnings, improvement notes, dismissal, suspension or other disciplinary penalty (plus any appeal documentation) will be given to the employee and a copy placed on the employee's personnel file. Such documentation will be regarded as confidential.

#### **19. AUTHORITY TO GIVE DISCIPLINARY WARNINGS AND TO DISMISS**

The following are authorised by Pembroke College to give warnings or dismiss as follows:

Verbal warning:	Selected Head of Department.
First or final written warning or improvement note	Selected Head of Department
Dismissal or other penalty such as disciplinary transfer or demotion/reduction of pay	Selected Head of Department/Bursar

#### **20. APPEALS**

An employee who feels that a disciplinary warning, improvement note or dismissal is unfair may appeal against this. Such appeals should be lodged, in writing, without unreasonable delay (we would expect this to be within seven calendar days of the decision being notified to the employee). The employee should clearly state the grounds on which the appeal is made (e.g. the finding is unfair, the penalty too harsh, new evidence comes to light, or because of a procedural defect).

An appeal hearing will be arranged without unreasonable delay. Where possible, the appeal will normally be heard by a member of staff senior to the person making the original decision and not previously connected with the disciplinary process so that an independent decision may be made. If this is not possible, a further independent party or other external party may be requested to attend the hearing and advise.

The person conducting the appeal is advised to be accompanied by a suitable employee of Pembroke College who will act as a witness and ensure the meeting is taped correctly. Where no internal person of sufficient seniority or confidential status is available, or where preferred, an external party may be invited to attend in this capacity.

The employee may, if they wish, be accompanied by a work colleague, a trade union representative (who must be certified in writing by that union as having experience of, or having received training in, acting as a worker's companion at disciplinary or grievance hearings) or by an official employed by a trade union at any appeal hearing. The employee should tell the person conducting the appeal hearing in advance whom they have chosen as a companion. As with a disciplinary hearing, the companion will be able to address the hearing, ask questions on behalf of the employee and to confer with the employee but not to answer questions on behalf of the employee.

If either the employee or their chosen companion is unable to attend an appeal meeting arranged under this procedure for a reason which was not foreseeable at the time the meeting was arranged, we will attempt to rearrange the meeting for a date within five days of the original planned date.

If the employee is disabled, reasonable adjustments will be made (as far as possible) to ensure that they are not disadvantaged at the hearing. This may include the provision of further assistance where necessary. Arrangements may also be made to assist any employee who does not have English as his or her first language and who may need an interpreter.

The grounds of the appeal will be considered when deciding the extent of any new investigation: it may be that a complete re-hearing will be held should there be any suspected procedural defects.

The employee will be notified of the appeal decision in writing: whatever decision is taken at the appeal hearing will be final.

#### **21. AUTHORITY TO HEAR APPEALS**

The following are authorised by Pembroke College to hear appeals as follows:

Verbal warning	Bursar/Deputy Bursar
First or final written warning or improvement note	Bursar/Deputy Bursar
Dismissal or other penalty such as disciplinary transfer or demotion/loss of pay	Bursar/Deputy Bursar

#### **22. PROBATIONARY EMPLOYEES**

Employees who are still within their probationary period are not covered by this procedure. If a probationary employee is not performing satisfactorily or there are incidences of minor misconduct, they will normally be seen informally by their Head of Department/Line Manager, informed of any shortcomings in performance or conduct, offered training and support (where appropriate) and warned that failure to improve may result in dismissal. If there is doubt about the employee's ability to reach a satisfactory standard, the probationary period may be extended, in which case the employee will be told of this and a new date set for the expiry of the probationary period. If the employee is unable to reach and/or maintain a satisfactory standard of performance or conduct, they will normally be invited to a formal meeting (with the right to be accompanied) prior to a decision being taken concerning their continued employment.

A probationary employee who commits an act of gross misconduct will be summarily dismissed.

### **23. ABSENCE DURING DISCIPLINARY PROCEEDINGS**

We recognise that disciplinary situations can be stressful for both the employee involved and also any other employees who are asked to give witness statements or to participate in the procedure in any way. However, we believe that in most cases this stress is best alleviated, and working relationships maintained, by completing the Disciplinary Procedure quickly.

Where an employee or worker is unfit for work, this does not necessarily mean they are unfit to attend an investigatory meeting or a disciplinary hearing and employees must make every effort to co-operate with us in completing the disciplinary process.

If an employee is absent due to illness or other reasons such as maternity/adoption/paternity/shared parental or other leave, we will consider, in consultation with the employee (and/or his GP in the case of illness), whether there are any reasonable adjustments that can be made to enable the case to be progressed (e.g. by allowing the employee to make further written submissions, by conference call or by holding the meeting at a different venue).

If, after an attempt to contact the employee or worker, we reasonably believe that they are unlikely to attend a meeting in the near future or to provide any further information, we may decide the matter without the employee or worker's further input, based on the evidence and information available to us. Unless the employee has already been informed of this, we will write to inform the employee of our intentions to proceed in their absence before taking any decisions.

### **24. MEDIATION**

We recognise that encouraging positive working relationships between individuals will have a positive impact on our staff and their general wellbeing. We are committed to supporting staff and Heads of Department to work together to resolve disputes and workplace conflicts in order to maintain high levels of morale, staff engagement and effective performance.

There may be circumstances where we consider that it may be beneficial to use mediation to help resolve an issue. Mediation is not suitable in all circumstances and will not necessarily be offered, but where appropriate and offered, may be introduced at any stage of the process where both parties agree that this could be an effective approach.

Mediation in the workplace is a confidential and voluntary process in which an independent and neutral person helps employees, in dispute, to explore and understand their differences in order that they may find their own solutions to their differences and may also agree a way forward. During the process, individuals are encouraged to identify their own solutions and agreements.

The mediator is impartial to the conflict and seeks to help all parties equally. They do not express opinions or make judgements about who is right and who is wrong. They will not offer suggestions or solutions to the situation. It is for the parties to discuss suggestions and solutions. The mediation service is voluntary and anybody can request an initial confidential meeting with a trained mediator.

Where mediation is introduced before or during the disciplinary process, the disciplinary procedure may be adjourned whilst the mediation is being undertaken. Should mediation prove unsuccessful, the Disciplinary Procedure will be resumed.

### **25. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Absence Reporting and Sick Pay Policy.
- Bullying and Harassment Policy.
- Alcohol, Drugs and Misuse of Substances.
- Grievance Procedure.

### **26. IMPLEMENTATION, MONITORING AND REVIEW OF THIS PROCEDURE**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.

### 1. INTRODUCTION

The College is committed to ensuring that all employees, job applicants, customers/clients, students and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

This policy is not contractual, but aims to set out the way in which Pembroke College aims to manage equal opportunities.

### 2. SCOPE OF THIS POLICY

This policy applies to all employees, including those on part-time, apprentice, or fixed-term contracts, as well as other workers and agency staff.

### 3. AIMS OF THIS POLICY

The policy is designed to ensure that current and potential employees are offered the same opportunities regardless of a protected characteristic (race, sex, age, religion or belief, sexual orientation, disability, marital status or civil partnership, pregnancy/maternity, gender reassignment) or indeed any other characteristic unrelated to the performance of the job. We seek to ensure that no-one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics to cover discrimination by association and by perception.

We recognise that an effective Equal Opportunities Policy will help all staff to develop to their full potential, which is clearly in the best interests of both staff and the College. We aim to ensure that we not only observe the relevant legislation but also do whatever is necessary to provide genuine equality of opportunity.

We expect everyone who works for us to be treated, and to treat others, with respect. Our aim is to provide a working environment free from harassment, intimidation or discrimination in any form that may affect the dignity of the individual.

