



Malvern Hills Trust

Special Meeting of Staffing Committee

Tuesday 27 February 2024 7.00 pm

**Welland Parish Hall
Marlbank Road
Malvern WR14 6NE**

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Members: Mr C Penn (Chair), Mr D Baldwin, Mr R Bartholomew, Mr D Core (non-voting), Mrs C Palmer, Prof J Raine, Mrs F Victory, Mrs S Wren.

1. Apologies for absence
2. Chair's announcements
3. Declaration of Interests
4. Public comments
5. Matters arising from the minutes of the meeting held on 4 January 2024
6. Health and Safety Update Paper A
7. Review of Equality and Diversity policy Paper B
8. Updates to the Staff Handbook Paper C
9. Training update
 - a. Dealing with Difficult People training for staff tbc 27th, 28th or 29th Feb
10. Items for future meetings
11. Urgent Business
12. Date of next meeting
13. Confidential items:
Resolution to exclude the public for discussion of items on the agenda on the grounds that publicity would be prejudicial to the public interest by reason of the exempt or confidential nature of the business to be transacted (staffing matters).

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14. Feedback from the Staff Review Working Group Paper D

Staffing Committee
Health and Safety Report
 27th February 2024

1. Health and Safety Incidents.

Reported Accidents in the period 20/12/23- 08/02/24	2
Reported Accidents in last 12 months:	5
Notifiable Accidents in last 12 months:	None
Near Miss reports since October 2023	3

2. Accidents

- a. Warden hit by a roof timber when dismantling a shelter – cut to head.
- b. 2 members of field team hit by rebounding branches when felling a sycamore – light bruising only.

3. Near Miss reports

- a. Bearing failure resulting in detachment of flail – action better system for recording checks on bearing etc
- b. Car sliding on ice – no further action required
- c. Fall whilst emptying bin and getting finger trapped in mesh – mesh bin replaced with solid metal bin. However, this incident has raised serious concerns about the weight of bins full of dog poo and hygiene issues in relation to leakage on staff and in vehicles during the transport of the bags.

4. Training

Training has been undertaken in the past months for staff in the following areas:-

- | | |
|---|---|
| • Ladder training for field staff. | 4 |
| • Chapter 8 signage and roadside works | 5 |
| • Cat and Genny training for detection of underground services. | 3 |

Forthcoming training

- Dealing with difficult people (dates tbc) - Open to all

Additional training will be required in the coming months on the following topics

- | | |
|---|---|
| • Lifting and Handling – refresher for all staff. | |
| • Trailer towing | 3 |
| • Off road driving | 3 |

Recommendation: new CEO to be asked to review provisions for bin emptying including hygiene issues and to investigate the cost vs time saving to staff of contracting out this activity.

Helen Stace
 Interim CEO
 8th February 2024

Staffing Committee

Equality, Diversity and Inclusion Policy

27th February 2024

Background

The Equality and Diversity Policy was last reviewed in 2021. The policy was considered to remain appropriate and was presented to the Staffing Committee for approval on 4th January 2024.

The Trust's E&D statement is a key document, not least for the messages it sends to staff, Trustees, volunteers, partners, etc about the standards of behaviour expected from them; in other words, 'how we do business around here'.

In discussion, it was felt that the policy covered 'equality' (equal job opportunities, fairness, etc) and 'diversity' (range of people in the workforce of different ages, religions, ethnic groups etc), but failed to include sufficient reference to 'inclusion' (*creat[ing] an environment which respects and welcomes everyone*).

Sheila Wren offered to redraft the policy in consultation with the Interim CEO. This revision has now been completed, and verified as appropriate by our advisor at HRDept.

The revised EDI policy is now attached for consideration by Staffing Committee with a view to recommending its adoption by the Board.

Recommendation

That the committee recommends that the Board adopts the revised EDI policy

Sheila Wren, Trustee and
Helen Stace, Interim CEO
February 2024

Equality, Diversity and Inclusion Policy

1. Our Vision

- 1.1 The Malvern Hills and Commons are a stunning, unique and inspiring landscape that is enjoyed and respected by everyone in harmony with rich and flourishing wildlife, natural and cultural heritage.

2. Our Commitment to equality, diversity and inclusion

- 2.1 Everyone is welcome
- 2.2 We are an equal opportunities employer and actively support human rights and all equality legislation and promote diversity and inclusion throughout the Trust. Our ethos is to respect and value people's differences, and to help everyone achieve more at work as well as in their personal lives so that they feel proud of who they are and of the part they play in our success.
- 2.3 In delivering its vision, the Malvern Hills Trust (MHT) aspires to be an equitable, diverse and inclusive organisation with zero tolerance for discrimination. We believe that all decisions about people at work should be based on the individual's abilities, skills, performance and behaviour and our business requirements. With these values at its core, MHT will consciously and continuously improve how it approaches its work, ensuring no individual is discriminated against.
- 2.4 We therefore aim to ensure that the values of equality, diversity, and respect for all are embedded into everything that we do.
- 2.5 This policy statement applies to anyone acting on behalf of MHT, including staff, trustees, volunteers and partner organisations, all of whom have a responsibility comply with its requirements and promote fairness in the workplace and to ensure their language, behaviour and actions are consistent with its spirit and contents.
- 2.6 Any form of discrimination, abuse or harassment will result in disciplinary action being taken, including dismissal for serious cases. The policy will also be drawn to the attention of subcontractors and visitors.

