



## **NEWNHAM COLLEGE POLICIES AND PROCEDURES: STAFF**

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## Access Control at Newnham College: Code of Practice

### 1) Introduction

The purpose of this paper is to set out the basis for the continued installation and use of card access controlled doors, gates and car park barriers at Newnham College.

### 2) General Purposes

The purpose of card access controlled doors, gates and car park barriers include:

- The detection and prevention of crime
- The remote management and monitoring of the College car parks
- Ensuring that only authorised card holders are able to access certain doors, gates and car park barriers at certain agreed (programmed) times

### 3) Responsibility for the proposed scheme

The Council will be responsible for the scheme. Overall responsibility lies with the Bursar (Data Protection Officer) and the Domestic Bursar, with delegation to other Heads of Department as appropriate (principally the Head Porter).

### 4) The reasons for using Access Control

#### 1.1 Newnham College is an open site

- The College buildings are situated within gardens open to the public, and grounds are habitually used by members of the public and local residents.
- The main range of buildings, which is inhabited by undergraduates, is locked between the times of midnight and 6am when the only access is through the Porters' Lodge front door, but otherwise there is open access and each student's room door is in effect a front door.
- The openness is valued by the College, and access between buildings would be quite impractical if a regime of locking up were to be imposed.
- Incidents and thefts do occur, however, and the installation of card accessed controlled doors in certain areas such as the garden entrances to the buildings is under continuing consideration.

#### 1.2 Car parking

There is increasing pressure on the car parks, which are used by the staff, Senior Members and some students, as well as visitors and contractors. The management of the car parks remote from the Porters' Lodge is facilitated by the use of card access controlled barriers.

### 5) Processing Data

Data will be processed only in furtherance of one of the purposes of the scheme, as set out in paragraph (2) above.

### 6) Data Protection

The College's Data Protection Policy includes information on how information is retained on the College computer systems [including the "card-use information log"] and how access to this can be sought. Day-to-day compliance with the requirements of the Code of Practice is the responsibility of the Head Porter and the Domestic Bursar.

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7) **Security and Disclosure Policies**

- 1.3 Data on the card access system will be kept routinely for 30 days and destroyed automatically thereafter. During the 30-day period it will be backed up each night.
- 1.4 Members of the Porters' Lodge staff will be trained in the use of the card access system and in the data protection principles governing its operation, including the principle that the equipment must be used only in order to achieve the purposes for which it has been installed. Members of the Porters' Lodge staff will be made aware of the procedure which needs to be followed should access to see the card use information log be sought. Such a request may only be authorised by the Head Porter, Deputy Head Porter or responsible College Officer. [See 1.14]
- 1.5 If data is processed for one of the purposes outlined at paragraph (2) above, for instance to print off a card use information log for use in evidence in criminal proceedings, it will be kept in the Head Porter's safe. The data will be disclosed only to responsible College Officers and to the police. The data will be accompanied by the following documentation (collated on an **Access Control Record Request Form**):
- The date and time on which the data held in the card-use information log were removed from the general system for use in legal proceedings
  - The reason why the data were removed from the system
  - The name of the person removing the data
  - The name(s) of any person(s) requesting the data. If this should include third parties, this will include the organisation to which the third party belongs
  - Any crime incident number to which the data may be relevant
  - The signature of the collecting police officer, where appropriate
  - The outcome, if any, of providing the data.

8) **Installation and Maintenance**

- 1.6 Upon installation, an initial check will be undertaken to ensure that the equipment performs properly.
- 1.7 The card access doors, gates and car park barriers and system will be serviced on a yearly basis. A maintenance log will be kept in the Porters' Lodge in the Access Control File.
- 1.8 The procedures to be followed if a card access controlled door, gate or car park barrier is faulty are as follows:
- The fault should be reported to the Head Porter and the Buildings Manager
  - If the Head Porter is absent, any member of the Porters' Lodge staff may report the fault to the Buildings Manager
  - The fault should be passed on to the service provider within the next working day following the report of the fault
  - The Head Porter and Buildings Manager have the responsibility for checking that the fault has been repaired.

9) **Access to and Disclosure of information to third parties**

- 1.9 Access to, and disclosure of, the information kept on the card access system must be restricted and carefully controlled, not only to ensure that the rights of
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individuals are preserved, but also to ensure that the chain of evidence remains intact should the information be required for evidential purposes.

- 1.10 Access to “card use information log” will normally be restricted to the Head Porter, the Deputy Head Porter, the IT Manager, and to responsible College Officers.
- 1.11 Access to information will be documented.
- 1.12 Disclosure of the information to third parties should only be made in limited and prescribed purposes, normally to one of the following:
- Law enforcement agencies where the information would assist in a specific criminal enquiry
  - Prosecution agencies
  - Relevant legal representatives
  - People whose information has been recorded in the log (the “data subject”) (unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings).
- 1.13 All requests for access or for disclosures will be recorded. If access or disclosure is denied the reason will be documented. If access to, or disclosure of, the information is allowed, the following will be documented:
- The date and time at which access was allowed or the date on which disclosure was made
  - The identification of any third party who was allowed access to or to whom disclosure was made
  - The reason for allowing access or disclosure
  - The extent of the information to which access was allowed or which was disclosed.

10) **Access by data subjects**

All staff involved in operating the equipment must be able to recognise a request for access to the “card use information log” by data subjects.

1.14 **Requests for access**

- Any individual requesting access must complete an “**Access Control Record Request Form**” (these are available in the Access Control File in the Porters’ Lodge).
- All subject access requests will be dealt with by the Head Porter, the Deputy Head Porter, the Bursar or the Domestic Bursar.
- A copy of the “Access Control Record Request Form” will be given to the Bursar’s Office for their records and to check whether the request is, or is not, part of an ordinary Data Protection Subject Access Request.
- A fee of £10 will be charged and the search for the information requested will not be carried out until the fee has been received.
- One of these responsible people will locate the information requested.
- The responsible person must provide a written response to the individual within 21 days of receiving the request setting out their decision on the request.
- The Code of Practice will be followed.

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1.15 The Domestic Bursar will undertake a yearly review of the documented system in order to ensure that the provisions of the Code of Practice are being complied with. This will normally take place in mid-May.

1.16 A report will be made annually to the College Council, including sections on the location and maintenance of the access controlled, doors, gates and car park barriers, on the number and nature of enquiries and complaints received. The results will be assessed annually by the College Council against the stated purpose of the scheme.

11) **Complaints Procedure**

1.17 Any individual(s) having concerns about the access control system at Newnham College are requested to use the following procedure:

- Write to ask for a copy of the record form, the Newnham College Code of Practice and the Data Protection Commissioner Code of Practice. The request should be addressed to the Domestic Bursar, Newnham College, Cambridge CB3 9DF.
- Follow the complaints procedure which is covered in section 5 of the “**Access Control Record Request Form**”.
- Return the record form, with section 5 completed, together with a letter setting out your complaint, to the Bursar, Newnham College, CB3 9DF.

This procedure should be followed if you have a concern about either the use of the access control system at Newnham College, or about non-compliance with the provisions of the Data Protection Commissioner’s Code of Practice.

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## **CCTV at Newnham College: Code of Practice**

### **1) Introduction**

The purpose of this paper is to set out the basis for the installation and use of a CCTV system at Newnham College.

### **2) General Purposes**

Before installing and using CCTV and similar surveillance equipment, users are required to establish the purposes for which they intend to use the equipment. In the case of Newnham College, the purposes include:

- The prevention, investigation and detection of crime
- The apprehension and prosecution of offenders (including use of images in criminal proceedings)
- Monitoring the security of premises.

### **3) Responsibility for the proposed scheme**

The Council will be responsible for the scheme. Overall responsibility lies with the Bursar (Data Protection Officer) and the Domestic Bursar, with delegation to other Heads of Department as appropriate (principally the Head Porter).

### **4) The reasons for using CCTV**

#### **4.1 Newnham College is an open site**

- The College buildings are situated within gardens open to the public, and grounds are habitually used by members of the public and local residents.
- The main range of buildings, which is inhabited by undergraduates, is locked either automatically with the new access control system between 7.45pm and 6am, or by the Porter on duty between 10pm and 6am. Between the times of midnight and 6am the only access into the College is through the Porters' Lodge front door.
- Between 6am and the evening lock-up (either 7.45pm or 10pm) there is open access and each student's room door is in effect a front door.
- The lock-up arrangements are kept under review and may be changed from time to time by the Domestic Bursary or by the Council.
- The openness is valued by the College, and access between buildings would be quite impractical if a regime of day-time locking up were to be imposed.
- Incidents and thefts do occur, however, and the CCTV cameras will be installed at strategic points such as vending machines, bicycle sheds and the street entrances to the buildings to assist in the prevention and detection of crime.

#### **4.2 Car parking**

There is increasing pressure on the car parks, which are used by the staff, Senior Members and some students, as well as visitors and contractors. The management of the car parks remote from the Porters' Lodge would be facilitated by the use of CCTV.

### **5) Processing data**

It is intended that data would be processed only in furtherance of one of the purposes of the scheme, as set out in paragraph (2) above.

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- 6) **Data Protection**  
The College's Data Protection Registration includes provision for the use of CCTV. A paragraph concerning the use of CCTV is included in the College's Data Protection Policy.
- 7) **Security and disclosure policies**
- 7.1 Data on the CCTV system (a digital system) will be kept routinely for 30 days and destroyed automatically thereafter. During the 30-day period it will be backed up each night.
- 7.2 Members of the Porters' Lodge staff will be trained in the use of the CCTV system and in the data protection principles governing its operation, including the principle that the equipment must be used only in order to achieve the purposes for which it has been installed. Members of the Porters' Lodge staff will be made aware of the procedure which needs to be followed should access to recorded images be sought. Such access may only be authorised by the Head Porter, Deputy Head Porter or responsible College Officer. [See 11.1]
- 7.3 If data is processed for one of the purposes outlined at paragraph 2 above, for instance to make a CD for use in evidence in criminal proceedings, it will be kept in the Head Porter's safe. The data will be disclosed only to responsible College Officers and to the police. The data will be accompanied by the following documentation:
- The date and time on which the images were removed from the general system for use in legal proceedings
  - The reason why they were removed from the system
  - The name of the person removing the images
  - The name(s) of any person(s) viewing the images. If this should include third parties, this will include the organisation to which the third party belongs
  - The reason for the viewing
  - The outcome, if any, of the viewing
  - Any crime incident number to which the images may be relevant
  - The location of the images. For instance, if the images are handed to a police officer for retention, the name and station of the police officer.
  - The signature of the collecting police officer, where appropriate.
- 7.4 Viewing of recorded images will take place in a restricted area, normally the Head Porter's office.
- 8) **Siting of equipment**
- 8.1 Cameras will be sited to monitor only those spaces which are intended to be monitored, as approved by the Council. Where the system potentially covers private spaces within the College, they will be blanked out. If cameras cover neighbouring property, the owners will be consulted.
- 8.2 Signs will alert the public that they are entering a zone which is covered by surveillance equipment. The signs will be clearly visible and legible. They will cover the identity of the scheme's organisers, its purposes and the details of whom to contact regarding the scheme. The image of a camera will be used and the wording will read:
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*"This scheme is controlled by Newnham College. For further information contact 01223 335700".*

9) **Quality of images**

- 9.1 A system has been chosen which satisfies the requirement for good quality images, i.e. adequate for the investigation and detection of crime.
- 9.2 A check to record the accuracy of the recorded location of cameras and the accuracy of date and time recorded will be made on a yearly basis. The Head Porter will normally undertake the check in mid-May.
- 9.3 The purpose of the siting of each camera and the physical conditions in which the cameras are located are recorded. The cameras are designed and constructed to be as vandal-proof as possible.
- 9.4 The CCTV system is not designed to meet the requirements of an automatic facial recognition system.
- 9.5 The cameras and system will be serviced on a yearly basis. A maintenance log will be kept in the Porters' Lodge in the CCTV file.
- 9.6 The procedures to be followed if a camera is damaged are as follows:
- The fault should be reported to the Head Porter
  - The fault should be reported to the service provider within the next working day following the report of the fault
  - If the Head Porter is absent, any member of the Porters' Lodge staff may report the fault
  - The contract with the CCTV provider ensures 24-hour service
  - The Head Porter has the responsibility for checking that the fault has been repaired, either on the next working day after the repair, or on his return from absence.

10) **Access to and disclosure of images to third parties**

- 10.1 Access to, and disclosure of, the images recorded by the CCTV system is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact should images be required for evidential purposes.
- 10.2 Access to recorded images is normally restricted to the Head Porter, the Deputy Head Porter, the IT Manager and to responsible College Officers.
- 10.3 All access to processed images will be documented.
- 10.4 Disclosure of the recorded images to third parties will only be made in limited and prescribed purposes, normally to one of the following:
- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry
  - Prosecution agencies
  - Relevant legal representatives
  - The media, at the request of law enforcement agencies and where it is decided that the public's assistance is needed in order to assist in the identification of victim, witness or perpetrator in relation to a criminal incident. As part of that decision, the wishes of the victim of an incident will be taken into account.



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- People whose images have been recorded and retained (the “data subject”) (unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings).
- 10.5 All requests for access or for disclosures will be recorded. If access or disclosure is denied the reason will be documented. If access to, or disclosure of, the images is allowed, the following will be documented:
- The date and time at which access was allowed or the date on which disclosure was made
  - The identification of any third party who was allowed access to or to whom disclosure was made
  - The reason for allowing access or disclosure
  - The extent of the information to which access was allowed or which was disclosed.
- 10.6 Recorded images will not be made more widely available, for instance by being made routinely available to the media or placed on the internet.
- 11) **Access by data subjects**  
All staff involved in operating the equipment must be able to recognise a request for access to recorded images by data subjects.
- 11.1 **Requests for access**
- Any individual requesting access must complete a “CCTV Record Request Form” (these are available in the CCTV file in the Porters’ Lodge).
  - All Subject Access Requests will be dealt with by the Head Porter, the Deputy Head Porter, the Domestic Bursar or the Bursar.
  - A copy of the “CCTV Record Request Form” will be given to the Bursar’s Office for their records and to check that the request is, or is not, part of an ordinary Data Protection Subject Access Request.
  - A fee of £10 will be charged and the search for the images requested will not be carried out until the fee has been received.
  - One of these responsible people, with the assistance as necessary of a Computer Officer, will locate the images requested.
  - The responsible person will determine whether disclosure to the individual will entail disclosing images of third parties.
  - The responsible person will determine whether images of third parties are held under a duty of confidence.
  - If third party images are not to be disclosed, the designated member of staff shall arrange for them to be disguised or blurred.
  - The responsible person must provide a written response to the individual within 21 days of receiving the request setting out their decision on the request.
- 11.2 The Domestic Bursar will undertake a yearly review of the documented system in order to ensure that the provisions of the Code of Practice are being complied with. This will normally take place in mid-May.
- 11.3 A report will be made annually to the College Council, including sections on the location and maintenance of the cameras, on the number and nature of enquiries and complaints received. The results will be assessed annually by the College Council against the stated purpose of the scheme.
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12) **Complaints procedure**

12.1 Any individual(s) having concerns about the CCTV system at Newnham College are requested to use the following procedure:

- Write to ask for a copy of the “CCTV Record Request Form”, the Newnham College Code of Practice and the Information Commissioner’s Code of Practice. The request should be addressed to the Domestic Bursar, Newnham College, Cambridge CB3 9DF.
- Follow the complaints procedure which is covered in section 6 of the “CCTV Record Request Form”.
- Return the “CCTV Record Request Form” with section 6 completed, together with a letter setting out your complaint, to the Bursar, Newnham College, CB3 9DF.