We further recognise the benefits of employing individuals from a range of backgrounds as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

### 4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this policy:

- The Rehabilitation of Offenders Act 1974.
- The Protection from Harassment Act 1997.
- The Human Rights Act 1998.
- The Sex Discrimination (Gender Reassignment) Regulations 1999.
- The Racial and Religious Hatred Act 2006.
- The Equality Act 2010.
- The Enterprise and Regulatory Reform Act 2013.
- Any Codes of Practice issued by the Equality and Human Rights Commission.
- Plus any amendments to the above legislation.

### 5. DEFINITIONS

Discrimination may be direct or indirect and can take different forms, for example:

- Treating any individual less favourably than another on grounds of a protected characteristic (sex, race, age, disability, religion or belief, sexual orientation, marital status or civil partnership, pregnancy/maternity or gender reassignment);
- Expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever;
- Imposing on an individual requirements that are, in effect, more onerous than they are on others. This would include applying a condition (which is not warranted by the requirements of the position) which makes it more difficult for members of a particular group to comply than others not of that group;
- Harassment, e.g. unwanted conduct which has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual;
- Victimisation, e.g. treating a person less favourably because they have committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices;
- Discrimination by association, e.g. someone is discriminated against because they associate with someone who possesses a protected characteristic;
- Discrimination by perception, e.g. discrimination on the grounds that the person is perceived as belonging to a particular group, e.g. sexual orientation, religion or belief, irrespective of whether or not this is correct;
- Any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds.

On all occasions where those in control of employees are required to make judgements between them, for example disciplinary matters, selection for training, promotion, pay increases, awards, etc., it is essential that merit, experience, skills and temperament are considered as objectively as possible.

## **6. RESPONSIBILITY FOR THIS POLICY**

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the HR Manager of Pembroke College. Heads of Department have a crucial role to play in promoting equality of opportunity in their own areas of responsibility. All staff, irrespective of their job or seniority, will be given guidance and instruction through our induction and other training as to their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-employees, nor encouraging others to do so, or tolerating such behaviour. Disciplinary action, including dismissal, may be taken against any employee found guilty of unfair discrimination or harassment. Employees should be aware that not only is the employer liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour.

## **7. RECRUITMENT AND SELECTION**

We aim through written instruction, appropriate training and supervision, to ensure that all those who are responsible for recruitment and selection are familiar with this policy and apply it in conjunction with our recruitment policy.

Selection will be conducted on an objective basis and will focus on the applicants' suitability for the job and their ability to fulfil the job requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do their jobs.

Job Descriptions/Person Specifications will be reviewed to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post. Questions asked of candidates will relate to information that will help us to assess their ability to do the job. Questions about marriage plans, family intentions, religious or political commitments, caring responsibilities, intention to join our pension scheme or to opt out, or about any other issues which may give rise to suspicions of unlawful discrimination should not be asked. Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job.

Job adverts should encourage applications from a broad spectrum of candidates and should not be stereotyped. All adverts will state: "Pembroke College is an equal opportunity employer".

## **8. TRAINING AND DEVELOPMENT**

All employees will be encouraged to discuss their career prospects and training needs with their Head of Department/Line Manager. Opportunities for promotion and training will be communicated and made available to all staff on a fair and equal basis.

The provision of training will be reviewed to ensure that part-time employees, shift workers, remote workers or those returning to work following a break are able to benefit from training. No age limits apply for entry to training or development schemes which are open to all employees.

## **9. TERMS AND CONDITIONS OF EMPLOYMENT**

The College will ensure that all policies, including compensation, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied without regard to a protected characteristic (sex, race, disability, religion or belief, sexual orientation, age, marital status or civil partnership, pregnancy/maternity, gender reassignment) or indeed any other characteristic unrelated to the performance of the job. These will be reviewed regularly to ensure there is no discrimination.

## **10. GRIEVANCES, DISPUTES AND DISCIPLINARY PROCEDURE**

An employee who believes they have been discriminated against, and has not been able to resolve this informally, is advised to use the internal Grievance Procedure. An employee who brings a complaint of discrimination must not be less favourably treated.

Bullying or harassment will not be tolerated and any individual employee who feels that they have been subjected to bullying or harassment should refer to our bullying and harassment policy. Equally, anyone who witnesses incidents of bullying or harassment should report them to their Head of Department/Line Manager or an appropriate senior member of staff.

When dealing with general disciplinary matters, care is to be taken that employees or workers who have, are perceived to have or are associated with someone who has a protected characteristic, are not dismissed or disciplined for performance or behaviour which may be overlooked or condoned in other employees or workers.

## **11. REFERENCES**

We will not discriminate against individuals who have left our employment by providing references that are not based on factual information nor fail to provide one based on a protected characteristic.

## **12. RETIREMENT**

We have no fixed retirement age and anyone who wishes to work beyond state pension age may choose to do so.

## **13. POSITIVE ACTION**

We also recognise that passive policies will not reverse the discrimination experienced by many groups of people. To this end, if certain groups are under-represented within our College we will actively seek to encourage applications from those groups.

The decision as to which applicant is offered a post (either by recruitment or promotion) must be based entirely on the merit of the individual.

## **14. COMMUNICATION OF THIS POLICY**

All job applicants, employees, workers and volunteers will be made aware of this policy.

#### **15. HR POLICIES AND PROCEDURES**

Our HR policies and procedures will be reviewed regularly to improve, amend or adapt current practices in order to promote equality of opportunity within the College.

Relevant data will be collected to support this. Personal details provided by employees or job applicants for the purposes of equal opportunity monitoring are confidential, and will be kept apart from all other records and not used for any other purpose.

#### **16. IMPLEMENTATION, MONITORING AND REVIEW OF THIS PROCEDURE**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.

### 1. INTRODUCTION

The College Grievance Procedure is designed to ensure that any questions and problems that arise at work, and that are not resolved informally, are quickly discussed and resolved as fairly and consistently as possible, and we therefore encourage its use.

This procedure is non-contractual but is designed to indicate how such matters should be dealt with within the College although we reserve the right at our discretion to vary, replace or terminate the procedure at any stage.

### 2. SCOPE OF THIS POLICY

This procedure covers all employees and workers, including those who are still within their probationary periods, or on casual contracts. It does not apply to agency workers or self-employed contractors.

### 3. AIMS OF THIS PROCEDURE

This procedure aims to encourage the early resolution of any work-related issues, and to ensure that these are resolved fairly and consistently.

The focus of the Grievance Procedure is to achieve resolution, not to apportion blame.

### 4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this procedure:

- The Employment Rights Act 1996.
- The Employment Relations Act 1999.
- The Employment Act 2008.
- The Equality Act 2010
- The ACAS Code of Practice on Disciplinary and Grievance Procedures.

Whilst not a legal requirement, failure to follow the ACAS Code will be considered in any subsequent tribunal proceedings.

### 5. DEFINITIONS

Grievances are concerns, problems or complaints that are work-related. They may relate to action which has already been taken or which is contemplated in relation to an employee or worker, or may include the actions of third parties such as colleagues. They may relate to a wide range of issues including, but not limited to, terms and conditions of employment (or their perceived unfair or inconsistent application), health and safety, work relations, new working practices, working environment, organisational change, equal opportunities or bullying/harassment.

If the grievance relates to bullying/harassment, our bullying and harassment policy may be more appropriate.

### 6. STAGES OF THE PROCEDURE

Our Grievance Procedure enables any grievances to be raised and settled as quickly and as near to the point of origin as possible. Clearly many issues will, and indeed should, be resolved informally without the need for the formal procedure. However should an informal approach not result in the required resolution, the procedure set out below should be used.

