

Compton Parish Council

Wilkins Centre, Burrell Road, Compton, Newbury, RG20 6NP

ComptonParish@gmail.com, 07748 591920

www.comptonparishcouncil.org

Councillors nominated to the Personnel Committee are hereby summoned to attend the following meeting.

NOTICE OF MEETING

MEETING: Personnel Committee
DATE & TIME: Tuesday 14th July 2020 at 7.30pm
PLACE: Online via Zoom - Meeting ID: 830 2837 7600 Password: 373513
<https://us02web.zoom.us/j/83028377600?pwd=aXhLREZDYk1sZFVuRStlcllLa3JtZz09>

Please note, due to the current Covid-19 situation and as permitted by the Local Authorities (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392, this meeting will be conducted online via zoom.

S. Marshman

Dr. S. Marshman, CiLCA, Clerk to the Council

8th July 2020

Agenda

1. To receive and consider for acceptance, apologies for absence from Members of the Committee
2. To receive any declarations of disclosable pecuniary interests or non-registerable interests by members or the Clerk and to consider any requests for dispensation
3. To receive:
 - a) Questions or comments from members of the public regarding items on the agenda
 - b) Representations from any member who has declared a personal interest
4. To approve the minutes of the Personnel Committee Meeting held on 15th June 2020
5. To discuss any matters arising from the minutes of the Personnel Committee Meeting held on 15th June 2020
6. To consider adopting the following policies:
 - a) Health and Safety Policy
 - b) Grievance Procedure
 - c) Volunteer Policy

Supporting Documentation

1. To receive and consider for acceptance, apologies for absence from Members of the Committee

The Committee should approve (or not) the reason for apologies given by absent councillors.

2. To receive any declarations of disclosable pecuniary interests or non-registerable interests by members or the Clerk and to consider any requests for dispensation

Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by the Compton Parish Council [Code of Conduct for Members](#), as adopted on 4th June 2018, minute 18/19-404, and by the [Localism Act 2011 Chapter 7](#).

3. To receive:

- a) Questions or comments from members of the public regarding items on the agenda**
 - b) Representations from any member who has declared a personal interest**
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This provides an opportunity for members of the public to raise questions about and comment on items on the agenda. Time for this session is limited to 12 minutes (3 minutes per person). [Public Bodies \(Admission to Meetings\) Act 1960 s1](#) extended by the [Local Government Act 1972 s 100](#).

4. To approve the minutes of the Personnel Committee Meeting held on 15th June 2020

[Local Government Act 1972 Sch 12 para 41\(1\)](#) - Minutes of the proceedings of a meeting of a local authority shall be signed at the next meeting of the Council by the person presiding.

Members are asked to consider the Minutes of the Personnel Committee Meeting held on 15th June 2020 (below).

Minutes of the Personnel Committee Meeting
Held on Monday 15th June 2020 at 7:30pm online using Zoom

Committee members present: Councillors Ian Tong (Chair), David Aldis and Mark Birtwistle.
Committee members not present: None.

In attendance: Sarah Marshman (Clerk).

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| PER20/21-001 | To consider the election of Chairman of the Committee for 2020/21
It was resolved to elect Ian Tong as Chairman of the Personnel Committee for 2020/21. |
| PER20/21-002 | To receive apologies for absence from members of the Personnel Committee
There were none. |
| PER20/21-003 | To receive any declarations of disclosable pecuniary interests or non-registerable interests by members or the Clerk and to consider any requests for dispensation
There were none. |
| PER20/21-004 | To receive:
Questions or comments from members of the public regarding items on the agenda
Representations from any member who has declared a personal interest
There were none. |
| PER20/21-005 | To approve the minutes of the Personnel Committee Meeting held on 11th November 2019
It was resolved that the minutes be accepted as a true record. They were then signed by the Chairman. |
| PER20/21-006 | To discuss any matters arising from the minutes of the Personnel Committee Meeting on 11th November 2019
There were none. |
| PER20/21-007 | To review the following policies:
a) Health and Safety Policy
Various revisions were suggested for the Health and Safety Policy. These revisions will be included, and the revised policy will be considered for adoption at the next meeting.
b) Equality Policy
It was resolved to continue with the current Equality Policy.
c) Home Working Policy
Clause 3.1 will be altered to read as:
“The Clerk will purchase any small items of equipment and consumables, such as stationery and stamps using the Council corporate card. The cost of these will be reported on the Finance Report at the next Full Council meeting.”
It was resolved to adopt this revision. |

d) Lone Working Policy

Clause 6.1 will be altered to read:

“When working alone always carry a mobile phone and ensure it is charged appropriately.”