This procedure should be followed if you have a concern about either the use of the CCTV system at Newnham College, or about non-compliance with the provisions of the Information Commissioner’s Code of Practice.

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## **Child Protection**

### **1) Introduction**

The College recognises that members or staff of the College may occasionally work with children in the course of their duties, for example when there are student visitors to the College or students attending residential courses.

In this context, the College is committed to:

- respecting the rights, wishes and well-being of young people with whom it is working;
- taking all reasonable practical steps to protect young people from physical, sexual and emotional abuse;
- safeguarding and promoting the welfare of young people and their protection within a relationship of trust.

### **2) Responsibility and Designated Safeguarding Lead**

The Senior Tutor is the Designated Safeguarding Lead.

The Admissions Tutor, the Admissions Co-ordinator, the Schools Liaison Officer, the Senior Tutor and the two permanent Night Porters have been checked by the Disclosure and Barring Service (DBS).

Accompanying teachers/other adults are expected to take part in all time-tabled activities and are not to leave visiting students in the sole care of Newnham staff or undergraduate helpers.

Teachers/other accompanying adults also take full responsibility for their students during the night, if visiting groups are staying over.

In addition, the College will have two tutors, the Senior Tutor and the Admissions Tutor, available from 08.00 to 22.30 via phone to give advice in an emergency and to whom complaint can be made if there is any inappropriate or harmful behaviour.

In an out-of-hours emergency teachers/other adults should contact the College Porters. The Porters' Lodge telephone number is: 01223 335700. The Porters will be able to give out the telephone numbers of the Admissions Tutor and the Senior Tutor if necessary.

Any event or emergency that requires the schoolteachers' attention during the night must be reported to the Newnham Admissions Office, at the earliest opportunity the following day.

A number of undergraduate helpers may help on student visits.

### **3) Records**

Secure lists of undergraduate helpers and visitors (including parental consent forms and medical information) will be kept on file securely in the Admissions Office for the duration of the residential visit. Secures lists of all under 18 school visitors and/or under 18 residential conference guests organised via the Conference Office will be kept in the Conference Office and with the external Conference Organisers.

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This confidential file will normally be accessible only to the Newnham College staff members overseeing the administration of the project (for example the Admissions Tutor, Admissions Co-ordinator, Schools Liaison Officer or Conference and Events Co-ordinator), but in an emergency it can be accessed by the College Porters and College first-aiders.

Any complaints can be entered into a separate file which is accessible by the Senior Tutor only.

4) **Training**

All student volunteers will be well briefed in relation to the risk issues associated with activities they are involved in.

Where possible student undergraduate helpers will undergo training in the processes of monitoring, reporting and resolving problems with school visits.

All undergraduate helpers will be made aware that they should share any concerns they have with the Senior Tutor, the Admissions Tutor, or the schoolteachers.

5) **Complaints and Vigilance**

If a complaint is made the Senior Tutor will take notes of the complaint, investigate and report back to the complainant within 24 hours. The complaint will remain confidential unless disciplinary action is to be taken.

Any teacher, undergraduate helper or staff member who suspects a case of abuse, or to whom a suspected case of abuse is reported, whether this is by a stranger, student attendee, undergraduate helper or adult working in or around the access visits, must immediately report the incident to the Senior Tutor.

If the complaint is deemed serious, it will be referred to the Head of Schools and Colleges Liaison / Widening Participation and the person with expertise in child abuse issues at the Cambridge Admissions Office.

Any complaints received with regard to a school visit or residential conference organised via the Conference Office will be dealt with via the Domestic Bursar, the Conference and Event's Co-Ordinator and the external organiser as appropriate.

6) **Illness and Injury**

Newnham staff or undergraduate helpers cannot administer medication in any form, unless written consent has previously been given by a parent or carer. In the event of illness or injury, a qualified College first-aider will be called, or the child will be taken to the local doctors' surgery or hospital as appropriate.

In such circumstances, the parent/carers and GP will be informed.

7) **Parents & Carers**

Parents/carers will be contacted in the event that their child is ill or has suffered an injury, or has severely breached the code of behaviour, or has been involved in or subject to a suspected case of alleged abuse.

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As a last resort, in the unlikely event of a serious incident, arrangements will be made with their parents/carers for the affected student(s) to be sent home.

If there has been a criminal offence, we may contact the police.

Contact information for each attendee at a residential event will be kept in the Admissions Office, accessible only in the event of an emergency. Contact information for any school visitors or residential conferences organised via the Conference Office will be kept in the Conference Office.

8) **Conference Guests**

All students attending a summer school and their parents or carer will have agreed to the rules listed in the Newnham Code of Behaviour and to any other rules explained by Newnham staff during the event.

The external conference organiser(s) has overall responsibility for the safeguarding and welfare of all under 18 delegates attending their conferences (whether residential or day visits) and to ensure they have the appropriate ratio of trained staff (with DBS certification if appropriate) to under 18 delegates.

April 2015

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## The Management of Conflicts of Interest: Code of Practice

*(Text in italics is provided as explanation)*

### 1) Material interests

- (a) A material interest is any matter which may influence the judgment of the person possessing it, or may reasonably appear as capable of influencing that person's judgment, so that the judgment may not be, or may not appear to be, exercised wholly and exclusively in the interests of the College.

*The test for deciding whether or not an interest is material is an objective one. It also depends on appearances—the test is not simply whether the interested person might be influenced, but whether the possibility of influence might reasonably seem to arise. It should be remembered that an interest may derive from a family member.*

*It was asked at the meeting of the Colleges' Committee on 28 October 2006 to what extent shareholdings in public companies should be included in the register of interests. A College might reasonably decide to follow the local authority model code of conduct (see SI 2007/1159), which limits attention to shareholdings in excess of £25,000 nominal value or 1% of the total issued share capital.*

- (b) But an interest shall not be a material interest unless the person having the interest either knew about it or should reasonably have been aware of it.
- (c) Any position as a company director or charity trustee shall not constitute a material interest unless there is a reasonable possibility that the company or the charity, as the case may be, may be engaged in some business, appeal, or transaction involving the College.

*But the directorship of a trading company wholly owned by the College is virtually certain to be a material interest. Any College officer who is a director of a subsidiary company of the College will already know of the special care necessary to manage the conflict that can arise between his or her duty to the College and that to the company, and of the need to be aware at all times in which capacity he or she is acting.*

- (d) If the Principal considers that any member of the Council may have a material interest in an item of business, then the Principal may refer the matter to the Council, who shall, in the member's absence but after hearing his or her views, determine the matter. The determination of the Council shall be binding on the member concerned.

*The basic principle is that it is for each member of the Council, having conscientious regard to the management of conflict, to judge for him or herself when a material interest arises and to act according to the rules. But this rule provides for an objective external control of the matter by the College.*

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## 2) Register of Interests

The Bursar shall maintain a Register of Interests of members of the Council, into which shall be entered such information as may be required by these rules or by Ordinance or as may reasonably be requested by the Bursar.

- (a) The Register of Interests shall include a statement of membership of any Faculty or Department in the University, and the holding of any office or position in the University. It shall also include any other matters as may be specified by the Council by Ordinance.

*The information to be entered in the Register of Interests will be the nature of the interest of the member concerned and not the quantum of it. For example, the interest (if such there be) in a shareholding is in the company in which the shares are held and not in their amount. Thus the Register should refer to a shareholding in that company without recording the number or value of the shares held.*

- (b) The Bursar shall seek information for entry into the Register of Interests from members of the Council when they become members, and also annually. Members of the Council shall notify the Bursar of changes in their information relevant to the Register of Interests as they occur.

- (c) The Register of Interests shall be available for inspection in the Bursary by any member of the College entitled to attend a meeting of the Governing Body.

## 3) Declaration of Interests

- (a) Each agenda for a meeting of the Council shall contain an early item "Declaration of Interests".

- (b) A member of the Council who has a material interest in an item of business before the Council shall declare that fact on each occasion that the business is under consideration. But that shall not be required

- (i) for business solely for report which is not discussed by the Council; or  
(ii) where the interest arises from the holding of an office or position in the College, where the other persons holding such an office or position in the College have a similar interest; or  
(iii) where the interest arises from membership of a Faculty or Department in the University, or the holding of an office or position in the University, where the other members of the Faculty or Department or the other persons holding such an office or position in the University, as the case may be, have a similar interest.

*A member of the Council should not declare any interest that is not a material interest; but the primary judgment of whether or not an interest is or is not material is that of the member and should not normally be questioned.*

*The principle behind the exemptions in (ii) and (iii) is that such interests may be taken to be well-known and of common occurrence within the College. The member may, however, quite properly decide to declare his or her interest in such a case, and it should then be treated as any other declared interest would be.*

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- (c) A member of the Council declaring an interest shall withdraw from any part of a meeting at which the business is under consideration, and shall not speak or vote on the matter.
  - (d) But if the interest is not a pecuniary interest, then the Council may resolve that the member may remain present, and may further resolve to permit the member to speak or to vote on the matter.

*The ordinary rule for material interests is exclusion, but that can be relaxed by the Council in any particular case either wholly or partially (for example, the member may be allowed to remain and speak, but not to vote). However pecuniary interests exclude absolutely.*

*“Pecuniary interest” is undefined. However, in order to require declaration (and thus exclusion) a pecuniary interest must be (i) a material interest, and (ii) not within one of the exempt categories in Rule (3)(b).*

- (e) Where a member withdraws from a meeting in accordance with Rule (3)(c), that fact shall be recorded in the minutes of the meeting. Any resolution of the Council under Rule (3)(d) shall be recorded in the minutes of the meeting at which it is made.

*It follows from Rules (3)(b) to (d) that all declarations of interests should be minuted. Minuting provides good evidence that the members of the Council have addressed their minds to the importance of avoiding conflict of interest.*

*Any resolution to permit a member who has declared an interest to remain, or to speak, or to vote, should be minuted. The reasons for such resolution need not be minuted however, and it would be unusual to do so.*

*The wording of the final sentence of Rule (3)(e) allows for a single resolution to permit presence, speaking or voting at all meetings at which an item of business is discussed. However, Rule (3)(b) requires the declaration of the interest at each such meeting.*

#### 4) **Special Decisions**

- (a) A special decision of the Council is one in which a majority of the decision-makers have a material interest.
- (b) For this purpose the decision-makers shall be taken to comprise the members of the Council present when the decision is made, except for any member who is not entitled to vote in consequence of these rules or for any other reason.

*Rule (4) addresses the problem that arises in consequence of the nature of the College as a self-governing academic community: only the Council can decide on the general control and management of the administration of the College, and yet on occasion they, or the great majority of them, will be conflicted. That may occur, for example, in relation to a decision to approve an across-the-board pay increase in the College, or a general restructuring of academic pay, or an increase in the level of Fellows’ book grants from, say, £200 to £250 a year.*

*The procedure set out in this rule to deal with that situation is based on the judgment in *Public Trustee v. Cooper* [2001] WTLR 901.*



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- (c) Before the Council make a special decision they will consider, having taken full regard of all the circumstances of the matter
- (i) whether the nature of the conflict of interest is so pervasive throughout the Council that they have no alternative but to surrender their discretion by seeking the direction of the Charity Commission; or  
*In this case an application for an order should be made in writing under section 26 of the Charities Act 1993*
  - (ii) whether, notwithstanding the conflict of interest, they are nevertheless able fairly and reasonably to take the decision; and in that case,
  - (iii) whether, before making their decision, they should seek the advice of the Charity Commission in the matter.  
*In this case an application for advice should be made in writing under section 29 of the Charities Act 1993.*

*Each case must be judged on its facts, but in most cases it is unlikely that the Council will conclude that the advice of the Charity Commission should be sought. The examples referred to in the comment on Rule (4)(b) illustrate the point: an across-the-board pay increase following a national settlement or some other negotiated or otherwise rationally determined rate cannot merit an application for advice; neither can a general restructuring of academic pay, always supposing that the College has acted in a demonstrably principled way, considering comparators and basing its decision on a reasoned report; an increase in the level of Senior Members' book grant will be of a dimension to lie comfortably within the proper discretion of the charity trustees, despite their conflict. By contrast, suppose that the College had sold part of its ancient estate for a very large amount and wished to increase the pay of members of the Council or of the Governing Body by sums ranging from £3,000 to £10,000 for each of the next three years. Any Council acting reasonably would conclude that an application to the Charity Commission under either section 26 or 29 represented the only proper way forward.*

5) **Committees and other bodies**

- (a) The above rules shall apply with necessary modifications to committees, working parties and other bodies within the College, as they apply to the Council.
- (b) But Rules (1)(d), (0 and (4) shall not apply, and any other rule may be disapplied either generally or for specified items of business by decision of the Council.

*The extension of the provisions to committees, etc. represents good practice. But members of committees will not, by such membership alone, be charity trustees of the College.*

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## Dignity at Work (formerly: Dealing with Personal Harassment and Bullying)

### 1) **Dignity at Work: College Policy.**

The College is committed to providing a work environment free from bullying, harassment, embarrassment, intimidation, threats or discrimination. It aims to protect the dignity of staff, Fellows, Senior Members, students, visitors to the College, and all members of the College community in their work and their interactions with others.

The policy applies to interactions between College staff, Fellows, Senior Members and students and all visitors to the College, including academic visitors and visiting researchers, those attending public events, contractors and their staff. This list is not exhaustive.

The policy covers bullying and harassment in the workplace and in any work related setting outside the workplace, e.g. business trips and work related social events.

The aim of this policy and the accompanying procedure is to prevent bullying and harassment, to provide guidance and to resolve any problems should they occur and prevent further recurrence.

The College recognises that to work and study effectively staff, Fellows, Senior Members and students need an environment in which they are respected and valued for their contributions, irrespective of their, age, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief or because someone is married or in a civil partnership.

Bullying and harassment at work are a violation of employment and discrimination laws, and may also contravene criminal and/or civil law in some circumstances. In addition, this sort 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 can also put strains on personal and family life, leading to illness and increased staff turnover.

The following principles will guide the College's actions:

- 1.1 Bullying, intimidation and any form of harassment on the grounds of any of the Protected Characteristics referred to above is wholly unacceptable behaviour, and the College will take any such incidents brought to its attention seriously.
- 1.2 Newnham College does not tolerate bullying or harassment of their staff by third parties. If you experience bullying or harassment from third parties please bring this to the attention of the Harassment Adviser immediately using the procedure outlined below.
- 1.3 Complaints will be considered with all reasonable speed and the College will take appropriate action as quickly as possible.
- 1.4 The College regards confidentiality as extremely important. On the one hand, complainants will find that their case is dealt with more easily if they act with care and discretion in seeking help. On the other hand, imposed secrecy is often a component of intimidation and a victim is not obliged to protect his or her harasser. The Harassment Advisers will always act confidentially in so far as this is practicable but they may have to disclose information to relevant people,

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almost always with the agreement of the complainant, if further action or investigation is to be undertaken. Where very serious harassment is alleged, it may be necessary for the College to act without the consent of the complainant. The College may be obliged by a Court or Tribunal to make disclosure.