#### STAGE ONE

An employee or worker who has a grievance, and who has not been able to resolve this informally, should set out in writing the details of the grievance, giving the full grounds for the complaint and details of the resolution being sought, and send this to their Head of Department/Line Manager. If the complaint is against the Head of Department/Line Manager or the complainant is a Head of Department/Line Manager then this should be sent to the HR Manager.

The complaint should be dated and should state that the concern is being raised formally under our Grievance Procedure. We will then arrange to meet with the employee or worker to hear the grievance. If the employee or worker has not stated what outcome they are seeking, clarification may be sought before proceeding. At this meeting the employee or worker will be given full opportunity to state their case, to present any additional information and to answer questions before any decision is made.

After considering the points raised, and having undertaken any further investigation considered appropriate, the outcome will be confirmed in writing, together with any action intended to be taken to resolve the grievance. The right to appeal against this outcome will also be outlined in writing.

#### STAGE TWO

Failing a satisfactory solution at stage one, the employee or worker may appeal to the Bursar. The appeal should be lodged in writing if possible and should be received by the nominated person within seven calendar days of receipt of our letter. The employee or worker should state the specific grounds for the appeal and not simply state that they are unhappy with the outcome.

The person hearing the appeal will arrange to meet with the employee or worker as soon as is reasonably practicable to discuss the grievance and again full opportunity will be provided to state the case, provide further information and answer questions. The person hearing the appeal will attempt to resolve the matter to the satisfaction of both the employee or worker and the College. Whatever decision is taken by him or her will be final and will be confirmed in writing.

Should the grievance relate to the behaviour or decisions made by the employee's Head of Department/Line Manager, then the matter should be raised at stage two. In this case if the person hearing the grievance is unable to resolve it, the right of appeal will be to another Head of Department, if practicable.

## **7. GUIDELINES**

Grievances should be raised and the above procedure followed without unreasonable delay at any stage.

At all formal stages of this procedure, the person hearing a grievance is advised to be accompanied by a suitable employee of Pembroke College who will act as a witness and take full notes of everything that is said. Where no internal person of sufficient seniority or confidential status is available, or where preferred, an external party may be invited to attend in this capacity.

At all stages of this procedure the individual raising the grievance may choose to be accompanied by either a Fellow of the College, work colleague, a trade union representative (who must be certified in writing by the union as having experience of, or having received training in, acting as a worker's companion at disciplinary or grievance hearings) or an official employed by a trade union. The employee or worker raising the grievance should tell the person conducting the hearing in advance whom they have chosen as a companion. If the employee does not wish to be accompanied this should be noted. Fellow workers may not be compelled to attend as a companion.

The companion is there to act as a witness to what was said, to provide moral support and to assist and advise the person in presenting their case. They may address the meeting (provided the person wishes this), ask questions on their behalf and confer with the individual raising the grievance but not answer questions on their behalf. The companion is also not permitted to prevent us from explaining our case.

The individual raising the grievance should make every effort to attend the meeting. If however they or their chosen companion is unable to attend any meeting under this procedure for a reason which was not foreseeable at the time the meeting was arranged, we will attempt to rearrange the meeting for a date within five days of the original scheduled date.

The timing and location of meetings will be reasonable and we will aim to ensure that the procedure is followed without unreasonable delay. Meetings will be confidential, and held in an appropriate location which may be offsite.

At the grievance meeting, the individual raising the grievance will be invited to re-state the grievance and explain how they would like it to be resolved. Full opportunity will be provided to present any information and answer questions before any decision is made.

The person conducting the meeting may adjourn the meeting at any stage in order to calm a tense situation, to investigate further or take advice. We will not tolerate abusive or insulting behaviour from anyone taking part in or conducting Grievance Procedures and may treat any such behaviour as misconduct under the Disciplinary Procedure.

Reasonable adjustments will be made to ensure that any disabled individual is not disadvantaged in any way at the meeting. They should inform us of any particular requirements (e.g. for a signer or other support) where necessary. Arrangements may also be made to assist any person who does not have English as his or her first language and who may need an interpreter.

To ensure that any issue raised is resolved effectively, all parties should aim to:

- Focus on the facts and ignore rumours or hearsay.
- Limit the issue to those involved and maintain confidentiality at all times.
- Work only to resolve the issue and actively pursue a positive outcome.
- Reflect on their own role and involvement.
- Demonstrate understanding, empathy and flexibility to ensure that the other person's perspective is accommodated.
- Strengthen relationships once the outcome is known and positively apply any learning points for the future.

When considering a suitable resolution, the person hearing the grievance will consider whether similar grievances have been raised before, how they have been resolved and any follow-up action that was taken.

## **8. RECORDS**

All meetings will be audio recorded and typed minutes will be produced. One copy of the minutes will be given to the person raising the grievance and one will be kept on file. Such documents will be regarded as confidential.

## **9. DISCRIMINATION AND DISCIPLINARY OFFENCES**

An employee or worker who believes that they are subject to conduct or capability related disciplinary action which is unlawfully discriminatory, or who feels that the action is being taken for reasons other than conduct or capability, should use our grievance procedure rather than appealing within the Disciplinary Procedure. In such cases, the disciplinary process will normally be suspended whilst the grievance is investigated and resolved.

## **10. ABSENCE**

We recognise that grievances can be stressful for both the employee raising the grievance and also any other employees against whom a complaint is made. However, we believe that in most cases this stress is best alleviated, and working relationships maintained, by completing the Grievance Procedure quickly.

Where an employee or worker is unable to work, this does not necessarily mean they are unable to attend an investigatory meeting or a grievance hearing and employees must make every effort to co-operate with us in completing the grievance process.

If an employee is absent due to illness or other reasons such as maternity/adoption/paternity/shared parental or other leave, we will consider, in consultation with the employee, and/or a medical professional in the case of illness, whether there are any reasonable adjustments that can be made to enable the case to be progressed, e.g. by allowing the employee to make further written submissions, by conference call or by holding the meeting at a different venue.

If, after an attempt to contact the employee or worker, we reasonably believe that they are unlikely to attend a meeting in the near future or to provide any further information, we may decide the matter without the employee or worker's further input, based on the evidence and information available to us. Unless the employee has already been informed of this, we will write to inform the employee of our intentions to proceed in their absence before taking any decisions.

#### **11. MEDIATION**

Mediation may be considered as an appropriate alternative method of resolving any differences between employees and workers. Where mediation is introduced before or during the grievance process, all parties will be asked to confirm in writing that they agree to the grievance process being adjourned whilst mediation is being undertaken.

Should mediation prove unsuccessful, the grievance process will be resumed; where it is successful, the grievance will be regarded as resolved.

#### **12. FORMER EMPLOYEES**

Former employees may also raise grievances at any time up to three months after their employment has ended. In such cases, we would normally ask that they set out the details of their grievance in writing, ensuring that this is dated and states that they are making a formal grievance. We will then respond in writing without the need for a grievance meeting and without a further right of appeal.

However, if the complaint relates to dissatisfaction with a dismissal decision, an appeal should be made against that decision in accordance with the appeal process set out in our Disciplinary Procedure, rather than invoking the Grievance Procedure.

#### **13. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Bullying and Harassment Policy.
- Disciplinary Procedure.
- Equal Opportunity Policy.
- Whistleblowing Policy.

#### **14. IMPLEMENTATION, MONITORING AND REVIEW OF THIS PROCEDURE**

This procedure will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this procedure, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this procedure should be addressed to the HR Manager.

### 1. INTRODUCTION

Lone workers are those who work by themselves without close or direct supervision or support.