The clause reading as below will be removed:

“Carry a personal alarm if visiting isolated locations.”

It was resolved to adopt these revisions to the policy.

e) Pension Employer Policy Statement

The policy statement regarding Regulation 9(1) and (3) will be revised to read:

“Resolved to review the rates issued for the year by the Berkshire Pension Fund and to reaffirm in the first meeting of the Personnel Committee after 1st April each year.”

It was resolved to adopt this revision to the policy.

PER20/21-008

To consider adopting the following policies:

a) Dignity at Work/Bullying and Harassment Policy

It was resolved to adopt the Dignity at Work/Bullying and Harassment Policy

b) Grievance Procedure

Various revisions were suggested for the Grievance Procedure. The revised policy will be considered for adoption at the next meeting.

c) Member/Officer Protocol

It was resolved to adopt the Member/Officer Protocol.

d) Volunteer Policy

Various revisions were suggested for the Volunteer Policy. The revised policy will be considered for adoption at the next meeting.

Recommendation: Full Council should adopt a Safeguarding Policy and assign a Member to act as Safeguarding Officer.

PER20/21-009

To review working practices during Covid-19

The current working practices were discussed.

Meeting closed 8:41pm.

Chairman:

Date:

5. To discuss any matters arising from the minutes of the Personnel Committee Meeting on 15th June 2020

For information or inclusion on a future agenda only.

6. To consider adopting the following policies:

- a) Health and Safety Policy**
 - b) Grievance Procedure**
 - c) Volunteer Policy**
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The Health and Safety Policy version 1.1, the Grievance Procedure version 1.0 and the Volunteer Policy version 1.0 are given below.

Members are asked to review and adopt the Health and Safety Policy version 1.1, the Grievance Procedure version 1.0 and the Volunteer Policy version 1.0.

Health and Safety Policy

Version number	1.1	Minute reference	
Adopted by	Personnel Committee	Review due	Annually
Date adopted		Review date	June 2021

1. General Statement

1.1 Compton Parish Council recognises and accepts its responsibilities as an employer for providing a safe and healthy working environment for its clerk, councillors, contractors, voluntary helpers and others who may be affected by the activities of the Council.

1.2 The Council will meet its responsibilities under the Health and Safety at Work etc. Act 1974, and will provide, as far as is reasonably practicable, the resources necessary to fulfil this commitment.

1.3 The Council will seek, as and when appropriate, expert technical advice on Health and Safety.

2. Aims of the Health and Safety at Work Policy

2.1 To provide as far as is reasonably practicable:

- a) A safe place of work and a safe working environment. (The Clerk's home office working environment is addressed in the council's Home Working Policy)
- b) Arrangements for considering, reporting and reviewing matters of Health and Safety, including regular risk assessments of parish council activities.
- c) Systems of operating that are safe and without risks to health.
- d) Obtaining specialist technical advice and assistance on matters of Health and Safety when necessary.
- e) Sufficient information, instruction and training for the clerk, councillors, contractors and voluntary helpers to carry out their work safely.
- f) Care and attention to the health, safety and welfare of the clerk, contractors, voluntary helpers and members of the public who may be affected by the council's activities

3. Arrangements and Responsibilities for Carrying out the Health and Safety Policy

3.1 As the Council's Safety Officer, the Clerk will:

- a) Keep informed of relevant Health and Safety policy legislation.
- b) Advise the Council on the resources and arrangements necessary to fulfil the Council's responsibilities under the Health and Safety at Work Policy.
- c) Make effective arrangements to implement the Health and Safety Policy.
- d) Ensure that matters of Health and Safety are regularly discussed at Parish Council meetings.
- e) Ensure that regular risk assessments are carried out of working practices, with subsequent consideration and review of any necessary corrective/protective measures. Maintain a file of risk assessments, summarised in the Minutes.
- f) Make effective arrangements to ensure those contractors or voluntary helpers working for the Council comply with all reasonable Health and Safety at Work requirements. Ensure that the activities by the Council do not unreasonably jeopardise the health and safety of members of the public.
- g) Maintain a central record of notified accidents.
- h) When an accident or hazardous incident occurs, take immediate action to prevent a recurrence or further accident and to complete the necessary accident reporting procedure.
- i) Act as the contact and liaison point for the Health and Safety Inspectorate.