- 1.5 The Harassment Advisers will use their best endeavours to protect and support any complainant (and, if requested, the alleged harasser) until a complaint is resolved with the agreement of all parties; or until the outcome of Grievance and Disciplinary Procedures is established; and at any future time if repercussions occur.
- 1.6 It is important that the rights of the alleged harasser to natural justice are respected.
- 1.7 Malicious or vexatious behaviour by either an alleged harasser or a complainant may be a disciplinary matter and may lead to dismissal. Malicious gossip by, or to, a third party may also be a disciplinary matter.
- 1.8 Bullying and harassment may be criminal offences.

## 2) **What is bullying and harassment?**

**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 (ie related to the individual's relationship or dealings with others who have that personal characteristic). It may be persistent, or an isolated incident and can take many forms, from relatively mild banter to actual physical violence.

Acts of discrimination, harassment, bullying or victimisation against staff, Fellows, Senior Members, students or visitors are disciplinary offences and will be dealt with under the College's disciplinary procedure. Conduct of this type will often be gross misconduct which can lead to dismissal without notice.

Staff 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 examples below are not exhaustive but give a clear indication of the sorts of actions that constitute bullying or harassment.

- **unwanted physical conduct** - such as unnecessary touching, patting, pinching, brushing against another person's body, insulting behaviour or obscene gestures, physical threats and assault.
  - **unwanted verbal conduct** - such as unwelcome advances, patronising titles or nicknames, propositions or remarks, innuendo, lewd or suggestive comments, over-familiar behaviour, slogans or songs, 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.
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- **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 or videos through any means.
  - **bullying** - includes unwanted physical contact or assault but also verbal bullying such as insulting or threatening comments, comments intended to undermine, belittle, embarrass or humiliate the recipient, persistent criticism or trivial fault-finding, and 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 company technological facilities to contact the member of staff 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 conversations or social activities.

Bullying or harassment can be a single serious incident or persistent and repeated, continuing after the person subjected to it makes it clear he/she wants it to stop.

### 3) **Action to take if you suffer Harassment or Bullying**

Should you feel you are suffering from any harassment or bullying, you are encouraged to take action as soon as possible. Failure to take action promptly may make it difficult for the College to investigate your grievance fairly and adequately. The College reserves the right to refuse to investigate any grievances raised more than three months after the alleged incident.

#### 3.1 **Personal action**

A member of staff or a student who feels that s/he is being bullied or harassed may feel able to approach the person whom s/he perceives as the harasser. The complainant may seek support on a confidential basis in formulating what s/he wants to say, and in speaking or writing to the other person. If a successful resolution is achieved, the HR Officer may keep a confidential record and in some cases to inform a party's immediate Line Manager in general terms, if s/he considers this appropriate.

In some situations this course of action may not be possible. However if the complainant is confident enough and/or the person complained against had no intention of giving offence, a resolution of this kind should make it possible to restore good working relationships.

#### 3.2 **Informal complaint**

The complainant may be unable or reluctant to approach the person complained against. If so, the complainant is encouraged to approach their immediate Line Manager or someone they trust and feel comfortable talking to. To further support staff, the College has four volunteer Harassment Advisors that can also act as a source of support for those who feel they are being bullied and harassed, or those who have been accused of bullying and harassment.

The confidential helper of choice may then support the complainant to make it clear to the harasser on an informal basis that the behaviour is unwelcome and

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must stop. If s/he is unable to do this verbally then a written request may be effective, or alternatively the confidential helper may approach the person on behalf of the complainant.

If it is not possible to resolve the difficulty informally, the parties will be asked to consider entering a mediation process with the support of a Harassment Adviser. Mediation requires that both sides of a situation are understood. Perceived harassment may be unintentional, it may occur in the context of a complex relationship, it may be a consequence of a mental illness, or it may be malicious and wholly one sided. Mediation may result in an apology, an acknowledgement that behaviour was inappropriate, an agreement on the part of the alleged harasser to seek medical treatment or sick leave, or some other resolution, such that complainant, alleged harasser and Harassment Adviser are all convinced that the matter is fully resolved and that no repercussions are expected. The Harassment Adviser may keep notes of the complainant's allegation and the alleged harasser's response but these notes will not be available to anyone else. No notes will be kept in employment or College files. Protection and support will be provided throughout a process of attempted mediation.

### 3.3 **Formal complaint**

If the Informal Stage is unsuccessful, or inappropriate, the Harassment Adviser will inform the appropriate College Officer of the names of the complainant and the alleged harasser. This is to protect both parties from retaliation or unexpected repercussions. The details of the complaint may not be disclosed at this stage. If either a complainant or alleged harasser offers his or her resignation during the investigation of a complaint, the Harassment Adviser shall be consulted before that resignation is accepted. This is to ensure that resignations are not made under pressure.

The Harassment Adviser may then suggest a course of action depending on circumstances and the position of the alleged harasser i.e. whether the alleged harasser is a member of Newnham, the University or the public. The course of action will attempt to achieve resolution but, unlike the informal stage, it will be made clear to both parties that, in the event of failure to achieve a resolution, the Harassment Adviser may recommend that the complainant instigate a Grievance Procedure (see section 6 below). A Grievance cannot be taken out anonymously.

In situations where the alleged harasser is not a member of Newnham it may be appropriate to raise the matter with relevant University authorities, with the College of which the alleged harasser is a member, or with the police. You are advised to act in conjunction with one of the Harassment Advisers if you wish to pursue these options.

If a person who is not a member of Newnham has a complaint against a member of Newnham, they may contact one of the Harassment Advisers who will act on their behalf according to the stages outlined above.

*Note:*

*The Harassment Advisers may have recourse to the following documents which may also be relevant in a possible case of harassment or bullying:*

- *Staff Handbook: Disciplinary Procedures*
- *Policies and Procedures: Staff – Grievance Procedures*

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- *Policies and Procedures: Students – Complaints Procedures*
  - *Ordinance IV of the Council. 'Procedure in case of serious disciplinary offence.'* (junior members)
  - *Part III 'Discipline, dismissal and removal from office' and Part VI 'Grievance procedures' of Statute XXV of Newnham College (academic staff)*
  - *Ordinance V of the Governing Body. 'Procedure in case of serious disciplinary offence.'* (Senior Members)

4) **Action to take if you are physically assaulted**

Depending on the seriousness of the assault, you should contact any of the following as soon as possible: a Harassment Adviser, your tutor (if you are student), College Nurse, your GP, Accident and Emergency Services, the police, the Counselling Service, a Rape Crisis Centre. The Porters will help you to contact the appropriate people, especially if the assault has occurred at night. You should not wash, change your clothes or drink alcohol if the assault is sufficiently serious for medical treatment to be required, or if the police are called. Assault may be more serious than it at first appears. If in doubt, consult a doctor and the police. You may feel unable to cope with a police interview but one of the Harassment Advisers, or other contacts, will help you. A short report to the police may be all that is necessary in the first instance. At a later time you may make a fuller statement, or request that the matter be taken no further. It may be difficult to press charges if you have not contacted the police within a reasonable time. If you did not make any of the contacts described above, but realise later that you should have done so, then you should still contact them. You should continue to use the support services described above for as long as necessary. The psychological aftermath of an assault can be protracted if it is not adequately dealt with.

5) **Sources of help for staff**

Head of Department

College Officers: Bursar, Domestic Bursar, Senior Tutor, Vice-Principal

College Harassment Advisers: Please see the College List (page 6) for full details of these Advisers.

**External Help**

Newnham Walk Surgery, tel: 366811

Linkline (Cambridge 67575)

Samaritans, 4 Emmanuel Street (Cambridge 364455)

Black Women's Support Group (Cambridge 369753)

University Counselling Service (Cambridge 332865)

Cambridge Rape Crisis Centre (Cambridge 358314)

London Rape Crisis Centre (0171 837 1600)

6) **Grievance and Disciplinary Procedures**

The Grievance and Disciplinary Procedures are not part of the Harassment Procedure since they may be instigated directly in response to matters not covered by this policy. In the case of harassment, the Harassment Advisers will have established that the complainant has a reasonable case but attempts at resolution in the Informal and Formal Stages of the Harassment Procedure will have failed to produce a reliable resolution. Protection and support will be provided throughout a Grievance and Disciplinary Procedure brought as a consequence of a Harassment Procedure.

The Grievance Procedure and the Disciplinary Procedure are included in the Staff Handbook.

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## Equal Opportunities

### 1) Introduction

Newnham College was founded to provide a liberal education for women. Its student body is female and, by its Statutes, only women may be elected into a Fellowship. This complies with legislation on sex discrimination, given in the Equality Act 2010, Section 5(3) of the Employment Act 1989, and Article 3 of the College Charter.

### 2) Statement of Policy

2.1 The College is committed to an active approach to equality of opportunity, one which encourages an inclusive culture and values diversity.

We recognise that discrimination is unacceptable and although equality of opportunity has been a long standing feature of our employment practices and procedure, we have made the decision to adopt a formal equal opportunities policy. Breaches of the policy may lead to formal disciplinary proceedings and, if appropriate, disciplinary action.

2.2 This policy has been developed with regard to the Equality Act 2010, the Equality and Human Rights Commission and its predecessor organisations.

2.3 The aim of the policy is to ensure no job applicant, member of staff or worker is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity (including the relevant times for those undergoing IVF treatment), race, religion or belief, sex and sexual orientation (the "Protected Characteristics") or the fact that someone is a part-time worker or a fixed-term member of staff.

2.4 The College also recognises that all members of staff should normally receive equal pay for the same work, work rated as equivalent or work of equal value.

2.5 The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.

2.6 We will maintain a neutral working environment in which no member of staff or worker feels under threat or intimidated. (See "Dignity at Work" in "Policies & Procedures: Staff".)

### 3) Responsibilities

The College Council has overall responsibility for ensuring that the College meets its obligations under employment legislation and that the principles of equality of opportunity are given due regard in its strategic planning.

Responsibility for the implementation and review of the policy as it relates to different sections of the College community will be allocated as follows:

- The Bursar and Domestic Bursar (for non-academic staff)
- The Senior Tutor and the Bursar (for members of the teaching staff)
- The Senior Tutor, the Graduate Tutor, Tutors, Assistant Tutors, Assistant Graduate Tutors and Directors of Studies (for current students)
- The Admissions Tutor, the Graduate Tutor and the Senior Tutor (for candidates for admission to the College)

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- The Principal and Convenors of the Fellowship Electors (for candidates for Junior Research Fellowships).

All members and members of staff of the College who have managerial responsibilities have a duty to put the Equal Opportunities Policy and its procedures into practice and to follow appropriate procedures if breaches of the policy occur. They should ensure that all staff know about their responsibilities and receive guidance and training as appropriate.

All members and members of staff of the College have responsibilities to respect the Equal Opportunities Policy and to keep up to date with the requirements of the law and to take up training opportunities.

#### 4) **Forms of Discrimination**

- 4.1 This policy sets out basic definitions of direct and indirect discrimination and refers staff to a Dignity at Work (anti-harassment) policy.
- 4.2 Discrimination by or against a member of staff is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 4.3 Direct discrimination occurs where someone is treated less favourably because of one of more of the Protected Characteristics referred to above. Discriminating against someone because of a wrongly held perception that they possess a particular Protected Characteristic or because of their association with someone with a particular Protected Characteristic will similarly not be tolerated by the College.
- 4.4 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same Protected Characteristic at a particular disadvantage.
- 4.5 Harassment related to any Protected Characteristic is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Dignity at Work policy.
- 4.6 Victimisation is also prohibited. This is detrimental treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

#### 5) **Recruitment and Selection**

- 5.1 The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour through appropriate training to ensure that members of staff making selection and recruitment decisions will not discriminate on the grounds of any of the Protected Characteristics, whether consciously or unconsciously, in making these decisions, except where legally permitted.
  - 5.2 Applicants will not be asked questions about health and disability before a job offer is made, except where these questions are necessary to:
    - (a) establish whether the candidate can comply with a requirement necessary to the selection process;
    - (b) establish whether any reasonable adjustments are required for the selection process;
    - (c) establish whether the candidate will be able to carry out a function that is intrinsic to the work concerned;
    - (d) monitor diversity;
    - (e) take positive action;
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- (f) ascertain whether a candidate has a disability where this is an occupational requirement of the job.
  - 5.3 Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
  - 5.4 Job descriptions, where used, will be kept under review to ensure that they are in line with our equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications.
  - 5.5 We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
  - 5.6 All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.
  - 5.7 All members of staff involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.
  - 5.8 Short listing and interviewing will normally be carried out by more than one person where possible.
  - 5.9 Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
  - 5.10 We will not automatically disqualify any applicant because he/she is unable to complete a standard application form.
  - 5.11 Selection decisions will not be influenced by an applicant's association with someone with a Protected Characteristic nor any perceived prejudices of other staff.
- 6) **Training, Promotion and Conditions of Service**
- 6.1 All staff will be given appropriate access to training to enable them to progress within the organisation.
  - 6.2 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.
  - 6.3 Senior staff will receive training in the application of this policy to ensure that they are aware of its contents and provisions.
- 7) **Termination**
- 7.1 We will monitor redundancy criteria and procedures to ensure that they are fair and objective and are not directly or indirectly discriminatory.
  - 7.2 We will also ensure that disciplinary procedures are carried out fairly and uniformly for all staff, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.
- 8) **Monitoring**
- 8.1 We will maintain and review the employment records of all members of staff in order to monitor the progress of this policy.
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- 8.2 Monitoring may involve:
- the collection and classification and examination of information regarding the Protected Characteristics of all applicants and current members of staff including the distribution of members of staff and the success rates of applicants; and
  - recording recruitment, training and promotional records of all members of staff, the decisions reached and the reason for those decisions.
- 8.3 The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

9) **Complaints / Breach**

- 9.1 Any member of staff or job applicant who believes that they may have been discriminated against, contrary to the terms of this policy, is encouraged to raise the matter in accordance with the College's Grievance Procedure or in the case of a job applicant by writing to the Bursar.
- 9.2 Any member of staff who is found to have committed an act of discrimination will be subject to disciplinary action in accordance with the College's Disciplinary Procedures. Such behaviour may constitute gross misconduct and may result in dismissal without notice.

The Grievance and Disciplinary Procedures are set out in the Staff Handbook.

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## Family-Friendly Entitlements

### 1) Introduction

The Government has been committed to encouraging the growth of flexible working and other work-life balance policies in the UK for working parents. To ensure that every child has the best start in life and to create more choice for all parents; helping fathers and mothers better control the balance between work and time spent with their child, whilst ensuring that the needs of business are met. To meet this commitment, employment legislation has been put in place which provides working parents with the following entitlements:

- **Maternity leave and pay**
- **Adoption leave and pay**
- **Paternity leave and pay**
- **Parental leave**
- **Shared Parental leave**
- **Time off for dependants**
- **Flexible working**

### 2) Maternity leave and pay

A member of staff has the following statutory maternity rights:

- Protection against being exposed to any significant risk while at work
- Time off work for antenatal care with pay
- Maternity leave and pay
- Protection against unfair treatment or dismissal

A member of staff must present written notification of her pregnancy and the expected date of confinement as soon as possible. This notification should be forwarded to the Bursar or Domestic Bursar so that the member of staff can be informed in writing of their specific entitlements.