3. Defining equality, diversity and inclusion

- 3.1 Equality, diversity and inclusion (EDI) mean fair treatment and opportunities for all.
- 3.2 Equality means that individuals should be provided with the resources they need to have access to the same opportunities as the general population, eg equal job opportunities and fairness for employees and job applicants. In particular, it aims to remove prejudice and discrimination based on the following protected characteristics as defined under the Equality Act (2010):
- Age (or perceived age)
 - Disability (past or present)
 - Gender reassignment
 - Marriage or civil partnership status
 - Race, colour, nationality, ethnic or national origins
 - Religion or belief
 - Sex
 - Sexual orientation
 - Maternity, pregnancy or family leave

3.3 **Diversity** means recognising that everyone is different in a variety of visible and non-visible ways; for example, they might have different ages, religions, ethnicities, abilities, genders, etc. Importantly, it also means valuing those differences.

3.4 **Inclusion** concerns the active creation of a learning, working and social environment that is welcoming, which recognises and celebrates difference and is reflected in structures, practices and attitudes. An inclusive workplace means everyone feels valued at work. It lets all employees feel safe to:

- come up with different ideas;
- raise issues and suggestions to managers and trustees, knowing this is encouraged;
- try doing things differently from how they've been done before, with management and board approval.

4. Statement of policy

4.1 **Responsibilities** - we recognise our responsibilities under the Equality Act 2010 and are committed to meeting them in full. In particular, we recognise that we must have due regard as part of our decision-making processes to the requirements of s149 of the Equality Act 2010 (Public Sector Equality Duty), specifically, the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic (see 3.2) and persons who do not share it.

4.2 **Culture** - we believe that a culture that embraces EDI will help us to ensure that everyone feels involved and included in our plans, programmes and activities. The MHT aims to:

- be a fair, diverse and inclusive place to work, which means we listen respectfully, to help us learn and understand different perspectives;
- represent all levels of society through our staff, board and volunteers;
- ensure our staff, trustees, volunteers and partners feel valued and respected;
- create an environment which respects and welcomes everyone and in which no form of bullying, harassment, disrespectful or discriminatory behaviour is tolerated by anyone towards anyone. This particularly applies in relation to the "protected characteristics"¹ named in the Equality Act 2010 (see para 3.2).

5. Values and behaviours

5.1 We endeavour to uphold the following values in all our work:

- **Public benefit** - we carry out our purposes for the public benefit; ie the interests of MHT's beneficiaries and the causes we work for are at the heart of everything we do;
- **Integrity** – MHT staff, trustees and volunteers uphold the highest level of institutional integrity and personal conduct at all times;
- **Openness** – staff, trustees, volunteers and the wider public can see and understand how we work, how we deal with problems when they arise and how we spend our funds.
- **Right to be safe** - Every person who volunteers with, works for or comes into contact with a charity is treated with dignity and respect, and feels that they are in a safe and supportive environment.

5.2 In accordance with best practice, as promoted by the [Committee for Standards in Public Life](#), our trustees are expected to sign up to and uphold a Code of Conduct, based on the Nolan Principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

6. Putting our equality, diversity and inclusion policy into practice

6.1 'Walking the talk'. We recognise that an EDI Policy alone is not enough to ensure that these things are central to everything that we do. For the policy to be effective, we must all work to ensure:

- staff, trustees and volunteers feel valued and respected;
- different perspectives and experiences are celebrated and valued;
- people are treated fairly in all aspects of their work, including recruitment, training, development through career progression and volunteering;
- the working environment is free from bullying, harassment, victimisation and unlawful discrimination, dignity and respect for all are promoted and decisions concerning staff are based on merit and in line with the Equality Act;
- MHT has a reputation as an exemplary place to work; and
- there is a positive work/life balance for all.

6.2 Training - we recognise that many people are unfamiliar with the ways in which discrimination and disadvantage affect people's health, well-being and quality of life. We will therefore support people to develop equalities awareness and understanding, and expect staff, trustees and volunteers to participate in relevant training modules as required.

6.3 Policy assessment – we will assess any significant new or revised policies and procedures for their impact on EDI. Accordingly, we will:

- embed EDI into our development plans; and
- ensure our employment practices and procedures are consistent with the aims of this policy.

6.4 Accessibility - we are committed to:

- using accessible venues for events and meetings;
- using plain English and offering accessible communications, eg emails, letters, reports and publicity materials, in a suitable format as far as it is within our means to do so.

7. Review and Monitoring

7.1 MHT is committed to long-term action to embed lasting improvement in ED&I performance in relation to its work.

7.2 We recognise that it is important for us to review this policy regularly to ensure that it reflects up to date equality legislation and best practice. A review of our EDI Policy will be carried out on an annual basis as a minimum and any necessary actions taken.