3.2 The Clerk, Councillors, contractors and voluntary helpers will:

- a) Familiarise themselves with and cooperate fully with the aims and requirements of the Health and Safety, Lone Working and Home Working Policies.
- b) Take reasonable care for their own Health and Safety, to use appropriate personal protective clothing and, where appropriate, ensure that appropriate First Aid materials are available.
- c) Take reasonable care for the Health and Safety of other people who may be affected by their activities.
- d) Report any accidents or hazardous incidents to the Clerk or Chairman.

3.3 Health and Safety at Parish Council Meetings and other events

- a) Meetings usually take place at the Wilkins Centre or, occasionally, the Wellstead Room at the Village Hall. Prior to each meeting, when setting up the room, a safety check should be carried out, in particular to check for slip or trip hazards and that fire exits are not blocked
- b) Meetings at other venues will be risk assessed in advance.
- c) A fully charged mobile phone with a good signal should be available at all meetings to call the emergency services if someone becomes ill, in case of a fire or other emergency.
- d) A risk assessment will be carried out in advance of any other event organised by the Parish Council

3.4 Parish Council Owned Street Furniture

- a) The Parish Council owned street furniture is inspected by a nominated Councillor, or nominated contractor where applicable, to ensure that there is no damage and it is in a safe condition. If a councillor identifies any faults between meetings, they should be reported to the Clerk. Checks are carried out as follows:

Street Furniture	Checked By	Regularity of Checks
Seats	Councillor	Monthly
Waste/dog bins	Councillor	Quarterly
Bus shelter	Councillor	Quarterly
Streetlights	Contractor	Yearly

- b) Details of how members of the public should report faults / damage to this street furniture are displayed on the notice board and website.
- c) The Council will take urgent action to address any safety issues relating to the street furniture they own.

3.5 Travelling on Parish Council Business

- a) If travelling alone take the precautions pertaining to travel in the Lone Working Policy
- b) If Driving:
 - The Health and Safety guidance on driving at work can be accessed at:
 - <http://www.hse.gov.uk/pubns/indg382.pdf>
 - <http://www.hse.gov.uk/roadsafety/practical.htm>
 - Ensure that you are sufficiently fit and healthy to drive
 - Ensure that your vehicle is maintained in a safe condition and fit for the road
 - Take sufficient account of adverse weather conditions

- Avoid parking in poorly lit and isolated areas
- Ensure your motor insurance policy covers the activity you are undertaking

3.6 Engaging Contractors

- a) The Council will only engage contractors who are able to demonstrate due regard to health and safety matters.
- b) The Council will ensure that where contractors or sub-contractors are engaged they must maintain effective control of themselves and those working under them so as to ensure they comply with the responsibilities and duties of the health and safety legislation.
- c) For significant works greater than £2,000 or works with a significant health and safety risk, a written method statement will be required prior to starting works.
- d) For smaller projects, a method statement is not required, however, the Council does require that safe working practices are adhered to and will consider asking for details of what arrangements a contractor has in place to ensure safe working practices.
- e) All contractors will be requested to provide a copy of their public liability insurance. Contractors are requested to have public liability insurance of at least £5 million.

3.7 Volunteers

- a) The Council will only engage volunteers who are able to demonstrate due regard to health and safety matters.
- b) All volunteer activities which involve more than attendance at meetings (e.g. planting bulbs in verges) will be risk assessed.
- c) All volunteers will be given a copy of the Council's Health and Safety Policy and Lone Working Policy if relevant.

Grievance Procedure

Version number	1.0	Minute reference	
Adopted by	Personnel Committee	Review due	Annually
Date adopted		Review date	May 2021

1. PURPOSE AND SCOPE

It is the policy of the council to give employees the opportunity to air and seek redress for any individual employment grievance which they may have. Grievances may be any concerns, problems or complaints employees wish to raise with the council. This document describes the procedure which aims to facilitate a speedy, fair and consistent solution to an individual employee's employment grievance. This procedure is produced in line with the ACAS Code of Practice 2009 as set out in the Employment Act 2008.

2. PRINCIPLES

- a) At every stage in the procedure the employee will be given the opportunity to state his or her case before any decision is made.
- b) Grievances will be dealt with promptly and consistently.
- c) At all formal stages the employee will have the right to be accompanied by a work colleague or trade union representative during the Grievance Hearing.
- d) An employee will have the right to appeal against any outcome of a Grievance Hearing.
- e) At no time will an employee be penalised or victimised for having raised a Grievance against the Council.