A risk assessment should be carried out by the Head of Department (with the College's Health and Safety Officer), specific to the member of staff, to identify any hazards that could pose a health or safety risk and take appropriate action to remove or reduce the risk. The Head of Department should regularly monitor and review any assessment made to take into account possible risks that may occur at different stages of the pregnancy. Appropriate action should not be to the detriment of the member of staff but may entail looking at alternative work, more frequent breaks or even suspension from work on paid leave.

All female members of staff, regardless of service or part-time, full-time status, are entitled to:

#### (i) **Ante-natal Care:**

Entitlement to reasonable paid time off during normal working hours to receive ante-natal care. The staff member should give as much notice as possible of the appointment.

From 1 October 2014, prospective fathers or a mother's partner can also take reasonable paid time off to attend up to two ante-natal appointments.

#### (ii) **Maternity Leave:**

All staff, regardless of length of service, have an entitlement to 26 weeks ORDINARY maternity leave (OML) and 26 weeks ADDITIONAL maternity

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leave (AML) immediately following OML. The member of staff can choose when the OML will begin by notifying the College in writing no later than the end of the 15th week before the baby is due of their intention to take maternity leave but maternity leave may not start earlier than the beginning of the 11th week before the baby is due, unless the baby is born earlier. The date on which maternity leave may start may be varied depending on circumstances or upon 28 days' notice.

Included in the OML is a period called **COMPULSORY maternity leave** which commences on the day the baby is born; during this period the member of staff is not permitted to work for **two weeks** immediately after giving birth.

Maternity leave may be triggered by pregnancy-related absence at the 4th week before the baby is due or at the date of premature birth. The member of staff may further request up to 4 weeks unpaid leave under the parental leave entitlement.

(iii) ***Maternity Pay entitlement:***

Qualification for the Statutory Maternity Payment (SMP) is dependent on the member of staff's current earnings and length of service and medical evidence (see table for further information). Medical evidence is normally a MATB1 form which is issued around the 20<sup>th</sup> week before the week the baby is due, usually in the 21<sup>st</sup> week of pregnancy and completed by a doctor or registered midwife. This certificate must be provided to the College as soon as it is issued and no later than 3 weeks after the date your SMP is due to commence.

Provided the member of staff has satisfied the statutory maternity pay conditions, **contractual maternity pay** will be:

- a. for the first 18 weeks of maternity leave – the member of staff's normal basic pay (plus any bonus, arrears, overtime, holiday pay, etc.);
- b. for the next 21 weeks of maternity leave – statutory maternity pay in accordance with current legislation, as summarised on the "Gov.uk" website. (<https://www.gov.uk/maternity-pay-leave/overview>)

Statutory Maternity Pay (SMP) is currently payable for 39 weeks to those who are entitled to it. Any SMP to which the member of staff is entitled is deemed to be included in the amounts payable under (a) and (b) above unless the amount of SMP due is greater in which case the higher amount will be paid.

Payments will be made on the member of staff's normal pay day and at her normal pay intervals. Once contractual maternity pay has been exhausted only SMP is payable (subject to eligibility).

If a member of staff decides not to return to work after maternity leave, or returns to work but subsequently decides not to continue in the employment of the College for a period of at least three months, the College has the right to reclaim any contractual maternity pay that she received that is in excess of any SMP that she has received.

If a member of staff returns to work but does not subsequently continue in employment for a period of at least three months, the amount deducted will be a proportion of the excess pay as follows:

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Up to one month	All maternity pay
One month up to two months	Two-thirds of maternity pay
Two months up to three months	One-third of maternity pay

In exercising this right to reclaim pay, the College will take into account personal circumstances.

(iv) **Keeping in touch days:** (KIT Days)

Members of staff can work for up to ten days without losing SMP or bringing their maternity leave to an end and the College can keep in regular contact with the member of staff during their leave. If the member of staff on maternity leave and the College both agree, that member of staff can do up to ten days work during their OML or AML. These days are known as "Keeping In Touch Days" (KIT Days). These days are not limited to the member of staff's normal role and these days could be used for training or other events.

A member of staff is not required to take up any "KIT Days": it is up to the member of staff to choose. Nor does the College have to offer these "KIT Days" to the member of staff. Also the College cannot demand that a member of staff comes into work at any time during their maternity leave period nor can the member of staff be penalised for refusing to take up a "KIT Day".

Further details regarding these "KIT Day" arrangements, including what a member of staff would be doing and how they would be paid, will be discussed and agreed on an individual basis.

(v) **Return to Work:**

A member of staff returning to work after Maternity Leave is not obliged by law to advise the College of her intention to return unless she wishes to return earlier than the end of her full entitlement to leave. However, the member of staff concerned is encouraged to advise her Line Manager of her anticipated return date to help ensure a smooth handover of responsibilities.

If the member of staff intends to return to work before the end of the Ordinary or the Additional Maternity Leave period, or, has previously given an earlier return date but wishes to change that date, she must give at least eight weeks' notice in writing.

In the case of Ordinary Maternity Leave, the member of staff is entitled by law to return to the same job in which she was employed before her absence which may have been subject to general improvements to the rate of pay or other terms and conditions (in which case such improvements would have been automatically applied to the members of staff position whilst she was away).

In the case of Additional Maternity Leave, the member of staff is entitled to return to the same job or, if this is not reasonably practicable, to another job which is both suitable and appropriate and her other terms and conditions should not be less favourable than those which would have applied if she had not been absent.

(vi) **Annual Leave:**

During OML and AML, annual leave will accrue at the rate provided under your contract.

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If the holiday year is due to end during your maternity leave, you should ensure that you have taken the full year's entitlement before starting your maternity leave. The normal annual holiday leave entitlement will be 25 working days, as well as the 8 Public, Bank or Statutory Holidays in a 'holiday leave year' which runs from 1st October to 30th September unless varied by the Individual Statement of Main Terms of Employment.

3) **Adoption leave and pay**

Rights to leave and pay for adoptive parents were introduced for members of staff whose children are placed with them on or after 6 April 2003 and staff are protected from suffering detriment or unfair dismissal for reasons related to taking, or seeking to take, adoption leave.

Adoption leave and pay may allow one member of an adoptive couple to take paid time off work when their new child starts to live with them. Paternity leave and pay may be available for the other member of the couple, or an adopter's partner.

Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's child or children.

To qualify for adoption leave, the member of staff must:

- be newly matched with a child for adoption by an adoption agency
- have worked continuously for their employer for at least 26 weeks ending with the week in which they are notified of being matched with a child for adoption

The contract of employment continues during their adoption leave and the member of staff will receive all contractual benefits except wages or salary, and may be eligible for Statutory Adoption Pay (see below).

(i) ***Matching certificate:***

The member of staff should ask their adoption agency for a Matching Certificate which will include basic information on matching and expected placement dates to verify their entitlement to adoption leave and/or Statutory Adoption Pay.

Adopters are entitled to up to 26 weeks' Ordinary Adoption Leave (OML) followed immediately by up to at least 26 weeks' Additional Adoption Leave (AAL) - a total of up to 52 weeks' leave.

(ii) ***Adoption Pay Entitlement:***

During their adoption leave, most adopters are entitled to Statutory Adoption Pay (SAP) from the College. Qualification for adoption payment is dependent on the member of staff's current earnings, length of service and matching evidence (see table for further information).

Provided the member of staff has satisfied the statutory adoption pay conditions, contractual adoption pay will be paid on the same basis as contractual maternity pay.

Following the placement of a child for adoption, the rights to paternity leave and pay give eligible members of staff the right to take paid leave to care for their new child or support the adopter. The member of staff may also request up to a further 4 weeks' unpaid leave under the parental leave entitlement, subject to meeting the eligibility requirements for such leave.

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#### 4) **Paternity leave and pay**

##### **Entitlement and criteria**

The following employees, who have or expect to have responsibility for the child's upbringing, are entitled to a maximum of 2 weeks' paid paternity leave under the College's policy, regardless of their length of service and entitlement to statutory paternity benefits:

- Biological father of a child.
- Mother's husband, partner (of either sex) or civil partner who expects to have responsibility for the child's upbringing.
- Employee of either sex who is adopting a child but is not taking adoption leave.

##### **Statutory Regulations**

Employees are encouraged, where possible, to follow the provisions laid down by the Statutory Paternity Pay Regulations implemented under the Employment Act 2002 for paternity leave. These are as follows:

Employees may choose to take either one or two consecutive weeks' paternity leave (starting on any day of the week but not taken as odd days) subject to the following provisions:

- Notification by the employee to their Line Manager and HR must be given no later than the 15th week before the expected week of childbirth or within 7 days of the date the adoption agency inform the person adopting the child they have been matched with the child.
- Leave can start on any day of the week on or following the child's birth or placement for adoption but must be completed within 56 days of the actual date of birth/placement of the child. If the child is born early, leave must be taken within the period from the actual date of birth up to 56 days after the expected date of birth.
- One period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy or more than one child is placed for adoption as part of the same arrangement.

Provided the member of staff has satisfied the statutory paternity pay conditions, contractual paternity pay will be:

- for 2 weeks of paternity leave at the member of staff's normal basic pay.

Any Statutory Paternity Pay (SPP) to which the member of staff is entitled is deemed to be included in the amounts payable under (a) above, unless the amount of SPP due is greater in which case the higher amount will be paid.

#### 5) **Shared Parental Leave**

From 5 April 2015, mothers, fathers or adopters will be able to opt to take shared parental leave within the first year after the birth or adoption placement. This will apply to parents of babies due or children placed for adoption on or after this date.

Under these arrangements, fathers' and mothers' partners will be able to take some time off concurrently and will be able to decide how they share the one year of

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shared parental leave following a child's birth or adoption placement. Adopters' pay and leave entitlements will also be brought into line with those of birth parents.

As a College we follow the University of Cambridge policy which is available on the policies and procedures section of the University HR website, replacing the Additional Paternity Leave Policy with immediate effect:

<http://www.hr.admin.cam.ac.uk/policies-procedures/shared-parental-leave-policy>

If you have any further questions please contact the Bursary for further details.

## 6) **Parental Leave**

The College offers Parental Leave to eligible members of staff in order to balance work and family commitments.

18 weeks' unpaid Parental Leave will be available in respect of each child born or adopted of a member of staff who meets the following criteria:-

- The member of staff has one year's continuous employment with the College
- The member of staff is the parent of a child under the age of 18 (father, mother or other person with formal parental responsibility for the child)

A member of staff will have parental responsibility if he/she has parental responsibility within the meaning of the Children's Act 1989, or is registered as being the father on the child's birth certificate.

NB: Parental Leave for part-time members of staff will be prorated, e.g. a "week's leave" for a member of staff working three days a week will be three days.

### 6.1 **Conditions for taking Parental Leave**

- Periods of unpaid Parental Leave must be taken in blocks of one week, unless the child is disabled. Due to the difficulty of managing Parental Leave of less than a full week, if a member of staff with parental responsibility of a child who is not disabled chooses to take less than a full week's leave, a full week will nonetheless be deducted from the member of staff's entitlement.
- A maximum of 4 weeks' Parental Leave can be taken in any year. (A year for the purposes of this policy being 12 months commencing with the child's birthday, or the anniversary of the date on which the member of staff accrues one year's continuous employment if this is later.)
- Staff can take the leave any time up to the child's 18<sup>th</sup> birthday

### 6.2 **Notice Requirements**

- The member of staff must give at least 21 days' written notice of any Parental Leave that he/she wishes to take, where possible specifying the exact dates on which the period of leave is to begin and end.
- If College business would be particularly disrupted were the member of staff to take Parental Leave on the dates requested, the College may postpone the leave for up to six months (except where the member of staff has given notice to take Parental Leave immediately after the birth or placement for adoption of the child).
- The College may request reasonable evidence to confirm a member of staff is the parent of, or has formal parental responsibility for the child, which may include the birth certificate, adoption papers confirming the



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date of placement or an award of disability living allowance in the case of a disabled child.

7) **Time off for Dependents**

A member of staff may be allowed a reasonable amount of unpaid time off during working hours to take care of or deal with immediate problems or sort out longer term arrangements in respect of a dependent: i.e. if a child/parent falls ill or to cope with the unexpected breakdown of arrangements for caring for a dependent.

A dependent is the member of staff's parent, wife, husband, civil partner, child or someone who lives with the member of staff as part of the family or someone who depends on the member of staff in the particular circumstances of an illness. No pre-determined maximum is set out on the amount of time off which can be taken, however it is expected that normally one or two days will be the most that are needed to deal with the immediate issues and to sort out longer term arrangements if necessary.

If a member of staff wishes to take time off in accordance with this policy, they should tell the College as soon as reasonably practicable the reason for their absence and how long they expect to be away from work.

8) **Right to Request Flexible Working**

Any member of staff is entitled to request a variation of their individual terms and conditions (one application in any 12-month period) if they have at least 26 weeks' service with the College.

The application has to be in writing addressed to your Head of Department, and should:

- state it is an application for the statutory right to request flexible hours or a variation in their individual terms and conditions
- state whether any previous application has been made
- specify the proposed change and effective date of change
- explain how the change may affect the College and how in the member of staff's opinion this effect may be dealt with

A meeting will be held to discuss the application within 28 days of receipt of a written request. The member of staff has the right to be accompanied by a fellow member of staff, or a Senior Member or a trade union representative. The College will give written notification to the member of staff within 14 days of the meeting either approving the application and specifying details of the change or confirming the decision to refuse. A refusal should be on one or more of the following grounds:

- the burden of additional costs
- detrimental effect on ability to meet the needs of the College
- inability to reorganise work among existing staff to meet the needs of the department
- inability to recruit additional staff
- detrimental impact on performance or quality
- insufficiency of work during the periods the member of staff proposes to work
- planned structural change.

9) **Children in the workplace**

The College recognises that there will be times when childcare problems arise, which can cause difficulties for parents/ carers of children (those under 18 years of age).

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However there are health, safety, environment and regulatory concerns that must be addressed when considering the presence of children in the workplace.

Children of members of staff are not allowed into College on a regular basis, during the member of staff's working hours. In extremely rare circumstance, and with the approval of the member of staff's line manager/HOD (or, in the case of Academic Staff, the Vice-Principal or Senior Tutor), a child may be permitted to enter College for a very short and unavoidable period of time. In all cases of children in the workplace, the College is not responsible for ensuring the child is safe and well supervised. Parents/carers are fully responsible for the safety and supervision of the child for the entire visit.

Updated February 202

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## **Freedom of Information**

Under the terms of the Freedom of Information Act 2000 the College is defined as a “public authority” and is required to provide public access to all types of “recorded information”.

Any Freedom of Information requests should be made to: [foi@newn.cam.ac.uk](mailto:foi@newn.cam.ac.uk)

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## Statement on Academic Freedom and Freedom of Speech & Expression

### Context

1. Colleges are required by law to outline principles for their members in relation to their right to freedom of speech in the context of other legal responsibilities of the College. This Statement takes into account the specific legal responsibilities, as set out in Section 43 of the Education (No 2) Act 1986, the Equality Act 2010 and the Counter-Terrorism and Security Act 2015.
2. This Statement outlines the principles of free speech which apply to all members of the College, staff or students connected to the University or another College, and visiting speakers (i.e. speakers who are not members of the University of Cambridge or one of the Colleges).