8. Approval of Equality, Diversity and Inclusion Statement

8.1 This policy has been agreed by our Board of Trustees. It will also be subject to agreement with any trade union which staff choose to join or to which they belong.

8.2 This policy should be read in conjunction with other MHT policies including the Trustees Code of Conduct

8.3 Overall responsibility for the implementation of this policy lies with the CEO and our Board of Trustees.

Staffing Committee
Staff Handbook
27th February 2024

Background

The Staff Handbook is reviewed on a regular basis, and when there are changes to any relevant legislation or in response to best practice.

HRDept sent through a number of suggestions for updates, including revisions of the family friendly policies and amendments to cover Equality Diversity and Inclusion (EDI).

The main amendments are as follows:

- Insertion, as Section 2, of brief reference to EDI using text supplied by HR Dept, cross referenced to the fuller EDI policy (which refers to Trustees as well as to staff)
- Insert 2.1 re Transgender employees/gender re-assignment
- Insert 7.1 adding reference to non-Christian cultural holidays into the Leave and absence section
- Comprehensive update of the family friendly policies including provisions covering maternity, paternity, surrogate and adoptive parenting, co-parent leave and sharing of parental leave. They revise the provisions in line with current legislation and best practice, whilst preserving our previous enhancement of paying full salary for the 2 weeks of co-parent (formerly paternity) leave.
- Section 9.4: Update of the office hours in the section on dealing with complaints. This now includes a half hour lunch break for 'front of office' staff for welfare purposes.
- Insertion of new section 9.5 relating to queries and requests for information to allow MHT to identify and deal with persistent and vexatious queries using the same procedures that apply to abusive, persistent and vexatious complainants.

The Text of Section 2, and sections 2.1, 7.1 and 9.5 are attached as Annex 1.

The family friendly policies have not been annexed as they cover 11 pages of text largely supplied by HRDept. They can be provided on request. There will need to be further amends to this section of the Handbook in April 2024 due to anticipated changes in the legislation. If any of these are significant, they will be brought back to Staffing Committee.

The updated Handbook has been checked and approved by HRDept and is now ready for sign off.

Recommendation

That the committee notes the updates to the Staff Handbook and recommends that the revised Handbook be approved by the Board.

Helen Stace
Interim CEO
February 2024

2 Equality, Diversity and Inclusion Policy

We are an equal opportunities employer and actively support human rights and all equality legislation and promote diversity and inclusion throughout the company. Our ethos is to respect and value people's differences, and to help everyone achieve more at work as well as in their personal lives so that they feel proud of who they are and of the part they play in our success.

We believe that all decisions about people at work should be based on the individual's abilities, skills, performance and behaviour and our business requirements. We accept our legal obligations under the Equalities Act 2010, which makes it generally unlawful to discriminate directly or indirectly in recruitment, employment or after employment on the grounds of:

- Age.
- Disability.
- Gender Reassignment.
- Marriage & Civil Partnership.
- Pregnancy and Maternity.
- Race (which includes colour, nationality and ethnic or national origins).
- Sexual orientation.
- Sex.
- Religion or belief.

Upon joining, employees will be informed of our Equality and Diversity policy and that they are obligated to comply with its requirements and promote fairness in the workplace. We expect everyone in our team to adhere to our policy. Any form of discrimination, abuse or harassment will result in disciplinary action being taken, including dismissal for serious cases. For more information, refer to our EDI Policy.

Where any employee has a condition that would be classified as a disability they have a duty to inform MHT. Any information will be treated in the strictest confidence but will allow MHT to support and make any reasonable adjustments necessary.

2.1 Transgender Employees/Gender Reassignment

If you inform us of any changes in your personal circumstances and/or intention to transition, we will discuss any support that may be required and adjustments that we could make to ensure that you are supported.

Your employee records will be updated upon request from yourself though we made need a legal name change for certain records (payroll, pension, etc.).

Names/Pronouns: Employees will be addressed by the name and pronoun that they choose.

Complaints: If you feel that you have been subjected to any form of harassment or discrimination, please raise this with your line manager immediately. Should you require it, our formal grievance procedures ensure sympathetic handling, and hopefully satisfactory resolution, for all aspects of employee concerns or dissatisfaction.

7.1 Cultural & Religious events

The Company will be closed over Christmas, New Year and at Easter, in accordance with Public Bank Holidays (see above)

We recognise that you may also wish to take holiday to enable your participation in other religious or cultural events. In these circumstances we will endeavour to approve holiday where possible, but ask that holiday is submitted as far in advance as possible.

Should you require support at work to enable participation in religious or cultural events (i.e., fasting, private prayer, meditation, etc.) please speak to your line manager.

9.5 Queries and requests for information

MHT is also committed to dealing with legitimate queries and requests for information in a fair and timely manner. However, where individuals raise queries or requests for information in a manner that places undue pressure on staff resources, or could be considered as persistent or vexatious, MHT reserves the right to treat the individual as vexatious, in accordance with the procedures outlined in 9.4 above.