3. PROCEDURE

- 3.1 Wherever possible, any grievance should be raised informally with the employee's line manager, or, if this is inappropriate, with the next level of management. In the case of the Clerk to the council raising a grievance this should be directed to the Chair of the Council unless the complaint is about the Chair of the Council in which case it should be directed to the Chair of the Personnel Committee. The recipient of the grievance from a clerk should share the grievance with the Personnel Committee, which has been established to handle employment matters, and the issues should be treated with discretion and confidentiality at all times.
- 3.2 **Written Statement:** If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to their line manager, or if this is inappropriate to the next level of management.
- 3.3 **Meeting or Hearing:** Generally, within a reasonable period of time, e.g. five working days of receipt of a written complaint, the Chair of the Personnel Committee (the Hearing Manager) will arrange a meeting with the employee. The Hearing Manager will endeavour to make the meeting

arrangements mutually convenient and will arrange a confidential location, free from interruptions. The manager will investigate the substance of the complaint and hear submissions from the employee concerned together with such other submissions or evidence as he or she shall consider appropriate. The manager shall then take such steps as he or she shall consider necessary to resolve the issue raised. It may be necessary to adjourn the meeting in order for an investigation to take place. Careful consideration of the evidence and the necessary steps required to resolve the problems will be given to the grievance. The employee may call witnesses by prior arrangement with the panel. There is no right for a Member or employee implicated in an employee's grievance to cross examine the aggrieved during a grievance hearing but the panel may wish to make its own investigations through interviewing these individuals and/or other witnesses separately. The Panel may ask the employee what he or she would like to happen as a result of raising the grievance and bear this in mind when preparing the response.

3.4 **Response:** The Hearing Manager will advise the decision to the employee in writing and, where appropriate, include an action plan to assist in the resolution of the problem. Councils which handle internal disputes effectively generally consider the options and costs in a timely fashion, then agree and publicise the workable solutions, monitor, review and learn from the experience. There may be some value in exploring Mediation as a way in which to resolve differences between two parties. Employment Support Officers from the SLCC can advise on approaches and bodies which may be able to assist (N.B. external organisations may levy a fee for such services).

3.5 **Appeal:** If the employee is dissatisfied with the decision of the line manager on his/her complaint, he or she may appeal against the decision to the Chair or other elected Member by written notice within five working days of the decision. An Appeal may be raised if:

- The employee thinks the finding, or action plan, is unfair;
- New evidence has come to light;
- The employee thinks that the procedure was not applied properly.

On receipt of the appeal the council's Appeals Panel shall arrange to meet and consult with the employee, the line manager or Members concerned and any other persons, as he or she shall consider appropriate without unreasonable delay. The Appeal Hearing Chair shall consider the issues and shall then take all such steps, as he or she may consider necessary to resolve those issues. Where the council's Chair has chaired the initial grievance meeting the Vice Chair or Chair of another committee will hear the appeal as a hearing manager and the decision of the Appeal Hearing will be final. The council will need to ensure that the Members involved in the hearings are able to act impartially and reasonably at all times. The outcome of the appeal should be conveyed to the employee in writing in a timely manner.

3.6 **Bullying or Harassment:** If a grievance concerns alleged bullying or harassment the matter should be reported promptly to the employee's Line Manager, or another Member if more appropriate, with an indication of the required action. The complaint will then be investigated and any action taken and any resolution achieved will be reported back. If the solution is not satisfactory to the complainant, the matter will be discussed further and, if appropriate, an alternative solution agreed. The decision at this stage will generally conclude the enquiry. If a further appeal or review is available the employee will be notified. As a result of an investigation into a claim of harassment disciplinary action may be instigated against any alleged perpetrators of the action or in the case of alleged perpetrators being elected Members a Code of Conduct complaint lodged by the council through the Standards process.

Refer to the Dignity at Work/Bullying and Harassment Policy for further details.