### Principles

3. The College is strongly committed to the principle of freedom of speech and expression. It fosters an environment where all of its members can participate fully in the life of the College, and where each member feels confident and able to research, question and test received wisdom, and to express new ideas and controversial or unpopular opinions, without fear of isolation, marginalisation or discrimination.

Equally, the College expects its members to receive and respond to intellectual and ideological challenges in a constructive and peaceable way.

The College also acknowledges its statutory duties in protecting its members and other people from “radicalisation”, which in this context means being drawn in by others to support terrorism, or to commit acts of terrorism.

4. Subject to paragraph 3 above, no premises of the College will be denied to any member or body of members by reason of the beliefs or views of that individual or of that body or the policy or objectives of that body.
5. In holding to these key principles, the College will take into account its obligations regarding freedom of speech, the management of the health and safety of its members and the general public, the promotion of equal opportunities and prevention of discrimination on the grounds of belief, race, gender or sexual orientation or other legally-protected characteristics, and its duties associated with preventing people from being drawn into terrorism or the promotion of terrorist activities.

As an example of this, the College reserves the right to refuse access to its premises if it is of the opinion that a visiting speaker or the purpose of a meeting is likely to give rise to the incitement of crime and/or is likely to cause a breach of the peace.

### Policies and procedures

6. In determining the likelihood of risk of harm to members of the College and/or the general public, or members of the College being drawn into terrorism, or otherwise promoting any violent or illegal action, the College publishes policies and/or procedures to set out and manage:
  - a) the behavioural expectations of students and student unions, as set out in the College’s [Dignity@Study statement](#);

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- b) the management of College events at which controversial views may be expressed (whether or not they are held at the College), as set out in the College's Statement on Management of College Events; and
  - c) the management and conduct of visiting speakers at meetings held within the College, as set out in the College's Statement on Management of External Events and External Speakers.

In all cases, the College's Code of Practice for Upholding Academic Freedom and Freedom of Speech and Expression at College and External Events should also be read in conjunction with the relevant statement(s), and its requirements met.

22 June 2016

## **Annex**

### **Dignity@Study**

The College's core values encompass freedom of thought and expression, and freedom from discrimination. As a place of learning, teaching and research, the College provides an environment in which to exchange ideas, opinions and views. The College is committed to maintaining a learning and working environment in which the rights and dignity of all members of the University community are respected.

The College expects all members of its community to treat each other with respect, courtesy and consideration. All members of the collegiate University community have the right to expect professional behaviour from others, and have a corresponding responsibility to behave professionally towards others. Appropriate behaviour is fostered by a University culture which encourages positive, supportive and open interactions.

The College recognises that to work and study effectively, students need a climate of equal opportunity in which they are respected and valued for their contribution, irrespective of their sex, gender identity (including reassignment), marital, parental or partnership status, race, ethnic or national origin, colour, disability, sexuality, religion or belief, or age. The University will not tolerate the harassment or bullying of any member of its community by another.

There is a need for procedures to deal with any less positive relationships in general and in particular with inappropriate behaviour (including bullying, harassment, victimisation, or discrimination) that may affect the well-being of individuals within the University. Students who have complaints concerning the behaviour of other students or Senior Members (and who consider that they have been harassed or bullied by another student or students or Senior Member); and students who have complaints concerning the behaviour of members of College staff (and who consider that they have been harassed or bullied by a member of staff), are advised that such complaints, including allegations of harassment or bullying which arise within the College teaching, learning and working environment will normally be dealt with under the College's complaints procedures.

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# **Code of Practice for Upholding Academic Freedom and Freedom of Speech & Expression at College and External Events**

## **Introduction**

1. Section 43 of the Education Act (No.2) 1986 places a duty on the College to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for its members, students and employees and for visiting speakers. A copy of the section is annexed to this Code of Practice.

The section also requires the College to issue and keep up to date a Code of Practice to be followed by students, other members and employees of the College.

This sets out the procedures to be followed when events are to be held on College premises, or when College events are to be held at an external venue, and lays down the conduct required in connection with events.

This Code of Practice therefore applies to all students, other members and employees of the College in respect of events on any of the College's premises. Outdoor as well as indoor events on College premises are included, as are College events held at external venues.

2. This Code of Practice also takes into account the specific legal responsibilities of the Counter-Terrorism and Security Act 2015.

## **Code of Practice**

3. No member of staff, Senior Member or student shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the College, or of any part thereof, or of the University.
4. No member of staff, Senior Member or student shall intentionally or recklessly impede academic freedom, freedom of speech and expression, or lawful assembly on any premises of the College, or at a College event held at a venue external to the College.
5. Paragraphs 3-4 also applies to all staff or students connected to the University of Cambridge or another College, and visiting speakers and guests (i.e. who are not members of the University or one of the Colleges and/or from outside of Collegiate Cambridge).
6. These regulations apply to all events held on College premises, whether in person or virtually, including events organised by external parties, and to all College events held at venues external to the College.

Members of the College are reminded that actions that disrupt meetings or impede academic freedom, freedom of speech and expression or lawful assembly will also constitute offences under the University's regulations for discipline (for students, see University Student's Handbook): see also paragraph 7 below.

7. The organisers of any event on College premises, or of any event held by the College at an external venue, and persons attending the event, whether in person or virtually must comply with instructions given by any College officer or by any other person authorised to act on behalf of the College (including the Proctors) in the proper discharge of their duties.

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**Other legal requirements**

8. The attention of organisers of public meetings and assemblies is drawn to Sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Further details are available separately.

Other legal requirements may affect the conduct of meetings. A speaker, for example, who incites an audience to crime, to breach of the peace and/or to discrimination on the grounds of any legally-protected characteristics, may be committing a criminal offence.

Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they threaten serious public disorder or breaches of the peace.

**Application of the code**

9. Any person who is in any doubt about the application of this Code of Practice to any event in the College, or organised by the College at an external venue, is under an obligation to consult the Bursar (for members of staff of Senior Members) or the Senior Tutor (for students) who will determine whether the provisions of the code apply.

**Breach of the code**

10. A breach of the code by any member of staff, Senior Member or student of any of the requirements of this code may be treated as a serious disciplinary offence.

7 October 2021

**Annex****Section 43 of the Education (No 2) Act 1986**

- 43 - (1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.
- (2) The duty imposed by subsection (1) above includes (in particular) the duty to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of persons on any ground connected with -
- (a) the beliefs or views of that individual or of any member of that body, or
  - (b) the policy or objectives of that body.
- (3) The governing body of every such establishment shall, with a view to facilitating the discharge of the duty imposed by subsection (1) above in relation to that establishment, issue and keep up to date a code of practice setting out -
- (a) the procedures to be followed by members, students and employees of the establishment in connection with the organisation –
    - (i) of meetings which are to be held on premises of the establishment and which fall within any class of meeting specified in the code; and
    - (ii) of other activities which are to take place on those premises and which fall within any class of activity so specified; and
  - (b) the conduct required of such persons in connection with any such meeting or activity; and dealing with such other matters as the governing body consider appropriate.

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(4) Every individual and body of persons concerned in the government of any such establishment shall take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure that the requirements of the code of practice for that establishment, issued under subsection (3) above, are complied with.

(5) The establishments to which this section applies are -

- (a) any university;
- (b) any establishment which is maintained by a local education authority and for which section 1 of the 1968 (No 2) Act (government and conduct of colleges of education and other institutions providing further education) requires there to be an instrument of government; and
- (c) any establishment of further education designated by or under regulations made under section 27 of the 1980 Act as an establishment substantially dependent for its maintenance on assistance from local education authorities or on grants under section 100(1)(b) of the 1944 Act.

(6) In this section: -

"governing body", in relation to any university, means the executive governing body which has responsibility for the management and administration of its revenue and property and the conduct of its affairs (that is to say the body commonly called the council of the university);

"university" includes a university college and any college, or institution in the nature of a college, in a university.

(7) Where any establishment -

- (a) falls within subsection (5)(b) above; or
- (b) falls within subsection (5)(c) above by virtue of being substantially dependent for its maintenance on assistance from local education authorities:

the local education authority or authorities maintaining or (as the case may be) assisting the establishment shall, for the purposes of this section, be taken to be concerned in its government.

(8) Where a students' union, occupies premises which are not premises of the establishment in connection with which the union is constituted, any reference in this section to the premises of the establishment shall be taken to include a reference to the premises occupied by the students' union.



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## Statement on Management of College Events

### Context

1. Colleges are required to have written procedures to demonstrate their compliance with their new legal duties as set out in the Counter-Terrorism and Security Act 2015 and the *Prevent* duty guidance issued by government. In particular, they are required to have written procedures on how they manage the risk assessment and subsequent management of College events, which in this context relates to scheduled or advertised meetings or activities that include speakers who are members of the University or one of the Colleges and/or significant numbers of attendees from within Collegiate Cambridge.
2. This applies, for example, to events hosted by Senior Members and by student societies, and to other internal bookings made with the College (e.g., Senior Members' Research Forum, events hosted by Newnham Associates for students). It also applies to events hosted by the College at venues other than at the College (e.g., at a departmental lecture theatre or hall).

### Principles

3. The College is strongly committed to the principle of freedom of speech and expression and has published a statement to that effect: this must be referenced in an appropriate place for those seeking to book College rooms for an internal event, or booking a venue other than at the College site for a College event; students who take the lead in managing College student societies (including but not limited to the JCR and MCR) should have it brought to their attention.
4. This document outlines key elements of written procedures for:
  - d) the management of internal events at which controversial views may be expressed (whether or not they are held at the College); and
  - e) the management of speakers at meetings held by the College (whether or not they are held at the College).

### Approval and risk management of events

5. All rooms and meeting places of the College have a designated owner. In all cases, the designated owner has the responsibility of ensuring that the rooms and meeting places are used appropriately, and may specify in writing particular terms and conditions relating to the use of that room or meeting place, which may include terms and conditions relating to any particular meeting or activity, if appropriate.
6. No College event can take place in a room or meeting place without prior approval by the designated owner (or clearly-indicated nominated members of staff with delegated authority). Such decisions are made in the light of information provided by an event organiser (who must be a specific person, acting on their own behalf or on behalf of an organisation responsible for the College event) through mechanisms approved by the nominated members of staff.
7. Conditions apply to all room bookings for College events, including:
  - The College reserves the right to seek additional information before confirming a booking.
  - The College event organiser (i.e. the named person making the booking) agrees as a condition of submitting the room booking request to notify the College if any of the details submitted change.
  - The College reserves the right to review its decision on allowing a College event to proceed if any of the information provided changes.

- The deliberate provision of false or incomplete information by the College event organiser may be addressed under the disciplinary procedures of the College, if appropriate, or otherwise invalidate the booking.
8. An initial room booking should be made through the published process, and will not be considered complete unless it includes the following information, as a minimum:
- name and contact details of the College event organiser;
  - title of the proposed College event;
  - names and contact details of formal presenters or speakers at the College event, if any;
  - details of any College organisation or society represented or publicised at the event;
  - brief description of proposed talks and/or activities;
  - dates and times of the proposed College event;
  - if a College event at an external venue, details of the venue including contact information for the venue’s facilities manager or equivalent;
  - projected number of attendees, including:
    - student members of the College;
    - other members of the College;
    - other members of the University;
    - people external to the College and the University.
9. The designated owner (or clearly-indicated nominated members of staff with delegated authority) will use this information to assess the likelihood of a range of risks: this will include the assessment of risks specifically relating to the protection of freedom of speech and the Colleges’ responsibility in preventing crime (including the promotion of illegal discrimination or terrorism).
10. Activities likely to be considered inappropriate to be conducted on College premises or at events organised by the College at an external venue include:
- internal or external speakers giving talks which directly or indirectly promote violence towards members of the College or the general public, or which may advance the radicalisation of College members (as it is defined in the College’s statement on freedom of speech);
  - internal or external speakers whose presence or activity, in the view of the College, carries a reasonable likelihood of risk to the health or safety of its members or of the general public;
  - physical activities where there has not been due regard for the safety of participants and onlookers;
  - activities where the College has been advised by the police that they represent a high risk at the specified time or location proposed.

22 June 2016

**Annex**

**Process for Booking College Events and Meetings**

Rooms and meeting places for events are managed by the following people on behalf of the College:

Name	Role	Phone/Email
Freya Vaughan (for booking function rooms and the gardens, and organising	Conference & Events Manager	conference@newn.cam.ac.uk

bookings of College events at external venues)		
Mr Bob Watson (for booking JCRs)	Head Porter	Bob.watson@newn.cam.ac.uk
MCR President, in consultation with Dr Kate Fleet, Postgraduate Tutor (for exceptional use of the Middle Combination Room other than for or by Newnham postgraduate students)	MCR President Postgraduate Tutor	<a href="mailto:mcr.president@newn.cam.ac.uk">mcr.president@newn.cam.ac.uk</a> <a href="mailto:kfh11@cam.ac.uk">kfh11@cam.ac.uk</a>
Wendy Evans	Domestic Bursar	<a href="mailto:dburs1@newn.cam.ac.uk">dburs1@newn.cam.ac.uk</a>

Undergraduate students can also book the Junior Combination Rooms (JCRs) on-line.

Information required from the event organiser at the time of making the booking:

- name and contact details of the College event organiser;
- title of the proposed College event;
- names and contact details of formal presenters or speakers at the College event, if any;
- details of any College organisation or society represented or publicised at the event;
- brief description of proposed talks and/or activities;
- dates and times of the proposed College event;
- if a College event at an external venue, details of the venue including contact information for the venue's facilities manager or equivalent;
- projected number of attendees, including:
  - student members of the College;
  - other members of the College;
  - other members of the University;
  - people external to the College and the University.

Details of room layout, equipment needed and catering requirements will also be required at the time of the booking.

Requests for events must be provided in writing by the event organiser and ideally no later than 24 hours in advance for the JCRs and at least a week in advance for the function rooms in advance of the event. Requests to make a booking at an external venue will require earlier notification to enable liaison with the venue owner; the Conference and Events Co-Ordinator should be contacted as early as possible for advice and assistance. (In any event, the organiser will need to take into account any lead time he or she may wish to have to publicise the event: an event should not be publicised before approval has been granted.)

The College reserves the right to refuse outright any requests for the use of a room or meeting place if such a request is made within 24 hours of the proposed event.

Bookings should be made through contacting the persons above for a bookings form; or, in respect of the JCRs, these can be booked through the use of an on-line booking form.

When part of any booking envisages the use of the Garden, permission must be sought separately and explicitly.

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No event may be publicised as taking place until confirmation has been received from the College. If an event or room booking is refused, you may appeal the decision to the Domestic Bursar, who may refer the matter to the College Council. The appeal decision will be the final decision of the College.

In addition:

- No out-of-College or private functions may be arranged from the first week of May to mid-June.
- The College reserves the right to seek additional information before confirming a booking.
- The event organiser (i.e. the named person making the booking) agrees as a condition of submitting the room booking request to notify the College if any of the details submitted change.
- The College reserves the right to review its decision on allowing an event to proceed if any of the information provided changes.
- The deliberate provision of false or incomplete information by the event organiser may be addressed under the disciplinary procedures of the College, if appropriate, or otherwise invalidate the booking.

