




# Horndean Parish Council

## STAFF COMMITTEE

### NOTICE OF MEETING

**A MEETING OF THE STAFF COMMITTEE WILL BE HELD ON MONDAY 03 FEBRUARY 2020 AT 6.30 P.M. AT JUBILEE HALL.**

Members are summoned to attend.

  
Carla Baverstock-Jones PSLCC, GCILEx, MCMi  
Chief Officer

28 January 2019

#### AGENDA

1. To receive apologies for absence.
2. Declaration of interest: Members are reminded of their responsibility to declare any disclosable pecuniary interest which they may have in any item of business on the agenda no later than when that item is reached. Unless dispensation has been granted, you may not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State under the Localism Act 2011. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.
3. To receive and approve the Minutes of the meeting held on the 01 July 2019.
4. To receive a report and consider the draft Flexible Working Policy.
5. To receive a report and consider the NALC/HALC Model Disciplinary and Grievance Procedure Policies.
6. To agree to exclude the public and press, in the view that publicity would prejudice the public interest by reason of the confidential nature of the business or arising out of the business about to be transacted. (Public Bodies (Admissions to meetings) Act 1960)
7. To receive and approve the Confidential Minutes of the meeting held on the 01 July 2019.
8. To receive a report and agree a recommendation to council regarding any proposed changes to staff salaries for 2020/21.
9. To discuss the Chief Officer's Appraisal.
10. To discuss any proposed changes to the Chief Officer's salary for 2020/21.



# HORNDEAN PARISH COUNCIL STAFF COMMITTEE

MINUTES OF THE STAFF COMMITTEE MEETING HELD AT JUBILEE HALL ON MONDAY 1<sup>st</sup> JULY 2019 AT 6:30PM

**PRESENT:**

Cllr R Veitch (Chairman), Cllr Mrs L Evans, Cllr Mrs E Tickell, Cllr I Weeks

**IN ATTENDANCE:** Carla Baverstock-Jones, Chief Officer; Cheree Garvey, Office Manager (Minute Taker).

**PUBLIC**

**ATTENDANCE:** There were no members of the public or press present.

SC011 19/20 **TO RECEIVE APOLOGIES FOR ABSENCE**

All were present.

SC012 19/20 **TO RECEIVE ANY DECLARATIONS OF INTEREST**

There were no declarations of interest received.

SC013 19/20 **TO ELECT A VICE CHAIRMAN TO THE STAFF COMMITTEE**

Cllr Mrs E Tickell nominated Cllr Mrs I Weeks as vice chairman.

Cllr Mrs I Weeks was elected Vice Chairman of the Staff Committee by unanimous vote.

SC014 19/20 **TO RECEIVE AND APPROVE THE MINUTES OF THE MEETING HELD ON THE 1<sup>st</sup> APRIL 2019**

It was **RESOLVED** that the minutes of the Staff Committee meeting held on 1<sup>st</sup> April 2019 be duly signed as a true record of the meeting.

This was proposed by Cllr R Veitch and seconded by Cllr Mrs I Weeks. All agreed.

SC015 19/20 **TO RECEIVE A REPORT AND CONSIDER THE PROPOSED AMENDMENTS TO THE JOB DESCRIPTIONS PERTAINING TO A NUMBER OF EMPLOYEES**

A report was circulated and a brief discussion took place.

It was **RESOLVED** that the following amendments are agreed as attached:

- Additional duties for Cheree Garvey (Office Manager)
- Addition of administrative duties to Kim Hall (Finance Assistant)
- Amended duties for Susan Blake (Administrative Assistant)
- Additional duties for Carla Baverstock-Jones (Chief Officer)

This was proposed by Cllr Mrs L Evans and seconded by Cllr R Veitch. All agreed.

SC016 19/20

**TO AGREE TO EXCLUDE THE PUBLIC AND THE PRESS, IN THE VIEW THAT PUBLICITY WOULD PREJUDICE THE PUBLIC INTEREST BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS OR ARISING OUT OF THE BUSINESS ABOUT TO BE TRANSACTED**

There were no members of the public present.

Public meeting closed 6:40pm.

Confidential part of the meeting

SC017 19/20

**TO RECEIVE AND APPROVE THE CONFIDENTIAL MINUTES OF THE MEETING HELD ON THE 1<sup>st</sup> APRIL 2019**

It was **RESOLVED** that the confidential minutes of the Staff Committee meeting held on 1<sup>st</sup> April 2018 be duly signed as a true record of the meeting.

This was proposed by Cllrs E Tickell and seconded by Cllr Mrs L Evans. All agreed.

SC018 19/20

**TO RECEIVE A REPORT AND CONSIDER THE FLEXIBLE WORKING REQUEST RECEIVED FROM A MEMBER OF STAFF**

A report prepared by the Chief Officer was circulated and discussed.

It was **RESOLVED** that:

1. the Chief Officer will draft a job description for the role of Operations Officer and return to the next Council meeting.
2. the Chief Officer will take HR advice from an external source with regard to the change of contract requirements and report to the next Council meeting.