3.7 **Right to be Accompanied:** At any formal stage of the procedure an employee may be accompanied by a fellow employee of their choice or their trade union representative or official

of a trade union (appropriately accredited) but as this is an internal procedure they will not be entitled to be accompanied by any external supporter e.g. partner, parent, solicitor etc. This right to be accompanied is enshrined in the Employment Relations Act 1999. To exercise this right the employee should make a reasonable request. The companion will be allowed to address the hearing, put and sum up the employee's case, respond to views expressed at the hearing and to confer with the employee during the hearing (sometimes in an adjournment) but is not allowed to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

- 3.8 **Hearing Panels:** Employment Support Officers from the SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.
- 3.9 **Confidentiality:** So far as is reasonably practicable, the council will keep any grievance or complaint of harassment confidential between the manager or Member investigating the grievance or complaint, the employee and the person about whom the grievance or complaint is made. If it is necessary to investigate the matter with any other employee or person, the employee will be so advised.
- 3.10 **Record Keeping:** In all cases, written records of the nature of the grievance raised, the employer's response, action taken (with reasons), details of any appeal and subsequent developments will be retained and kept in accordance with the Data Protection Act 1998.
- 3.11 **Grievances raised during Disciplinary:** In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. Employment Support Officers from the SLCC recommend, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but Employment Support Officers from the SLCC would advise caution and specialist advice should be sought if this arises.

4. GETTING IT WRONG

Following the repeal of the 2004 Dispute Resolution regulations employees no longer HAVE to raise a grievance before going to an employment tribunal. However, establishing a mechanism for differences and disputes to be resolved internally can often allow the employment relationship to continue. Failure to follow the ACAS Code of Practice (available at www.acas.org.uk) when dealing with grievances can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%. Tribunals dealing with constructive dismissal and discrimination claims are particularly interested in whether the employer followed a procedure when dealing with an internal dispute and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

Volunteer Policy

Version number	1.1	Minute reference	
Adopted by	Personnel Committee	Review due	Annually
Date adopted		Review date	June 2021

1. INTRODUCTION

The Parish Council exists to focus on being an outward-looking organisation, putting into practice our values and objectives through engaging with the residents of the community and key partners to improve the quality of life for our residents and the experience of those who work in and visit our town.

This policy only applies for volunteer roles for which the Council creates a job description e.g. Flood Warden, Allotment Manager.

2. PRINCIPLES

The Volunteering Policy is underpinned by the following principles:

- The Parish Council will ensure that volunteers are properly integrated into the organisation;
- The Parish Council does not aim to introduce volunteers to replace paid staff;
- The Parish Council expects that staff at all levels will work positively with volunteers.

3. PRACTICAL GUIDELINES

The policy will deal with practical aspects of the involvement of volunteers.

3.1 RECRUITMENT

All prospective volunteers will be interviewed to assess their current skills and suitability for current/vacant volunteer roles, taking into consideration the work the volunteer would like to undertake and how best their potential might be realised.

3.2 VOLUNTEER WORK OUTLINES

After consultation, each volunteer will be given details of the specific role they will be undertaking and establish what the parish council undertakes to provide for them.

3.3 EXPENSES

All volunteers will have their travel and other out of pocket expenses reimbursed.

3.4 INDUCTION AND TRAINING

All volunteers will receive an induction into The Parish Council and the role they will undertake. Training will be provided as appropriate.

3.5 SUPPORT

All volunteers will have a named person as their main contact. They will be provided with regular supervision to feedback on progress, plan future development and discuss any problems in confidence

3.6 THE VOLUNTEER'S VOICE

Volunteers are encouraged to express their views about matters concerning the organisation and may be invited to staff meetings or in confidence as appropriate

3.7 INSURANCE

All volunteers are covered by The Parish Council's insurance policy whilst they are on the premises or engaged in work on The Parish Council's behalf.

3.8 HEALTH AND SAFETY

Volunteers are covered by The Parish Council's Health and Safety Policy, a copy of the policy is available on request. Risk assessments will be undertaken of any duties any volunteer is asked to undertake and where appropriate specialist equipment will be provided.

3.9 EQUAL OPPORTUNITIES

The Parish Council operates an equal opportunities policy in respect of both paid staff and volunteers. A copy of the policy is available on request.

3.10 SAFEGUARDING

The Parish Council operates a Safeguarding policy. Volunteers must agree to a DBS check if their role involved working with children or vulnerable adults. If this is required, the council will cover the cost of the DBS check. The council may reasonably decline volunteering offers if there are concerns about suitability raised by a DBS or other reference check. A copy of the policy is available on request.

3.11 PROBLEM SOLVING

We aim to identify and solve problems at the earliest possible stage and encourage volunteers to speak to their nominated contact about concerns if they arise.

3.12 CONFIDENTIALITY

Volunteers will be bound by the same requirements for confidentiality as paid staff.