### **Specific Guidelines for Garden Parties & Functions**

The Garden is in great demand for parties in the summer and most particularly during May Week. Senior Members wishing to have a party in the Garden then should make the necessary arrangements early in the Easter Term, but are asked to accept that Junior Members have priority. Bookings on behalf of Faculties or Departments will not be accepted earlier than the week before May Week to allow Junior Members an opportunity to book private parties.

- Organisers of functions must comply with any conditions set by the College authorities.
- Functions are not permitted in the gardens during the Easter Term from 1 May until the Friday of the last week of Full Term inclusive.
- No meetings may be held in the gardens.
- Parties are permitted only on Old Hall Chestnut Tree Lawn and the lawn south of Peile.
- Music is not allowed at parties in the garden.
- All parties must end by 9.00 pm.
- The number of people attending must not exceed that applied for.
- Plays may be performed during the same period as parties. Finishing times for plays to be arranged separately.
- Whenever you use the garden, please take care to keep it tidy.
- Smoking is permitted only in designated areas [*See Smoke-Free Policy*].

### **Who may hold functions in the garden:**

- Newnham College students
- Newnham College Clubs and Societies, including Newnham Associates
- Other College or University Clubs and Societies – provided that the booking is made by a Newnham student member of the club or society who is prepared to be present throughout the function and is prepared to take full responsibility for the function
- Senior Members and College Staff, including the Development and Roll Office

7 October 2021

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## Statement on Management of External Events and External Speakers

### Context

1. Colleges are required to have written procedures to demonstrate their compliance with their new legal duties as set out in the Counter-Terrorism and Security Act 2015 and the *Prevent* duty guidance issued by government. In particular, they are required to have written procedures on how they manage the risk assessment and subsequent management of “external events”, which in this context relates to scheduled or advertised meetings or activities that include visiting speakers (i.e. speakers who are not members of the University or one of the Colleges) and/or significant numbers of attendees from outside of Collegiate Cambridge.
2. This applies, for example, to student society events hosting a visiting speaker held in College or elsewhere, and to external bookings made with the College (e.g. graduate seminars, alumnae events and conferences).

### Principles

3. The College is strongly committed to the principle of freedom of speech and expression and has published a statement to that effect: this must be referenced in an appropriate place for those seeking to book College rooms for an external event; students who take the lead in managing College student societies (including but not limited to the JCR and MCR) should have it brought to their attention.
4. This document outlines key elements of written procedures for:
  - f) the management of external events at which controversial views may be expressed (whether or not they are held at the College); and
  - g) the management of visiting speakers at meetings held within the College.

### Approval and risk management of events

5. All rooms and meeting places of the College have a designated owner. In all cases, the designated owner has the responsibility of ensuring that the rooms and meeting places are used appropriately, and may specify in writing particular terms and conditions relating to the use of that room or meeting place, which may include terms and conditions relating to any particular meeting or activity, if appropriate.
6. No external event can take place in a room or meeting place without prior approval by the designated owner (or clearly-indicated nominated members of staff with delegated authority). Such decisions are made in the light of information provided by an external event organiser (who must be a specific person, acting on their own behalf or on behalf of an organisation responsible for the external event) through mechanisms approved by the nominated members of staff.
7. Conditions apply to all room bookings for external events, including:
  - The College reserves the right to seek additional information before confirming a booking.
  - The external event organiser (i.e. the named person making the booking) agrees as a condition of submitting the room booking request to notify the College if any of the details submitted change.
  - The College reserves the right to review its decision on allowing an external event to proceed if any of the information provided changes.

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- The deliberate provision of false or incomplete information by the external event organiser may be addressed under the disciplinary procedures of the College, if appropriate, or otherwise invalidate the booking.
8. An initial room booking should be made through the published process, and will not be considered complete unless it includes the following information, as a minimum:
- name and contact details of the external event organiser;
  - title of the proposed external event;
  - names and contact details of formal presenters or speakers at the external event, if any;
  - details of any external organisation represented or publicised at the external event;
  - brief description of proposed talks and/or activities;
  - dates and times of the proposed external event;
  - projected number of attendees, including:
    - student members of the College;
    - other members of the College;
    - other members of the University;
    - people external to the College and the University.
9. The designated owner (or clearly-indicated nominated members of staff with delegated authority) will use this information to assess the likelihood of a range of risks: this will include the assessment of risks specifically relating to the protection of freedom of speech and the Colleges' responsibility in preventing crime (including the promotion of illegal discrimination or terrorism).
10. Activities likely to be considered inappropriate to be conducted on College premises include:
- internal or external speakers giving talks which directly or indirectly promote violence towards members of the College or the general public, or which may advance the radicalisation of College members (as it is defined in the College's statement on freedom of speech);
  - internal or external speakers whose presence or activity, in the view of the College, carries a reasonable likelihood of risk to the health or safety of its members or of the general public;
  - physical activities where there has not been due regard for the safety of participants and onlookers;
  - activities where the College has been advised by the police that they represent a high risk at the specified time or location proposed.

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**Annex**

### **Process for Booking External Events and Meetings**

Rooms and meeting places for events can be booked via the Conference Office: [conference@newn.cam.ac.uk](mailto:conference@newn.cam.ac.uk).

Undergraduate students can book the Junior Combination Rooms (JCRs) on-line.

Information required from the event organiser at the time of making the booking:

- title of the proposed external event;
  - names and contact details of formal presenters or speakers at the external event, if any;
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- details of any external organisation represented or publicised at the external event;
  - brief description of proposed talks and/or activities;
  - dates and times of the proposed external event;
  - projected number of attendees, including:
    - student members of the College;
    - other members of the College;
    - other members of the University;
    - people external to the College and the University.

Details of room layout, equipment needed and catering requirements will also be required at the time of the booking.

Requests for events must be provided in writing by the event organiser and ideally no later than 24 hours in advance for the JCRs and at least a week in advance for the function rooms in advance of the event. (In any event, the organiser will need to take into account any lead time he or she may wish to have to publicise the event: an event should not be publicised before approval has been granted.)

The College reserves the right to refuse outright any requests for the use of a room or meeting place if such a request is made within 24 hours of the proposed event.

Bookings should be made through contacting the persons above for a bookings form; or, in respect of the JCRs, these can be booked through the use of the on-line booking form.

When part of any booking envisages the use of the Garden, permission must be sought separately and explicitly.

No event may be publicised as taking place until confirmation has been received from the College. If an event or room booking is refused, you may appeal the decision to the Domestic Bursar, who may refer the matter to the College Council. The appeal decision will be the final decision of the College.

In addition:

- No out-of-College or private functions may be arranged from the first week of May to mid-June.
- The event organiser (i.e. the named person making the booking) agrees as a condition of submitting the room booking request to notify the College if any of the details submitted change.
- The College reserves the right to review its decision on allowing an event to proceed if any of the information provided changes.
- The deliberate provision of false or incomplete information by the event organiser may be addressed under the disciplinary procedures of the College, if appropriate, or otherwise invalidate the booking.

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### **Specific Guidelines for Garden Parties & Functions**

The Garden is in great demand for parties in the summer and most particularly during May Week. Senior Members wishing to have a party in the Garden then should make the necessary arrangements early in the Easter Term, but are asked to accept that Junior Members have priority. Bookings on behalf of Faculties or Departments will not be accepted earlier than the week before May Week to allow Junior Members an opportunity to book private parties.

- Organisers of functions must comply with any conditions set by the College authorities.
- Functions are not permitted in the gardens during the Easter Term from 1 May until the Friday of the last week of Full Term inclusive.
- No meetings may be held in the gardens.
- Parties are permitted only on Old Hall Chestnut Tree Lawn and the lawn south of Peile.
- Music is not allowed at parties in the garden.
- All parties must end by 9.00 pm.
- The number of people attending must not exceed that applied for.
- Plays may be performed during the same period as parties. Finishing times for plays to be arranged separately.
- Whenever you use the garden, please take care to keep it tidy.
- Smoking is permitted only in designated areas [*See Smoke-Free Policy*].
- Commercial bookings via the Conference Office

#### **Who may hold functions in the garden:**

- Newnham College students
- Newnham College Clubs and Societies, including Newnham Associates
- Other College or University Clubs and Societies – provided that the booking is made by a Newnham student member of the club or society who is prepared to be present throughout the function and is prepared to take full responsibility for the function
- Senior Members and College Staff, including the Development and Roll Office

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## **Whistle-Blowing: Making a Protected Disclosure**

### **1) Introduction**

- 1.1 Under certain circumstances, members of staff have legal protection if they make disclosures about organisations for which they work. These members of staff are commonly referred to as 'whistle blowers' and their activities have often received wide publicity in the media.
- 1.2 A member of staff who believed, for example, that organisations were disposing of toxic waste illegally may have 'blown the whistle' directly to the press or television, perhaps because of concern for the environment, or a belief that the organisation would attempt a 'cover-up' if asked to stop.
- 1.3 Members of staff who blew the whistle on organisations, were often treated detrimentally by them or had their employment terminated. This discouraged members of staff from whistle blowing even where such action would be for the good of the public. The legislation is designed to protect members of staff from suffering any detriment or termination of engagement for whistle blowing.
- 1.4 Members of staff will only be protected under the whistle blowing legislation if:
  - 1.4.1 they have made a disclosure of information which is a "qualifying disclosure"; and
  - 1.4.2 they have made the disclosure to one of the particular categories of person specified in either section 3 or 4 of this procedure.

### **2) Qualifying Disclosures**

- 2.1 Disclosures are "qualifying disclosures" where the member of staff has a reasonable belief that it can be shown that there has been a "relevant failure" by the College, namely :-
  - committing a criminal offence;
  - failing to comply with a legal obligation;
  - a miscarriage of justice;
  - endangering the health and safety of an individual;
  - environmental damage; or
  - concealing any information relating to the above.
- 2.2 These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen.

### **3) The Procedure**

- 3.1 The College, in line with the relevant whistle blowing legislation, encourages members of staff to make any qualifying disclosures internally to the College in the first instance. All qualifying disclosures to the College will be protected disclosures, provided that the member of staff is acting in good faith.

If a member of staff wishes to make a qualifying disclosure internally, they should report their concerns to their Head of Department, preferably specifying that they are reporting their concerns under the whistle-blowing procedures. .

- 3.2 Once a concern has been raised, the person receiving it will carry out an initial assessment to determine the scope of any investigation and inform the member of staff of the outcome of this initial assessment.

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- 3.3 Should a Head of Department need to take advice from one of the College Officers (for example, the Bursar, the Senior Tutor, the Domestic Bursar, or the Vice Principal) the Head of Department will discuss this with the member of staff, before discussing the matter with a College Officer.
  - 3.4 Heads of Department and College Officers will make every effort to keep the member of staff's identity secret if that individual wants to raise their concerns confidentially.
  - 3.5 If further investigation is required the College may appoint an investigator for this purpose. This may be someone with specialist knowledge of the issues in question. If it is necessary for anyone in the course of the investigation to know the member of staff's identity, this will be discussed with the member of staff beforehand.
  - 3.6 The College will aim to keep the member of staff informed of the progress, the timescales and the eventual outcome of any investigation wherever confidentiality permits.
  - 3.7 If the member of staff is not satisfied with the explanation or reason given (or if it is not appropriate for the member of staff to report their concerns to their Head of Department in the first instance) they should raise the matter directly with one of the College Officers (for example, the Bursar, the Senior Tutor, the Domestic Bursar, or the Vice Principal).

#### 4) **External Disclosures**

- 4.1 The aim of this policy is to provide a means of reporting, investigating and resolving any relevant concerns of a member of staff within the College. Therefore, in most cases there should be no need for the member of staff to report their concerns externally, especially in the first instance.
- 4.2 However the law recognises that in some circumstances it may be appropriate for a member of staff to report their concerns to an appropriate or prescribed external body such as HMRC the Environment Agency or the Health and Safety Executive.
- 4.3 Members of staff should be aware that, unless they have gone through the correct channels and met any necessary conditions when raising a concern externally, they will not be protected under the whistle blowing legislation. Therefore the College strongly advises the member of staff to seek advice before reporting a concern externally.

#### 5) **General Notes**

- 5.1 The Public Interest Disclosure Act 1998 prevents staff from suffering a detriment or having an employment contract terminated for 'whistle blowing' and the College takes very seriously any concerns raised under this legislation.
- 5.2 The College will not tolerate any member of staff suffering detrimental treatment as a result of raising a genuine concern in good faith through the correct channels. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment experienced as a result of raising such a concern. Anyone involved in such conduct will be subject to disciplinary action.

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- 5.3 However, if the procedure has not been invoked in good faith (e.g. for malicious reasons or in pursuit of a personal grudge), or if the member of staff does not raise the issue through the correct channels, the member of staff will be liable to disciplinary procedures which may include those appropriate to Gross Misconduct, or such lesser disciplinary sanction as may be appropriate in the circumstances.
- 5.4 This policy should not be used for complaints relating to the member of staff's own personal circumstances. In these cases the member of staff should use the College's Grievance Procedure or the Harassment Procedure set out in the Dignity at Work policy.

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## Working Outdoors: Sun Damage to Skin

### 1) Introduction

This policy applies to all members of staff whose job requires them to work outdoors, either permanently or temporarily, between May and September.

All cancers start from one or more of the billions of cells in our bodies becoming abnormal and then multiplying out of control to form a lump or tumour. It is now well known that most of these cell abnormalities are caused by parts of our bodies being exposed to something harmful over a long period of time.

Most skin cancers are caused by long-term exposure to ultra violet radiation from the sun, and the fairer your skin is, the greater the risk you run.

Skin cancers come in three major variations:

1. The first takes the form of a new or existing mole which grows and changes shape. Mostly dark in colour (although sometimes with light patches) the mole may itch and bleed. This cancer is known as a malignant melanoma and, if left untreated, cells from the tumour will break away underneath the skin to set up colonies elsewhere in your body. Most people who die from cancer die because of secondary tumours, and for this reason it is vital to seek medical attention as soon as you discover a mole that has changed shape or has newly formed.
2. The second type of skin cancer shows up as a small, painless, wart-like lump that gradually enlarges and may eventually turn into a sort of ulcer. It too is capable of generating cells that will be carried through your bloodstream to set up colonies elsewhere in your body.
3. The final major form of the disease shows up as small, flat, hard areas of skin (usually on the face or neck) that gradually enlarge and that also may eventually open up to form a sort of ulcer. This form of cancer virtually never generates new tumours elsewhere in the body.

For ease, skin cancer types two and three are often called non-melanoma skin cancers. You should be aware that all three major forms of skin cancer can be cured, but only if treated at an early stage.

Since 1974, the number of new cases of malignant melanoma in the UK each year has more than doubled to over 4,000. Of those people suffering from malignant melanoma, over 1,500 die annually. Also since 1974, the number of new cases of the non-melanoma skin cancers has almost doubled to about 36,000 cases per annum. Of those suffering from these cancers, almost 500 die each year.

Regardless as to whether a member of staff develops skin cancer or not, staff should bear in mind that skin exposed to too much sunlight becomes leathery and wrinkled, making it look old; this (if for no other reason than vanity) makes it sensible not to overindulge when it comes to the sun.

Other problems associated with exposure to the sun are Sun Stroke and Heat Exhaustion.