This policy is not contractual but sets out the responsibilities and arrangements for such workers within Pembroke College and, where the lone worker is based at home, should be read in conjunction with our home working policy.

### 2. SCOPE OF THIS POLICY

This policy covers all lone workers. This includes those who either work alone on separate premises, who work outside of our normal working hours (for example cleaners, security, maintenance or repair workers), those who travel to and work outside the main College site and those who work from home. It may also include those who work normal working hours but who are physically isolated from other workers, e.g. Porters or College Nurse.

### 3. AIMS OF THIS POLICY

This policy is designed to alert Heads of Department and workers to the risks presented by lone working; to identify individual responsibilities and to describe procedures designed to minimise these risks. It is not intended to overstate the risks of lone working but to give a framework for managing these.

### 4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this policy:

- The Health and Safety at Work Act 1974.
- The Management of Health and Safety at Work Regulations 1999.
- The Display Screen Equipment Regulations 1992.
- The Manual Handling Operations Regulations 1992.
- The Provision and Use of Work Equipment Regulations 1998.
- The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH).
- The General Data Protection Regulation (GDPR).

### 5. RESPONSIBILITIES

Pembroke College has responsibility for the health, safety and welfare of all its employees and workers as well as the health and safety of those affected by the work, e.g. visitors and the self-employed.

These responsibilities extend to those who work alone on our behalf. It is our duty, through Heads of Department, to assess the risks to such workers and to take such steps as are necessary to avoid or control these.

Employees and workers have a duty to take reasonable care of themselves and others affected by their work and to co-operate with Heads of Department in meeting our legal obligations. This includes ensuring that their Heads of Department are constantly aware of their movements/work diaries to allow adequate supervision.

### 6. LONE WORKER REPORTING SYSTEM

If staff work alone in College outside usual office hours Monday to Friday **7.30am – 6.30pm** or Saturday/Sunday at any time or during College closure periods, they should telephone the Porters' Lodge 01223 338100 and report in. The Duty Porter will record the date and start time of the lone working, the worker's name, where they will be working, and appropriate contact detail. The lone worker must give an expected finish time, **if they are able to do so**. Before the expected finish time or when actually finished, the worker should check back in with the Porter who will record the actual finish time and sign to complete the record. If working alone for more than 4 hours, the worker must check in with the Porters' Lodge at least every 4 hours.

Library Supervisors are deemed exempt from this ruling as they do not work alone in the Library.

If the worker fails to check back in by the time the Porter finishes their shift, they should try to make phone contact with the worker. If they cannot be reached, the Porter must take whatever steps are necessary to determine whether or not the worker is safe.

Lone workers who fail to check back in when they should, causing unnecessary alarm, will be reported to HR.

### 7. ASSESSING AND CONTROLLING THE RISK

There are no legal restrictions on working alone, but the Health and Safety at Work Act 1974 (HASAWA) and the Management of Health and Safety at Work Regulations 1999 apply. These lay a responsibility upon the employer to identify any hazards, assess the risks involved and put measures in place to avoid or control risks.

The Head of Department/Line Manager will carry out risk assessments of each lone worker upon appointment and thereafter whenever there is a change or when a routine review would take place anyway. The risk assessment will be prepared in consultation with the individual, the H&S Officer for Pembroke College and the H&S Consultant, and will be recorded in writing so that it may easily be reviewed.

We will aim to ensure all relevant hazards are identified and appropriate control measures put in place, including proper instruction, training, supervision and protective equipment.

The risk assessment will determine the correct level of supervision. Where it indicates there is a risk to the safety of a lone worker, but the work is still to be done by one person, the Head of Department/Line Manager will make arrangements to provide help or

back up when necessary. Under no circumstances is a lone worker authorised to undertake high risk activities for which an additional person is required to be present (such as working in a confined space or electrical work near live conductors).

Where there is any reasonable doubt about the safety of a lone worker in a given situation, consideration should be given to sending a second worker or making other arrangements to complete the task.

All employees working alone should be contactable by either a personal mobile phone, fixed landline or a mobile number issued by the College.

If a lone worker discovers a building has been broken into, they must not enter alone but should contact the Porters' Lodge at the College and wait for support.

## **8. SAFE WORKING ARRANGEMENTS**

When establishing safe working arrangements for lone workers we will firstly consider whether one person can adequately control the risks of the job. Precautions should take account of normal work and foreseeable emergencies, e.g. fire, equipment failure, illness and accidents.

In particular, we will consider the following:

- Workplace: does the workplace present any special risk to the lone worker?
- Alarm systems: are these tested regularly?
- Access: is there a safe way in and out for one person? Can any temporary access equipment such as a ladder be safely handled by one person? Is a key code required for access? If so, is this changed regularly?
- Equipment: can all the equipment, substances and goods involved be handled safely by one person?
- Environment: is there a risk of violence? Can night workers park near their working environment, rather than walking through dimly lit car parks or buildings?
- Contact and accidents: Is a telephone and first aid box accessible in an emergency situation? Women and young workers: are women or young workers especially at risk if they work alone?
- Home workers: are personal contact details kept confidential, such as location, email address and telephone number? Employees will be warned that even ex-directory numbers may display on phones with caller-ID so care must be taken to keep the number private.
- Travel: journey time, driver fatigue, vehicle suitability, distance, remoteness of destination and general location of destination.
- Communication: could the employee experience problems such as lack of a mobile phone signal? If so, what other means of communication are available?

## **9. INDIVIDUAL CONSIDERATIONS**

Once the role has been fully assessed, we will consider whether the individual worker is fit and suitably experienced to work alone, and whether they have any medical condition which may create a risk if working alone.

It is important that any existing medical conditions which may make workers unsuitable for working alone are properly considered. Where necessary, advice will be conducted by a medical practitioner appointed by Pembroke College.

## **10. TRAINING**

Training is particularly important where there is limited supervision to control, guide and help in situations of uncertainty. Training may be critical to avoid panic reactions in unusual situations.

To work alone employees and workers must be sufficiently experienced and fully understand the risks and precautions of each task they undertake. Heads of Department will set limits as to what can and cannot be done while working alone and should ensure employees under their control are familiar with the warning signs of a potential risk; are aware of the location of emergency exits and first aid facilities; and are competent to deal with circumstances which are new, unusual or beyond the scope of training. Employees and workers should be advised of the types of circumstances when they should stop work and seek advice, how to handle aggressive/difficult individuals or when the emergency services should be called.

## **11. SUPERVISION**

The extent of supervision required will depend upon the tasks involved and the ability of the lone worker to identify and handle health and safety issues. The level of supervision required will be a management decision based on the findings of the risk assessment: it will not be left to individual employees to decide if they need assistance.

Procedures to be put in place to monitor lone workers to ensure their safety include:

- Periodic visits from supervisors.
- Regular contact via telephone/radio/email as appropriate to the type of work.
- Automatic warning systems or devices if the required level of contact is not maintained by the lone worker.
- Alarm devices to be used in emergencies.
- A full detailed record of travel/working hours/appointments with regular checks of the lone worker.
- An agreed plan of action should a worker fail to report in as required.
- A report to be completed following any incidents so that lessons can be learnt and control measures implemented.
- Support mechanisms readily available for lone workers affected by an incident.

#### **12. ACCIDENT/INCIDENT**

Lone workers must report any accident or incident, however minor, to the Porters' Lodge.

#### **13. EMPLOYERS' LIABILITY INSURANCE**

All lone workers will be insured against workplace injury or disease under our Employers' Liability Insurance.