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2) **Working Outdoors – protection from sun**

- Where a task is being carried out that requires the wearing of recognised protective clothing, then this type of clothing must be worn at all times while this task is taking place.
- Where a task does not require recognised protective clothing to be worn, members of staff should wear clothing that covers **their bodies, arms and legs** when working in direct sunlight during the months of May to September. It is particularly important to do this during the hours around midday, when the sun's rays are harshest.
- The College recognises that to undertake work (in particular, physical work) in the sun fully covered can be uncomfortable. It is therefore recommended, that loose-fitting clothing should be worn (as opposed to tight-fitting garments). Loose-fitting clothing must not be worn, however, when using machinery as it could become entangled with the machine and lead to personal injury.
- The Health Education Authority advises that the more tightly woven the cloth of a garment, the better it is at blocking the sun's rays.
- Where a task is being carried out that requires the wearing of a hard hat, then this must be worn. If not required to wear a hard hat, then members of staff should wear a wide-brimmed one that will shade nose, ears, neck and (if present) bald patch, the most common places for skin cancers to occur.
- Sunglasses should be worn that are labelled to the appropriate BS Standard.
- Members of staff should wear a sunscreen with at least a protective factor of 15 on ears, lips, cheeks, nose and neck, and any exposed areas of skin and reapply this at regular intervals. (It should be noted that sunscreens do not make it safe to get a tan. A tan is simply the skin's first reaction to being damaged, and repeated tanning will enhance the likelihood of getting cancer.)
- For those members of staff who have to work outside with exposed skin the College will provide them with sunscreen suitable for their skin. Members of staff should purchase the appropriate factor level from a reputable manufacturer (not designer label products) suitable for their own needs. On production of the receipt to the Head of Department, the amount shall be refunded.
- Hats will be provided as part of the work clothing (Personal Protective Equipment) given to members of staff who have to work outside in the sun.
- Drinking Water will be provided and members of staff are encouraged to drink regularly whilst work outside in sunshine. Personal drinking water bottles will be provided by the College.

***Note: You are at the most danger from the sun on a cloudless day, but even on a cloudy one in summer, skin damage can still be caused.***

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## Investigation Procedure

### 1) Introduction

This investigation procedure supports the following HR Policies and should be read in conjunction with the policies:

- Disciplinary policy and procedure
- Grievance policy and procedure
- Equal opportunities and dignity at work policy

In many cases, the full facts of an alleged incident will not be immediately apparent. Therefore an investigation will be conducted in this situation.

The College reserves the right to dispense with an investigatory interview and to proceed directly to a formal disciplinary meeting where appropriate.

### 2) Objectives

Each investigation will aim to bring to light all relevant facts of a case, whether it is related to a Disciplinary, Grievance or Dignity at Work issue. These facts should be reported in a manner that facilitates fair and reasonable decisions to be taken regarding any subsequent actions and this procedure supports this aim.

### 3) Roles and responsibilities

#### 3.1 HOD / College Officer

The HOD/ College Officer will appoint an appropriate person as the Investigating Officer (IO). Upon receipt of the IO's report, the HOD/ College Officer will make a decision with regard to any actions to be taken. These actions will be in accordance with the relevant policy, i.e. Disciplinary, Grievance or Dignity at Work.

#### 3.2 Investigation Officer (IO)

The IO should obtain all relevant facts and produce a report for the HOD/ College Officer.

#### 3.3 Staff, Senior Members and Fellows

All staff, Senior Members and Fellows should co-operate with the investigating officer in order to help them establish the facts of the case. This applies whether the member of staff is a witness, victim, or alleged perpetrator.

#### 3.4 HR

The HR Officer will provide guidance to the IO and will be available to offer advice regarding any aspect of this procedure. The HR Officer will act as the IO where no other suitable person can be identified.

### 4) Allegations and areas for investigation

The investigation should be led by the appointed IO and supported by the HR Officer. The scope/terms of reference/allegations should be concise, giving dates of when incidents occurred, any witnesses to alleged incidents and a precise outline of the areas for investigation i.e.:

- *Disciplinary* - 'that x falsified their mileage expenses on XXX/ during April 2008', as opposed to 'x falsified their expense claims'

or

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- *Dignity at Work* - 'that X bullied and harassed X in the course of their work in that they verbally threatened them with violence by saying XX on DATE'

or

- *Grievance* - 'that X claims that his/her HOD X did not allow him/her to take annual leave on DATE, despite the team being fully staffed on that day'

Clear terms of reference/allegations are crucial to a successful and accurate investigation process. Unclear terms of reference can cause unnecessary delay of the investigation process as well as potentially pursuing irrelevant matters.

Any initial statements made by witnesses at the time of the incident should also be gathered at this stage. These can form part of the investigation interview if appropriate. However the investigation interview process can often allow for a more focused questioning process than the statements alone.

The IO should have a clear plan as to which witnesses to interview. You may decide to interview more witnesses as the investigation progresses. However, avoid interviewing any witness who is not directly related to/witness to the incident.

Some allegations/areas for investigation may not require interviewing witnesses, ie perhaps where it is alleged a member of staff has falsified a travel expense claim. In these circumstances the investigation may be wholly based on the collection and analysis of the expense claims and records, in conjunction with interviewing the member of staff and the manager who signed the claims.

#### 5) **Investigation interviews**

- Ascertain who needs to be interviewed. Only those directly connected to the allegation(s) i.e. witness to incident or HOD who can confirm aspects/expectations of the individual's job/role/training where this is necessary.
- Set out the list of questions in advance. You may need to probe further at the meeting but a clear set of questions initially is essential.
- It is always advisable to interview the person who the allegations are against, first. Witnesses to the incident should be interviewed subsequently.
- It may be necessary to re-interview the member of staff whom the allegations are made against, in view of evidence that has been given by witnesses.
- Ask questions that are specifically related to the allegations.

#### 6) **At the investigation interviews**

For each interviewee each of the following needs to be explained:

- The investigation process that will be undertaken.
  - The purpose of the investigation is to gather relevant facts.
  - It may be necessary to cross question witnesses where there may be contradictory statements/ differing views about the same incident/allegation. This may mean using the information from another staff members' statement to cross question another witness. This should be approached with caution however, and only information related directly to a contradictory incident should be shared or discussed.
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- Notes will be taken during the interview. Notes will not be verbatim; they will be a summary of the discussion.
  - A copy of the notes will be sent to each interviewee for them to sign and return as agreed. There may be some occasions where there is a difference of opinion as to what was discussed. It is suggested that the interviewee makes comments on the notes so that any potential disciplinary hearing panel are aware.
  - After the interviews a report will be written by the IO outlining their findings. This will be sent with the supporting interview notes to the appropriate HOD/ Bursar (or Domestic Bursar in their absence) who will decide if there should be a disciplinary hearing. The IO will not be involved in the decision making.
  - If there is a hearing it may be necessary for the interviewees to attend as witnesses.

7) **After the investigation interviews**

After the interviews have taken place an Investigation Report (see template) will be written by the IO, with the support of the HR Officer. This will then be forwarded to the appropriate HOD/ College Officer who will decide what action to take, in accordance with the relevant policy.

The HOD/ College Officer should ensure that a member of staff under investigation is written to upon completion of the investigation, making clear what the next steps are and which process is to be followed.



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## Managing Attendance

### 1) **Policy Statement**

The College is committed to maintaining and promoting the health and well being of all its staff. This policy provides a fair and consistent framework for supporting staff who are absent due to sickness. The policy provides guidance to staff in relation to their sickness absence and the potential consequences for their employment. It also provides managers with guidance to ensure that cases are dealt with sympathetically and consistently.

### 2) **Scope of the Policy**

This policy applies to all staff (permanent, fixed and casual) who work for the College.

### 3) **Aims of the Policy**

The aims of the policy are to:

- Maintain a positive attendance culture
- Monitor levels of sickness absence of all staff
- Ensure staff understand their responsibilities
- Provide managers with a structured framework to help them manage sickness absence within their teams
- Implement procedures to deal with unjustified and/or high levels of sickness absence
- Consider the need for reasonable adjustments or redeployment to support staff's return to work
- Adopt a fair and consistent approach

### 4) **Roles and Responsibilities**

#### 1.1 **Staff Responsibilities**

All staff are expected to:

- Maintain regular attendance at work
- Follow the absence reporting procedure
- Maintain regular contact with their HOD throughout any absence
- Complete self-certification forms for episodes of illness
- Participate in the return to work discussions
- Provide fit notes from their GP for all absence over 7 days

#### 1.2 **HOD Responsibilities**

HODs are expected to:

- Ensure their staff understand the policy
- Ensure the Bursary is notified in each instance
- Conduct return to work discussions with all staff following their return to work and forward the completed form to the HR Officer to be retained on the personal file
- Liaise with the HR Officer regarding referrals to Occupational Health
- Support individuals to encourage them back to the workplace
- Maintain regular and reasonable contact with staff during periods of absence, ensuring awareness of the individual's progress and likely duration of absence.

#### 1.3 **HR Responsibilities**

The HR Officer is expected to:

- Provide appropriate assistance and support to managers and staff in the management of sickness absence
- Promote the consistent application of the policy

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- Review sickness levels, patterns and trends across the College and inform managers where relevant
  - Refer individuals to Occupational Health when appropriate
  - Ensure compliance with legal obligations

## 5) Procedure for Notification of Absence

### 5.1 Notification of Absence for Days 1 -7

- Absence from work must be notified to the College by telephone at the earliest possible opportunity.
- Staff must let their Head of Department, Line Manager or Supervisor know if they are not coming in by the time they were due to start work (repeated failure to do this could lead to disciplinary procedures being invoked).
- Notification should be made personally (or, if this is not possible, then by a relative, neighbour or friend).
- If incapacity extends to more than seven consecutive calendar days, the College should be notified of your continued incapacity once a week thereafter, unless otherwise agreed.
- On return to work complete a self-certification form for episodes of sickness lasting between one to seven days and hand to the HOD

### 5.2 Notification of Absence for Day 8 -ongoing

All staff will:

- Obtain a statement of fitness to work from their GP which will detail the reason and length of the continued absence.
- Immediately forward this and the self-certification form to the HOD
- Continue to provide fit notes for the entire duration of the continued sickness absence
- Keep the HOD informed of their progress and likely return date

## 6) Procedure for Managing Absence

### 6.1 Introduction

To ensure fairness and consistency the trigger points below offer a guide to unacceptable levels of attendance. The normal expectation is that the following guidelines will apply. However, on occasions and for exceptional/ other good reasons, there may be a need to vary the procedures to suit individual cases/ circumstances.

The College will use a formula called the Bradford Factor to measure absence levels in the College. It will highlight individuals with excessive levels of frequent and persistent short-term absence, and is calculated as  $B = S^2 \times D$ .

S = the number of spells of absence in a specified period

D = the number of days of absence in that period

Examples, in a rolling 12-month period:

- 1 instance of absence with a duration of 10 days (=10 days)  $(1 \times 1 \times 10 \text{ days}) = 10 \text{ points}$
- 2 instances of absence, one with a duration of 1 day, one with 9 days (=10 days)  $(2 \times 2 \times 10 \text{ days}) = 40 \text{ points}$
- 4 instances of absence, each with a duration of 1 day (=4 days)  $(4 \times 4 \times 4 \text{ days}) = 64 \text{ points}$

- 3 instances of absence, one with a duration of 5 days, two with 3 days (=11 days) (3 x 3 x 11 days) = 99 points
- 1 instance of absence with a duration of 120 days (=120 days) (1 x 1 x 120 days) = 120 points
- 5 instances of absence, each of 2 days (=10 days) (5 x 5 x 10 days) = 250 points
- 10 instances of absence, each of 1 day (=10 days) (10 x 10 x 10 days) = 1000 points

## 6.2 Short term absence

If at any time a member of staff has a Bradford Factor score of 100 (this score is measured by looking at absence over a rolling 12-month period) they will be asked to attend an informal meeting with their HOD.

## 6.3 Informal Stage

The manager should meet with the member of staff to manage the attendance problem informally at an early stage. The objective of the meeting is to identify any underlying health issues, inform the member of staff that their attendance level is unacceptable and that it will be monitored for 6 weeks and then reviewed. They should be informed that failure to make significant improvement in their attendance may result in progression to the First Formal stage.

## 6.4 First Formal stage

If significant improvement in attendance is not made then the member of staff will be invited to attend the first formal review meeting. As this is a formal meeting the HR Officer will be present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

The member of staff will have the opportunity to identify any problems contributing to their sickness absence. Discussions will be had about reasonable adjustments to the role, working hours, suitable alternative employment and potential ill health retirement.

The member of staff will be set a review period of 6 weeks in which they are expected to have no records of absence. They will be informed that failure to meet these objectives may result in progression to the Second Formal stage and could ultimately lead to dismissal.

## 6.5 Referral to Occupational Health (OH)

This can be considered at any stage but must take place before proceeding to the Second Formal stage. Managers should discuss with the HR Officer before referring.

## 6.6 Second Formal Stage

If significant improvement in attendance is not made then the member of staff will be invited to attend the second formal review meeting. As this is a formal meeting the HR Officer will be present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

Any adjustments or actions implemented and their success or failure will be discussed. At the end of the meeting it may be deemed necessary to progress to a subsequent formal meeting to consider termination of

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employment. The member of staff will be informed that an absence report will be prepared by the HR Officer for the Bursar (or Domestic Bursar in their absence), detailing attendance levels and actions taken to improve attendance.

#### **6.7 Termination of Employment on Grounds of Incapability**

Once the Bursar (or Domestic Bursar in their absence) has received the absence report they will convene a meeting with the member of staff. The HR Officer will be in attendance and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

The Bursar (or Domestic Bursar in their absence) has the right to implement a further review period if they feel this is appropriate. One outcome could be the termination of their contract. Termination will only be considered once all other options have been considered.

### **7) Procedure for Managing Long Term Absence**

#### **7.1 Informal Stage**

Long term absence is when a member of staff has been absent for a period of 6 weeks consecutively (30 days for full time staff). In this case the member of staff may only have a Bradford Factor score of 30 (1 x 1 x 30). When the member of staff's absence reaches 30 days, the HR Officer will inform the HOD and contact should be made with the member of staff. The reasons for the absence should be discussed, and agreement on how contact will be maintained. A decision about referral to OH will also be made.

#### **7.2 Referral to Occupational Health**

The College may request the individual to allow the College to contact the relevant GP in accordance with according to the Access to Medical Records Act 1988. Also the College may request an independent Medical examination by a doctor nominated by the College or may refer the individual to the Health & Work Assessment and Advisory Service. In some cases referral to OH is required before the member of staff returns from long term sickness absence. Advice from OH is needed regarding fitness for the role, alternative employment or ill-health retirement. Advice should always be sought before moving to the Second Formal stage or if termination of employment is being considered.

#### **7.3 First Formal Stage**

When the absence exceeds 30 continuous working days (pro rata for part time staff) and the informal stage does not identify a potential return date, a referral to OH should seek to determine a foreseeable return date. Once the OH report is received by the HR Officer a first formal review meeting with the HOD and the member of staff will be arranged. As this is a formal meeting the HR Officer will be present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

The method and frequency of future communication will be agreed and further OH referrals made if appropriate.

#### **7.4 Second Formal Stage**

If long term absence continues it may be appropriate to hold a meeting at the second formal stage. As this is a formal meeting the HR Officer will be

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present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative. At this stage the following will be reviewed:

- Has the member of staff had an OH referral?
- Is there a foreseeable return date?
- Is further OH referral needed?
- If required has a stress risk assessment been completed?
- If required have reasonable adjustments been considered and explored?
- Is redeployment an option?
- Is a phased return required?
- Is ill-health retirement an option?
- Is ill-health dismissal an option?