#### **14. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Health and Safety Policy.
- Violence at Work Policy.

#### **15. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.

## PERSONAL RELATIONSHIPS BETWEEN STAFF AND STUDENTS

Pembroke College has adopted the University's Policy concerning personal relationships between staff and students.

<https://www.hr.admin.cam.ac.uk/policies-procedures/dignity-work-policy/personal-relationships-between-staff-and-students-policy>

Guidance on detailed interpretation of this Policy is available at that website.

Guidance on Pembroke Website can be found:

[Policy for staff and students | Pembroke \(cam.ac.uk\)](#)

### 1. INTRODUCTION

We recognise our recruitment strategy, processes and practices are important to the continued success of the College. Current and future employees are our key resource in the delivery of our services.

This policy is not contractual, but aims to set out the way in which the College manages its recruitment activities.

### 2. SCOPE OF THIS POLICY

This policy applies to all recruitment activity, including internal promotions and secondments, and including roles that are filled on a fixed-term contract basis of more than six months' duration.

### 3. AIMS OF THIS POLICY

We seek to employ the best individuals to fill our vacancies and to provide the essential skills and attributes to meet the current and future needs of our business.

This approach naturally embraces diversity, to provide expertise, challenge and imagination, and all individuals should be recruited solely on the basis of their ability and in accordance with our equal opportunity policy.

### 4. LEGAL CONSIDERATIONS

The Equality Act 2010 prohibits discrimination on grounds of a protected characteristic (sex, race, disability, sexual orientation, religion or belief, age, pregnancy/maternity marital status/civil partnership or gender reassignment). However care should also be taken to ensure that part-time workers and those on fixed-term contracts are treated fairly. This is broadly interpreted, and unlawful discrimination may take a number of forms: direct, indirect, harassment, victimisation, discrimination by association and discrimination by perception. The candidate does not therefore necessarily have to have the protected characteristic themselves in order to bring a claim.

A decision to shortlist, interview or offer employment will not take account of an applicant's trade union membership or non-membership.

It is unlawful to refuse to employ someone purely because they have reached the State Pension Age. It is also unlawful to induce a candidate to give up or opt out of membership of a qualifying pension scheme, or to subject any candidate to a detriment for seeking to enforce their pension rights.

Positive discrimination (selecting a candidate purely on grounds of membership of a particular minority group) is unlawful (with the exception of employees on maternity, adoption or shared parental leave or at risk of redundancy, where special rules apply). However employers are permitted to take positive action in favour of under-represented groups in the workforce when choosing between candidates who are otherwise equally qualified.

Under the Data Protection Act 1998 and the General Data Protection Regulation (GDPR), unsuccessful candidates can request copies of any notes held on them that are stored in a structured way. Therefore it is essential to record selection decisions in an objective and non-discriminatory way, i.e. demonstrating where the candidate does/does not measure up as well as other candidates with regards to the skills and knowledge for the job. Notes of all interviews should be made using our standard documentation and will be kept on file for six months after the selection decision is made and candidates should be advised that this is the case.

### 5. THE RECRUITMENT PROCESS

Whenever a vacancy arises, the decision as to whether to recruit a replacement will be carefully considered by the appropriate Head of Department/Line Manager who will evaluate whether the duties of the role should be carried out in a different way.

Equally there may be an internal candidate who could transfer or develop the skills necessary for the role or an existing member of staff who is able to take on some additional duties within their existing role.

Heads of Department who have responsibility for recruitment must ensure they undertake any recruitment in a clear, consistent and professional manner and in line with our Equal Opportunity Policy. Selection will be conducted on an objective basis and will focus on the applicants' suitability for the job and their ability to fulfil the job requirements.

To ensure objectivity, the duties and the skills required of the post will be reviewed and any existing documentation updated so that candidates are assessed against the same framework. Person specifications will be carefully considered to minimise the risk of direct or indirect discrimination and to ensure they do not impose any condition or requirement which cannot be justified by the demands of the post, especially with regard to qualifications and previous experience. Shortlisting and interviews will, where possible, normally be conducted by two or more people to minimise the risk of inadvertent bias.

We use standard documents and forms for all recruitment and selection to ensure a professional and consistent approach. All candidates (including internal applicants) will be required to complete a standard application form to ensure better comparability of information.

Since the way that we recruit reveals much about the College to external candidates and contacts, in addition to describing the role well, it is also essential to convey the culture and environment within which we work. Adverts will normally state: "Pembroke College is an equal opportunity employer and values diversity." A copy of our equal opportunity policy may also be made available to candidates on request.

All applications will be handled in confidence and circulated only to those involved in the recruitment process.

## **6. INTERNAL APPLICANTS**

With very few exceptions (see below) all vacancies will be advertised internally to ensure that existing staff are given the opportunity to apply, and thus develop their skills and careers. This approach also gives us the following additional benefits: staff are made generally aware of career opportunities available to them; an internal candidate will already be familiar with our College, its policies, procedures, internal structure and systems; an internal candidate may be able to take up the post earlier than an external one and we save on the cost and time involved in external recruitment. We will usually place vacancy notices on our website.

However vacancies will not be advertised internally either where there is a reorganisation within a department and we have employees "at risk" of redundancy for whom we will seek posts in the new structure, or where we have an obligation to place somebody in another post (e.g. a night worker who needs to change shift pattern for health or safety reasons or for an employee returning from maternity/adoption/shared parental leave whose original job is no longer available). In these instances, the needs of the employee to be redeployed will take priority.

## **7. ATTRACTING CANDIDATES**

To ensure that the best candidate is attracted and appointed we may use the following methods: advertising the vacancy on the Internet; appropriate website or journal and advertising agencies.

Where necessary (because of time constraints or specific skills shortages), consideration will be given to using external recruitment agencies. When this is the case, any agencies instructed will be fully briefed about the role and our College, and supplied with information to provide to all potential candidates. They may also be sent a copy of our equal opportunity policy, and asked to confirm that they have read its contents and will abide by its principles.

## **8. ASSESSMENT METHODS**

Care will be taken to use selection methods and techniques that are relevant to the job. These will be reviewed regularly to ensure their fairness and consistency of application.

Interviews should always be conducted or supervised by trained individuals. Where possible, the same people will be involved in the whole recruitment process including shortlisting and interviewing and if interviews take place on separate days the same people should interview on both occasions.

Ideally, interview panels will consist of two or more people, including a member of the HR Department.

All short-listed candidates will be offered a face-to-face interview. This will be structured to follow an agreed set of questions which will be asked of all candidates and which reflect the person specification.

Questions will relate to information that will help us to assess the candidates' ability to do the job. Questions about marriage plans, family intentions, religious or political commitments or about any other issues which may give rise to suspicions of unlawful discrimination should not be asked. Candidates will not be asked whether they plan to opt-out of auto-enrolment, nor will any statements be made (whether written or verbal) that either state or imply that the offer of a post could depend on whether or not they opt-out of an automatic enrolment pension scheme.

The information provided by applicants will be thoroughly considered. Candidates should also be given the opportunity to ask questions.

Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job. Candidates will be informed in advance if any tests are to be given (e.g. skills tests, presentations, aptitude tests etc.). Any tests/presentations must be relevant to the post. If necessary, guidance from appropriate professionals will be given, particularly in the case of psychometric tests. Where any psychometric or aptitude tests are administered, qualified test administrators will normally offer appropriate feedback to candidates.

## **9. DISABLED CANDIDATES**

At all stages of the recruitment procedure, reasonable attempts will be made to accommodate the particular needs of any candidate who has notified us of a disability. This may include changing the timing or location of any interview to enable the candidate to attend, providing information in different formats or larger type, etc.

## **10. OFFERS OF EMPLOYMENT**

Offers of employment may initially be made verbally but should always be confirmed in writing, and specify a timescale in which the successful candidate should confirm their acceptance or rejection of the offer.

All permanent and fixed-term appointments of more than six months duration will be made subject to a satisfactory probationary period. The probationary period is usually of six months' duration.

## **11. REFERENCES**

All offers of employment are made subject to the receipt of references that are satisfactory to us, unless the candidate has previously worked for us and left our employment no more than six months prior to the offer being made.

Candidates will be asked to provide the details of two referees, one of whom should be their current or most recent employer, where applicable. References will always be taken up on external candidates, once an offer of employment has been made and accepted.

Where possible, references should be received prior to any new employee starting work for us and it may be that we delay the start date of a new employee until the references are received and checked. In the event of a reference being unsatisfactory to us, we may withdraw the offer of employment but will usually discuss this with the candidate, and if appropriate the referee, before making this decision.

## **12. PRE-EMPLOYMENT CHECKS**

Following the offer and acceptance of employment, employees should not normally commence working for us until all appropriate checks have been completed to our satisfaction. All successful candidates will be required to provide proof of their entitlement to work in the UK prior to starting work with us. In addition, and depending on the requirements of the post, we may also require proof of qualifications, driving licence or a medical report.

Where the duties of the post holder will involve working with children or vulnerable adults, any appointment will be subject to a satisfactory check with the Disclosure and Barring Service (DBS).

## **13. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Application form and recruitment letters.
- Equal Opportunity Policy and monitoring form.

## **14. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.

### 1. AIMS

The College aims to adopt the highest standards and take all reasonable steps in relation to the safety and welfare of children and adults at risk. The College encounters children and some adults at risk through its teaching, cultural and research activities, as well as through its recruitment and outreach programmes. In particular, the College encounters children in relation to the Pembroke College Girls' Choir.

This policy does not discourage such activities in any way. Instead, it aims to support them and to offer assurances to those engaged in the work of the College that, through its implementation, the College seeks to protect children and adults at risk and keep them safe from harm when in contact with the College's employees, Fellows, volunteers, students or representatives (whether acting in a paid or unpaid capacity). It is also intended to safeguard the interests of employees, Fellows, volunteers, students and anyone who works on behalf of the College and who comes into contact with children or adults at risk.

The policy can be found at: <https://www.pem.cam.ac.uk/current-students/policies-procedures-guidance/safeguarding-policy/>.

**1. SOCIAL MEDIA**

The term social media refers to 'websites and applications which enable users to create and share content or to participate in social networking' (OED).

**2. POPULAR SOCIAL NETWORKING WEBSITES INCLUDE:**

- Facebook: a social networking site that allows users to create profiles, upload photos and video, send messages, keep in touch with friends, family and colleagues, and follow organisations
- Twitter: a social networking microblogging service that allows registered members to broadcast short posts of 140 characters (max), post videos and photos, called tweets
- LinkedIn: social networking site for business and career development. LinkedIn allows registered members to establish and document professional networks of people
- Instagram: a social network that enables users to take, edit and share photos with other users via Instagram's own platform, email, and social media sites
- Flickr: an image hosting and video hosting website
- YouTube/Vimeo: video-hosting websites that allow members to store and serve video content
- Vine: a mobile application that enables users to record and share short (max. 6 seconds), looping video clips
- Snapchat: a mobile app that allows users to send and receive "self-destructing" photos and videos. The sender determines how many seconds the recipient can view the 'Snap' before the file disappears from the recipient's device
- Pinterest: a social media platform for sharing and curating images online

Pembroke College has official Twitter, Facebook, LinkedIn, Instagram, YouTube, Vimeo, Vine and Pinterest accounts. These are monitored and coordinated, as part of a College Communications Strategy, and new official College accounts should not be created without taking advice from the Senior Tutor and the Development Director.

**3. USE OF SOCIAL MEDIA**

Only use approved Pembroke College social media accounts for official business and where appropriate, use Pembroke College branding and a professional image or persona on such accounts.

Do not put Pembroke College sensitive information or anyone's personal information onto online forums, blogs or social networking sites. Employees shall not engage in any social media that may harm or tarnish the image, reputation and/or goodwill of Pembroke College and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when using social media.

With at least 6 in 10 Britons actively using social media, it is likely that a majority of College staff also use it on a regular basis as a useful tool personally and professionally.

A person's online reputation is formed via posts by that individual, posts by others about that individual, posts by others pretending to be that individual. It is what a person's digital footprint says about them.

The College recognises that via social media, staff can be among its greatest advocates, and welcomes content generated by its employees, which can be re-posted through its official social media channels to promote the work of the College.

However, the College encourages employees to be circumspect in posting about their work. Anything written on a web page, or on social networking sites or a personal blog, could be regarded as a public declaration, equivalent to hanging a poster on the Senate House railings or standing up and making a speech in Hall. Employees should also be aware that other organisations may read employees' personal blogs, to acquire information on, for example, their work, products, and employee morale. Remember that the internet never forgets - when something is posted online it will always be there.

**4. THINK BEFORE YOU POST**

Even if Pembroke is not directly referenced in a social post, inappropriate comments can adversely affect the reputation of the College, as well as the employee. It should be noted that if comments/photographs are likely to be construed as linked to Pembroke or, in more direct cases, if comments about Fellows, student, colleagues, or customers could be regarded as abusive, humiliating, discriminatory or derogatory, or could constitute bullying or harassment, the College will treat this as a serious disciplinary offence.

The College does not wish to prohibit the use of social media by employees but staff must not:

- Post anything that breaches copyright or other law, or discloses confidential information, defames the College or its suppliers, clients/customers, Fellows, students or employees, or discloses personal data or information about any individual that could breach the General Data Protection Regulation (GDPR). In summary, if something is not public information, it should not be shared
- Post anything that could be construed as defamatory, or as harassment or bullying of another member of the College. Pembroke has a zero-tolerance policy on bullying and harassment. Social media posts which break this – even if posted in non-work time, from personal devices - will lead to the employee being disciplined
- Contravene the College's IT policy or constitute misuse of College equipment.
- Post anything which is damaging to the reputation of the College or to employees of the College (See Whistleblowing Policy).
- Misrepresent themselves or their role with Pembroke on a social media profile (for example on LinkedIn).
- Air business concerns or complaints on social media: these should be raised with a manager or formally through the College's Grievance Procedure.

- Claim or give the impression that they are speaking on behalf of the College, unless they are running an official College social media account.
- Any questionable response received by an employee relating to a posting they made that concerns the College should not be replied to, but should be referred to their line manager in the first instance.

The College also strongly advises employees to bear in mind the following guidelines:

- Be aware that social media content is generally available for anyone to see, indexed and archived for posterity
- The 'mother rule' – before you post anything ask yourself, what would your mother – or line manager – think? The College has no desire to monitor the personal lives of its employees, but if aspects of those personal lives are made public in a way that contravenes any of the points above it will be obliged to respond - it may on occasion do so
- Privacy settings – these can be set to restrict who you accept as a follower/friend and who has access to your posts. You may regret a post and delete it from your account, but by this time, someone may have reposted your comment/image, possibly via a screen grab. Consider carefully which fellow staff members you might want as a follower/friend. Is it appropriate to connect with your line manager, for example?
- Consent - If you want to post an image taken on the College site, or on College business (i.e. the Staff Outing), have you obtained the consent of the other people featured in the photo for you to do so? If someone objects, do not post the image, or if you have already done so, take down the image immediately, or edit the image to obscure or remove that person.