Any adjustments or actions implemented and their success or failure will be discussed. At the end of the meeting it may be deemed necessary to progress to a subsequent formal meeting to consider termination of employment. The member of staff will be informed that an absence report will be prepared by the HR Officer for the Bursar (or Domestic Bursar in their absence), detailing attendance levels and actions taken to improve attendance.

#### 7.5 **Termination of Employment on Grounds of Capability**

Once the Bursar (or Domestic Bursar in their absence) has received the absence report they will convene a meeting with the member of staff. The HR Officer will be in attendance and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

The Bursar (or Domestic Bursar in their absence) has the right to implement a further review period if they feel this is appropriate. One outcome could be the termination of their contract. Termination will only be considered once all other options have been considered.

#### 7.6 **Appeals**

Staff have the right to appeal against any formal sanction by following the College's Appeal Procedure. **For the full details please refer to the College's Policies and Procedures: Staff [Appeals Procedure].**

### 8) **Disabled Staff**

#### 8.1 **Introduction**

The Equality Act 2010 prohibits discrimination because of disability and places a duty on employers to make reasonable adjustments to working practices and premises in order to accommodate the needs of individual staff and applicants who have a disability.

The Equality Act 2012 defines the protected characteristics of disability as applying to a person who has a mental or physical impairment that has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. HODs must have an open discussion with the member of staff. If there are problems with the member of staff's attendance and an underlying medical condition is identified then advice must be sought from the HR Officer who will make an OH referral. OH may

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suggest reasonable adjustments that could be made to the physical place of work, or the work itself.

9) **General Absence Management Information**

9.1 **Hospital and Dental Appointments**

Wherever possible, and in order to minimise disruption, staff are asked to make medical and dental appointments either outside of normal working hours, or at the beginning or end of the working day. However, the College does realise that this may not always be possible, particularly with hospital appointments. If staff need to take time off to attend a medical or dental appointment, the HOD must be notified, giving as much notice as possible. Such time off is at the discretion of the HOD and you will be asked to make the time up. If you have an appointment which is not at the end of the working day, you will normally be expected to return to work following your appointment.

9.2 **Emergency time off for dependants**

Staff are reminded that the College absence policy and payment schemes relate to absence due to their own illness or injury, not to that of other members of their family or dependants. Should staff need emergency time off to deal with the urgent unforeseen needs of a dependant, reasonable time off will be authorised, but this will be unpaid unless the time can be made up in agreement with the HOD.

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## Managing Performance Policy and Procedure

### 1) **Policy statement**

The College expects all staff to achieve and maintain a satisfactory standard of performance in their role. Standards of performance are determined by College standards, professional standards, skill levels required for specific jobs and individual objectives recorded through the annual Workplace Discussions. For more information about Workplace Discussions, please see the separate policy at:

<https://newn.cam.ac.uk/wp-content/uploads/2022/10/Workplace-Discussion-Policy-September-2022.pdf>

The aim of the policy is to provide a clear process for the management of situations where an individual's performance consistently falls below the acceptable standard. In such circumstances, all staff will be treated in a fair and equitable manner and every effort will be made to assist the individual in improving their performance and reaching and maintaining a satisfactory level of performance. In all situations where a member of staff's performance is a cause for concern coaching and where appropriate, training will be provided. Redeployment will only be considered once these other forms of support have been instigated. Where redeployment is not available and performance levels continue to be unsatisfactory termination of employment will be considered.

Where poor performance is a result of wilful negligence and/or misconduct, the ***disciplinary policy and procedure*** should be used.

### 2) **Scope of the policy**

This policy applies to all staff (permanent, fixed and casual) who work for the College.

### 3) **Aims of the policy**

The aims of the policy are to:

- Achieve consistency in the management of capability issues
- Encourage improvements with staff whose performance is below acceptable standards
- Facilitate the retention of experienced and valued staff
- Enable early intervention when poor performance is identified, provide a supportive approach to assist staff to become effective

### 4) **Roles and responsibilities**

#### 4.1 **Staff**

All staff have a contractual responsibility to achieve and maintain a satisfactory standard of performance. All staff are required to participate in the Workplace Discussion and are expected to actively engage in personal development as detailed in their development plans.

Staff are responsible for attending all meetings arranged in relation to any capability issues and for making every effort to improve in the identified areas where job requirement standards are not being met.

#### 4.2 **HODS**

HODs are responsible for the effective operation of the Workplace Discussion process. This requires the HOD to translate the College objectives into realistic and achievable objectives to enable staff to understand what is expected of them. HODs should monitor staff

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performance through regular informal reviews as well as through the Workplace Discussions.

HODs are responsible for ensuring that the general procedure of this policy is adhered to in a fair and timely manner. They are also responsible for ensuring staff are given clear feedback on the areas of unsatisfactory performance and for carrying out regular reviews of performance in order to assess whether the required levels of improvements are achieved.

## 5) **Stages of the procedure**

### 5.1 **Informal stage**

Minor performance issues should be dealt with informally and immediately. The aim of this discussion is to clarify the standards of performance required and to encourage improvement. It is an opportunity to identify the causes and offer assistance where appropriate.

The HOD should discuss a method of monitoring future performance and agree clear objectives that are realistic and achievable. A timescale within which the required standards of performance could be reasonably attained should be specified (4-8 weeks)

The HOD should record the informal discussion using a file note, noting the salient points of the meeting, objectives set, type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review . A copy should be given to member of staff.

Where the member of staff's performance improves to a satisfactory level they should be informed. They must also be informed that this must be maintained at a satisfactory level and that if their performance becomes an issue again within 12 months then it will be dealt with at the first formal stage.

### 5.2 **First formal stage**

If there has not been an acceptable or sustained improvement in performance at the end of the informal stage, then the HOD, in consultation with the HR Officer, should progress to the first formal stage. The HOD will arrange to meet the member of staff, informing them of the purpose of the meeting. As this is a formal meeting the HR Officer will be present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

At this meeting the individual will have the opportunity to explain their unsatisfactory performance and the HOD may feel a referral to Occupational Health is required. The member of staff will be reminded of the earlier informal discussions and told as precisely as possible, the reasons for the HOD's continued concerns about their performance.

Further consideration should be given to any additional training or support that could reasonably be provided to the member of staff to enable them to reach the required standard of performance. The original action plan should be reviewed and amended where appropriate. A reasonable time period will be set within which improvement is expected (4-8 weeks) and a further meeting arranged at the end of this time to review the situation.

The HR Officer will record the formal discussion using a file note, noting the salient points of the meeting, objectives set, type of improvement required,

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any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review . A copy should be given to the member of staff.

Where the member of staff's performance improves to a satisfactory level they should be informed. They must also be informed that this must be maintained at a satisfactory level and that if their performance becomes an issue again within 12 months then it will be dealt with at the Second Formal Stage.

### 5.3 **Second formal stage**

If there has not been an acceptable or sustained improvement in performance at the end of the first formal stage, then the HOD, in consultation with the HR Officer, should progress to the second formal stage. The HOD will arrange to meet the member of staff, informing them of the purpose of the meeting. As this is a formal meeting the HR Officer will be present and the member of staff has the right to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

At this meeting the individual will have the opportunity to explain their unsatisfactory performance and the HOD may feel a referral to Occupational Health is required. The member of staff will be reminded of the earlier formal discussions and the steps taken to support an improvement in their performance. They will be told as precisely as possible, the reasons for the HOD's continued concerns about their performance.

At this meeting the HOD should consider one of the following options:-

- If the member of staff has been showing some signs of improvement, a further period of review (4-8 weeks) may be appropriate. This should be confirmed in writing.
- If the member of staff has failed to meet the required standard and it is felt that a significant improvement is unlikely in the immediate future then a Dismissal Hearing should be arranged
- The offer of a transfer to an alternative role at the same or lower grade where available. Any transfer must resolve the performance issues identified. Any transfer to a lower graded post will not attract salary protection

The HR Officer will record the formal discussion, noting the salient points of the meeting, objectives set, type of improvement required, any additional support or training that will be provided, any other agreed actions and the timescale for improvement and review . A copy should be given to the member of staff.

Where the member of staff's performance improves to a satisfactory level they should be informed. They must also be informed that this must be maintained at a satisfactory level and that if their performance becomes an issue again within 12 months then it will be dealt with at the Final Stage.

### 5.4 **Final stage- dismissal hearing on grounds of capability**

Where, after having followed the procedure outlined above, the member of staff fails to achieve or maintain the standards of performance required, consideration should be given to dismissal on grounds of capability.

The Bursar (or Domestic Bursar in their absence) will convene a meeting with the member of staff, giving them at least 5 working days' notice. The HR Officer and HOD will be in attendance and the member of staff has the right

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to be accompanied by a fellow member of staff, or Senior Member or trade union representative.

The HOD will feedback to the Bursar (or Domestic Bursar in their absence) where the member of staff has failed to meet the required standards and /or objectives. The Bursar (or Domestic Bursar in their absence) will consider the evidence and consider also whether the procedure has been followed and that the member of staff has been given reasonable assistance to improve their performance and achieve the required standard. The member of staff will have the opportunity to ask questions and present their own evidence in relation to their performance, putting forward any mitigating factors.

If the Bursar (or Domestic Bursar in their absence) concludes that the member of staff's performance is below the required standard, then the member of staff's contract of employment will be terminated on the grounds of capability. The Bursar (or Domestic Bursar in their absence) will explain the reasons for dismissal, the effective date of dismissal, period of notice or pay in lieu of notice if appropriate, and the right to appeal. This decision will be confirmed in writing as soon as is reasonably practical following the hearing.

#### 5.5 **Appeals**

Staff have the right to appeal against any formal sanction by following the College's appeal procedure. **For the full details please refer to the College's Policies and Procedures: Staff [Appeals Procedure].**

### 6) **Disabled staff**

#### 6.1 **Introduction**

The Equality Act 2010 prohibits discrimination because of disability and places a duty on employers to make reasonable adjustments to working practices and premises in order to accommodate the needs of individual staff and applicants who have a disability.

The Equality Act 2010 defines the protected characteristics of disability as applying to a person who has a mental or physical impairment that has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. HODs must have an open discussion with the member of staff. If there are problems with the member of staff's performance and an underlying medical condition is identified then advice must be sought from the HR Officer who will make an OH referral. OH may suggest reasonable adjustments that could be made to the physical place of work, or the work itself.

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## Appeals Procedure

### 1) Introduction

The procedure allows for appeals to be considered where a member of staff may need to formally exercise their right to challenge decisions made regarding their employment.

The procedure aims to ensure fairness and consistency in the application of the Colleges HR procedures. Staff have the right to appeal against:

- A formal grievance outcome
- Formal action taken in regards to disciplinary/ capability issues
- Termination of Employment
- Redundancy
- Flexible working request outcome

### 2) Roles and responsibilities

- An appeal must be made in writing to the HR Manager within 14 calendar days of the date of notification of the formal sanction/ decision. It must clearly state why the action is too severe, inappropriate or unfair
- An Appeal Review Committee will be appointed by the Council and will normally comprise the Principal or Vice-Principal (in the chair) and two Senior Members entitled to attend the Governing Body.
- The HR Officer is expected to provide advice and guidance on the application of the procedure and may attend the appeal meeting where appropriate
- A meeting of the Appeal Review Committee will be set up within a reasonable period to discuss the appeal.
- The member of staff has the right to be accompanied to the appeal meeting by a fellow worker, a trade union representative or an official employed by a trade union. They may speak on behalf of the member of staff.

### 3) Appeal consideration

The Appeal Review Committee will consider the following before making a decision:

- Whether the original matters/ allegations were adequately considered/ investigated
- Whether the College procedures were fairly and correctly implemented
- Whether the decision/ action taken was reasonable

### 4) Appeal decision

The Appeal Review Committee will make one of three decisions:

- To uphold the appeal
- To substitute a different outcome
- To dismiss the appeal

The panel's decision will be final and will be given in writing as soon as is reasonably practicable after the appeal meeting

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## Use of College Property

### 1) Introduction

This policy outlines members of staff's obligations towards any College property that they use during the course of their employment. It applies to College property that staff have:

- been given for the duration of their employment;
- been assigned for a temporary period only; and/or
- borrowed from a colleague or particular department within the College

The policy applies to permanent, part-time, temporary and casual staff. The policy covers only the use of physical property. The use of intellectual property such as College data is outside the scope of this policy.

### 2) Allocation of College property

On the commencement of their employment, members of staff may be given items of College property, for example:

- Hardware
- office equipment;
- keys;
- security passes;
- credit cards;
- mobile phones

### 3) Care of College property

Members of staff are responsible for any property belonging to the College that is under their control or in their possession and must take proper care of any such items. Members of staff must:

- take good care of College property, both when it is used in the workplace and when it is used outside the College's premises;
- ensure that College property is maintained and serviced when necessary;
- not allow College property to be used by anyone outside the College, unless he/she is suitably qualified and this has been authorised by the College in advance (for example, a professional repairs or servicing undertaking);
- not make modifications to College property (for example, upgrades to a laptop) without the prior approval in writing of the College;
- not use College property to carry out any illegal activities or activities that might bring the College into disrepute (for example using a laptop to visit inappropriate websites);
- not, by act or omission, allow College property to be lost or damaged (for example, by not securing property properly or leaving it in a public place such as on public transport); and
- not remove any College property from the College's premises without the prior approval in writing of the College.

The organisation recognises that it is inevitable that there will be some wear and tear of College property.

### 4) Consequences of misuse of College property

Under the College's disciplinary procedure, damage to College property can lead to disciplinary action, depending on the circumstances. Deliberate or negligent

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damage to, or misuse of, the College's property may be gross misconduct, justifying summary dismissal.

5) **Security of College property**

Members of staff must take all reasonable steps to ensure the security of items of College property that have been allocated to them. This includes taking all reasonable steps to ensure that property is not misplaced or stolen, and that no one else has access to the property to enable confidential data to be accessed or copied.

For example, members of staff must ensure that:

- laptops and other devices such as palmtop/hand-held computers are not left unattended on public transport or in parked cars;
- laptops and other devices are password protected at all times; and
- other College property such as the internal documents are not left in public places or in places where they might be accessible by unauthorised individuals.

Members of staff that use, but do not remove, valuable or important items of College property such as laptops from the College's premises must ensure that the property is properly secured at the end of their day/shift. Most members of staff have access to secure [drawers at their desk/lockers]. If a member of staff does not have access to a secure area, one can be provided on request.

6) **Return of College property**

On the termination of their employment, members of staff will be required to return College property on the date specified by the College, which will normally be their last day at work. Members of staff should return all property that belongs to the College that is in their possession. Most items can be returned to the member of staff's manager.

Members of staff in possession of a laptop or other device such as a palmtop/hand-held computer should ensure that it is returned to the IT department. Members of staff should also ensure that any College documents are returned, whether hard copy or on a computer. Any documents that a member of staff has on his/her computer's desktop in the workplace or at home should be copied to a shared drive and, in the case of the home computer, should then be permanently deleted from it.

In appropriate cases, the College may contact the police about the unreturned property and/or issue civil proceedings against the member of staff for breach of contract and/or trespass to goods to the extent that any outstanding wages withheld do not cover the current market value of the property not returned.