## **5. SOCIAL MEDIA AT WORK**

While employees are allowed to access their personal social media sites on their work computer during their formal breaks, they should not otherwise do so at other times, unless it is for specific work-related reasons.

Only access appropriate content using Pembroke College technology and do not intentionally visit sites or news groups that are obscene, indecent or advocate illegal activity.

If, however, an employee is asked to contribute to an official weblog on behalf of the College then the specific details will be discussed with the Development Officer/College Recorder or other appropriate member of staff at the time. If writing any such weblogs, employees will normally be asked to state that any personal views expressed do not necessarily reflect the views of the College.

It is important to note that our students' and alumni and other business contact details and information remain the property of the College. Upon leaving our employment, for any reason, any contacts gained whilst in our employment (including those on LinkedIn or any other networking platform) should not be used for any purposes that may be in competition with us. In addition, employees leaving the College will be required to delete all work-related data including client/customer contact details from any personal device/equipment (e.g. mobile phones).

## **6. PERSONAL VIEWS DISCLAIMER**

Employees may not attribute personal statements, opinions or beliefs to Pembroke College when engaged in social media. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee may not, expressly or implicitly, represent themselves as an employee or representative of Pembroke College.

Any member of staff who takes part in activities such as internet chat rooms, newsgroups or blogs must state clearly that any views expressed are their own and not the views of their employer or any other party. A suggested disclaimer statement could be "Any views expressed are the writer's own and do not represent the position or opinions of my employer."

The College will not be responsible for any action taken against an employee arising from views they express on such sites.

## **7. POLICY OWNER**

This policy is owned and maintained by College Recorder, and approved by the HR Manager.

Pembroke College reserve the right to change this policy at any given time, of which you will be promptly updated.

## **8. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May, 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager

### **1. INTRODUCTION**

The College takes its duties under the Health and Safety at Work Act 1974 (HASAWA) seriously. These include the provision of a safe place and a safe system of work for our employees, workers and all others who may be affected by our activities. We recognise that violence at work and threatening behaviour are issues of concern to many and could have health and safety implications for Pembroke College.

### **2. SCOPE OF THIS POLICY**

This policy covers all employees, including casual workers, and also any agency workers and contractors working at our premises.

### **3. AIMS OF THIS POLICY**

This policy aims to reduce the risk of workplace violence towards our employees and workers, as well as to students, customers and visitors to our premises, and to ensure that a clear "no tolerance" stance is adopted throughout the College.

### **4. LEGAL CONSIDERATIONS**

The following pieces of legislation apply to this policy:

- The Health and Safety at Work Act 1974.
- The Protection from Harassment Act 1997.
- The Management of Health and Safety at Work Regulations 1999.

The Health and Safety at Work Act 1974 provides that "it shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees". This duty also extends to visitors such as contractors and suppliers. In order for us to fulfil these duties, we will:

- Carry out a risk assessment in order to assess the risks to employees, workers, students and visitors.
- Decide what control measures, if any, are necessary.
- Implement any control measures if the assessment shows that they are necessary.
- Monitor any arrangements to ensure that they are effective.
- Review this from time to time and update as necessary.

### **5. DEFINITIONS**

Violence at work has been defined as "any incident in which a person is abused, threatened or assaulted in circumstances relating to their work". Whilst this definition applies to everyone, some may be at more risk than others. In our own workplace, we have identified the following groups of staff as being most at risk:

- Porters.
- College Nurse.
- Those who deal directly with visitors.
- Lone workers.
- Those who work outside of normal working hours.
- Cash handlers.
- Those who work within the College community and with vulnerable individuals.

### **6. HEADS OF DEPARTMENTS RESPONSIBILITIES**

All Head of Departments have a responsibility to:

- Be familiar with this policy, implement it and ensure that anyone under their control is aware of it and understands it.
- Perform risk assessments in order to assess the risks to employees, workers and other visitors such as clients, and keep these up-to-date.
- Decide what control measures, if any, are necessary in their areas of operation.
- Implement any control measures if the assessment shows that they are necessary.
- Monitor any arrangements to ensure that they are effective.
- Take any report of work-related violence very seriously, and take immediate action, recording the details in writing.
- Support any employees or workers affected by any incidents or threats.
- Take on board any suggestions from employees or workers to prevent future violence.
- Co-operate with any external investigations (such as by the police or HSE).
- Continue internal investigations concurrently with external ones as necessary.
- Do not incite or increase the likelihood of a violent act nor ignore a violent act.
- Review the risk assessment as well as this policy from time to time and make any suggestions as to how any risk(s) could be better controlled or reduced.

### **7. EMPLOYEES' RESPONSIBILITIES**

All employees have a responsibility to take reasonable steps to ensure that they do not place themselves, or others, at risk of harm. They are also expected to co-operate fully with the College in complying with any procedures that may be introduced as measures to protect their safety and well-being, as well as that of visitors. Staff must not incite or increase the likelihood of a violent act nor ignore a violent act.

Our employees are also responsible for ensuring that their family and friends do not get involved in any dispute between us and our workforce. Any relative or friend of an employee who is aggressive or disruptive will be asked to leave our premises and, if

necessary, we will call the police. Unless the employee is disabled and in need of additional help and support, we will normally only deal directly with our employees regarding any employment related matters.

## **8. PROCEDURES**

The following are guidelines on action that we will take to reduce the risk of violence to employees, students and visitors. They are not exhaustive, but are a set of principles to be followed if a risk is perceived or occurs:

- As part of the risk assessment process, we will talk to employees and workers in order to assess what, if any, further preventative measures are required.
- All employees or workers are actively encouraged to discuss with their Head of Department any concerns that they may have. All approaches will be treated sympathetically.
- Where immediate action is required in response to a violent act, the employee or worker should approach their Head of Department or a colleague for help. Department heads should respond to the situation by talking to the perpetrator, explaining that their behaviour is not acceptable. They should try to resolve the problem and, if that is not possible, call the Porters' Lodge for assistance. They will remove the person where required. Medical assistance should be provided immediately if needed and consideration given to whether the member of staff feels able to continue working or needs to go home (chaperoned if necessary).
- The police should be informed of any serious incident or persistent cases of violence. CCTV footage should be retained to comply with any subsequent investigations (either internal or by the police) and following the CCTV Policy of the College. Statements should be taken from any witnesses promptly and a copy sent to the HR Manager/H&S Officer.
- Any incident of violence, threats or verbal abuse must be reported to the individual's Head of Department.
- If an incident causes death, major injury or more than seven consecutive days off work (including weekends) it should be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

## **9. DEALING WITH VISITORS**

The safety of our employees and workers is paramount. Any employee or worker who faces rude or aggressive visitors must never return aggression as this is how anger can escalate into violence. Instead they should try to adopt a calm and reassuring attitude and speak slowly and gently. In the unlikely event that a situation escalates, the employee or worker should always withdraw from it, where possible, and seek advice from their Head of Department or Porters' Lodge.

## **10. PREVENTING WORKPLACE VIOLENCE**

We have CCTV monitoring on the premises which may be used in any investigation of violence in the workplace. Signs are posted around the College informing visitors of this monitoring. These must not be removed, covered over or obliterated by having anything placed in front of them.

All new employees and workers (including agency workers) should be made aware of the CCTV Policy which can be found in the Health and Safety Policy and on the Pembroke College website. Those who have daily direct contact with visitors or members of the public should in particular be given a copy of this policy to read.

## **11. PROTECTIVE CLOTHING OR AIDS**

Where our risk assessment suggests that protective clothing or aids (such as a panic button under the desk or mobile alarm) would reduce the risk of workplace violence, we commit to providing this.

## **12. ADVICE AND COUNSELLING**

The College recognises that counselling or other specialist help may be appropriate for anyone who suffers an incident of violence at work. We aim to deal with these cases constructively and sympathetically. The HR Manager/College Nurse will give advice and guidance on how to obtain help and assistance with any workplace violence related issue. All requests for help will be treated in the strictest confidence.

## **13. RELATED POLICIES**

We also have the following related policies:

- Health and Safety Policy.
- Lone Workers Policy.
- Safeguarding Policy.

## **14. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May, 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation (at least annually) and additionally whenever there are relevant changes in legislation or to our working practices.

Any queries or comments about this policy should be addressed to the HR Manager.

### 1. INTRODUCTION

Pembroke College aims to conduct its business at all times with the highest standards of integrity and honesty. We expect all employees and workers to maintain the same standards in everything they do. All those who work for us are therefore strongly encouraged to report any perceived wrongdoing by the College or its employees, workers, contractors or agents that falls short of these principles.

This policy is not contractual but sets out the way in which we plan to manage such issues.

### 2. SCOPE OF THIS POLICY

This policy covers all employees and workers, including those on fixed-term contracts, any casual workers, volunteers or agency workers. It aims to protect those who make a 'protected disclosure' either during their employment (or duration of the contract/agreement in the case of workers) and also after this has ended, and also enables them to take action in respect of any victimisation.

For a disclosure to be protected it must reasonably appear to the employee or worker that it is in the "public interest". The previous requirement that it should be brought in "good faith" no longer applies (however a disclosure that is not made in good faith may result in a reduction of up to 25% in any compensation subsequently awarded by a tribunal).

Note that the scope of this policy does not cover any potential breaches of an employee's employment contract: these should be raised under our Grievance Procedure.

Nor is this policy intended to be used to question financial or business decisions taken by the College, nor as a means of reconsidering any matters that have already been addressed under our bullying and harassment, grievance, disciplinary or other procedures.

### 3. AIMS OF THIS POLICY

This policy aims to assist in the early detection of any inappropriate behaviour or practices within Pembroke College and to provide a clear procedure for our employees and workers to report to us any wrongdoing at work which they believe has occurred, or is likely to occur.

We recognise that individuals may not always feel comfortable about discussing their concerns internally, especially if they believe that the College itself is responsible for the wrongdoing. The aim of this policy is to ensure that they feel confident and able to raise any reasonable concern about our business activities in the knowledge that it will be taken seriously, and that no action will be taken against them by either the College or their colleagues.

### 4. LEGAL CONSIDERATIONS

The following pieces of legislation apply to this policy:

- The Protection from Harassment Act 1997.
- The Public Interest Disclosure Act 1998 (PIDA).
- The Bribery Act 2010.
- The Enterprise and Regulatory Reform Act 2013.

### 5. RESPONSIBILITY

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the management of Pembroke College.

Heads of Departments have a crucial role to play in encouraging employees and workers under their supervision to report any concerns they may have.

Any employee or worker who has knowledge of, or reasonably suspects, any fraud, theft or other suspicious or unlawful act taking place within Pembroke College is required to report this to their Head of Department/Line Manager, or to use the procedure set out below.

All employees and workers, irrespective of their job or seniority, are required not to subject any other employee or worker to any detrimental treatment nor harass or bully such an individual on the basis they have raised a concern under this policy. They are also required not to encourage others to do so nor to tolerate such behaviour. Disciplinary action, including dismissal, may be taken against any employee found guilty of such behaviour. In addition, an employee or worker who has victimised a colleague may be personally liable for any victimisation.

### 6. PROCEDURE

All of our employees and workers are encouraged to use the procedure set out below if they have a concern about any of the following:

- Wrongdoing at work, including any criminal offence.
- A failure to comply with legal obligations or breach of any statutory Code of Practice. Note that any complaint relating to an alleged breach of an employee's individual contract should be raised under our Grievance Procedure.
- A miscarriage of justice.
- A health and safety danger.
- An environmental risk.

- A concealment of any of the above.

This list is not exhaustive but indicates the types of concerns that should be raised:

- Misuse of assets including stores, equipment, vehicles, buildings, computer hardware and software.
- Failure to comply with appropriate professional standards.
- Bribery, corruption or fraud including the receiving or giving of gifts or hospitality in breach of our procedures.
- Falsifying records.
- Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income to the College or would otherwise seriously prejudice the College.
- Abuse of authority.
- Using the power and authority of Pembroke College for any unauthorised or ulterior purpose.
- Causing damage to the environment.

The employee or worker does not have to be able to prove the allegations, but should have a reasonable and genuine belief that the information being disclosed is true: some allegations may prove to be unfounded, but we would prefer the issue or concern to be raised early on, rather than run the risk of not detecting a problem early on.

If appropriate, they should discuss the matter with their Head of Department/Line Manager in the first instance. However, should they prefer (perhaps because the Head of Department/Line Manager is unavailable, or indeed might be the cause of the concern), then any of the following, all of whom are designated to deal with such matters, may be approached: another Head of Department or HR Manager.

Where requested, we will respect so far as we can legally the confidentiality of any whistleblowing complaint received, but cannot guarantee that the investigation process will not result in colleagues speculating on the identity of the whistle-blower. It must be appreciated that it will be easier to follow up and to verify complaints if the individual is prepared to give their name. Unsupported anonymous complaints and allegations are much less powerful and therefore will be treated with caution.

If the matter requires further investigation, this will be carried out and the individual raising the concern will be informed of the outcome of the investigation and what action, if any, has been taken.

Where such investigation involves outside agencies e.g. the police this may cause some delay in the investigation.

If they remain unhappy about the speed or conduct of the investigation, or the way in which the matter has been resolved, they should refer the matter to the Bursar.

Following further investigation of the complaint, the individual will be informed of the result and whether any action has been taken.

We undertake that no employee or worker who makes a bona fide report under this procedure will be subjected to any detriment as a result, and we will not condone any form of victimisation, bullying or other detrimental treatment e.g. by co-workers of anyone who has raised a concern under the remit of this policy. If any individual feels that they are being subjected to detrimental treatment, bullying or harassment by any person within Pembroke College (including their colleagues and co-workers) as a result of their decision to invoke this procedure, they must inform the Bursar immediately and appropriate action will be taken to protect them from any reprisals. Any victimisation, bullying or detrimental treatment will be dealt with under our Disciplinary Procedure.

However, if it should become clear that the procedure has been invoked for malicious reasons or to pursue a personal grudge, this will constitute misconduct and will be dealt with through our Disciplinary Procedure.

## **7. REFERRAL TO EXTERNAL BODIES**

The College recognises there may be matters that cannot be dealt with internally and external authorities (such as the police, the Health and Safety Executive or external auditors) will need to become involved. Where this is necessary we reserve the right to make such a referral without the employee's or worker's consent.

## **8. EX-EMPLOYEES AND WORKERS**

Any protected disclosures made by ex-employees or workers after the termination of their employment/contract should also be dealt with under this procedure. In such cases, we normally ask that the employee/worker sets out the details of their concerns in writing and we will then respond in writing, having undertaken such investigations as we deem to be appropriate.

## **9. RELATED POLICIES AND DOCUMENTS**

We also have the following related policies and documents:

- Bullying and Harassment Policy.
- Data Protection GDPR Policy.
- Grievance Procedure.
- Disciplinary Procedure.

## **10. IMPLEMENTATION, MONITORING AND REVIEW OF THIS POLICY**

This policy will take effect from May 2021. The HR Manager has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Any queries or comments about this policy should be addressed to the HR Manager.

## CASUAL WORKERS HANDBOOK UPDATES

[illegible]