This was proposed by Cllr Mrs L Evans and seconded by Cllr Mrs I Weeks. All agreed.

SC019 19/20

**TO RECEIVE A REPORT AND CONSIDER THE EXPIRY OF THE PROBATIONARY PERIOD IN RESPECT OF A STAFF MEMBER WITHIN THE PARISH OFFICE**

A report prepared by the Chief Officer was circulated.

It was **RESOLVED** to recommend to Council that the post holder remains employed within the current role.

This was proposed by Cllr R Veitch and seconded by Cllr Mrs I Weeks. All agreed.

The meeting closed at 6.58pm

.....  
Chairman

.....  
Dated



## Flexible Working Policy

### Introduction

Horndean Parish Council recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore the Parish Council wishes to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The Parish Council is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

It is the Council's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact the Chief Officer to arrange an informal discussion to talk about the options.

### What is flexible working?

Flexible working is any type of working arrangement that gives some degree of flexibility on how long, where and when an employee works.

The following flexible working options are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:

- Compressed hours
  - Flexitime
  - Home-working
  - Job-sharing
  - Part-time working
  - Term-time working
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- **Compressed hours** is where an employee works their usual full time hours in fewer days by working longer blocks meaning that there is no reduction in their pay. For example, a five-day week is compressed into four days, or a 10-day fortnight into nine days
  - **Flexitime** allows an employee to choose, within certain limits, when to begin and end work. An employee is required to work during a core time and must work an agreed number of hours during the accounting period of a calendar month. Their hours of attendance will be recorded and added up at the end of each accounting period. An employee can carry over an excess of up to 8 hours or a deficit of up to 8 hours from one accounting period to

another. A deficit of hours should be made up in the following accounting period. Excess hours may be used to either reduce attendance outside of core hours or, take additional leave (flexi-leave), subject to a maximum of 1 full day in any accounting period. Additional leave should be requested and agreed with the employee's line manager in the same way as annual leave

- **Home-working** is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The organisation can consider home-working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement.
- **Job-sharing** is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements
- **Part-time working** covers any arrangement where an employee is contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The Parish Council believes that all posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements
- **Term-time working** is where an employee reduces their hours or takes time off during any school holidays. Any weeks above their annual leave entitlement will be unpaid. Salary can be paid in 12 equal monthly instalments (although arrangements may be permitted where an employee is only paid for the time worked and receive no pay during the holidays apart from their entitlement to annual leave)

### **The needs of the Parish Council**

The Council is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

## **Eligibility**

Any employee with at least 26 weeks of employment service has a statutory right to request flexible working.

## **Submitting a flexible working request**

An eligible employee is entitled to submit one flexible working request in a twelve month period (an employee is entitled to additional requests if they relate to a statutory entitlement e.g. the Equality Act 2010 right to request reasonable adjustments).

All requests must be made by email or letter. Any request made must include:

- the date of the application
- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- what effect the employee thinks the requested change would have on the organisation
- how, in their view, any such effect could be dealt with
- whether this is a statutory or non-statutory request
- whether a previous application for flexible working has been made
- the dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information the Chief Officer will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

## **Meetings regarding flexible working**

Upon receiving a written request for flexible working the Chief Officer will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and organisation

If a meeting is arranged it will be held within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and Chief Officer.

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and Chief Officer, the meeting may be held over the telephone.

At the meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and Chief Officer.

### **Responding to a flexible working request**

The Chief Officer will consider the proposed flexible working arrangements, looking at the potential benefits, and adverse affects, to the employee and to the organisation in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the organisation's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the Chief Officer within 14 days if they wish to discuss the new arrangements further, or have any concerns.

## **Right to appeal decision**

The employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 14 days. The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the Chief Officer.

## **Trialling new working arrangements**

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the Parish Council a trial period may be agreed. If a trial period is arranged the organisation will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

## **Varying an employee's contract**

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment they should contact the chief Officer to discuss the matter further.

Where a trial period has been arranged the organisation will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the organisation may reduce or lengthen the trial period where necessary with the agreement of the employee). The organisation will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

## **Complaints and further information**

The organisation is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with the Chief Officer.



If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

For further information an employee should refer to the documents listed below and/or contact the Chief Officer.

Law relating to this document:

Employment Rights Act 1996  
Equality Act 2010  
Flexible Working Regulations 2014

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# HORNDEAN PARISH COUNCIL

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**STAFF MEETING**

**Date: 03 February 2020**

**AGENDA ITEM: 5**

**SUBJECT OF REPORT: Model Disciplinary and Grievance Procedures**

## **BACKGROUND**

The National Association of Local Councils (NALC) and the Hampshire Association of Local Councils (HALC) have both published revised model policies in respect of Disciplinary and Grievance Procedures.

The policies comply with the 2015 ACAS Code of Practice, which is the guidance referred to and relied upon within Employment Tribunal proceedings. Employers are expected to put in place similar policies which observe the Code of Practice, and failure to do so could be detrimental should an issue arise.

Members may wish to consider revising the existing policies which were first adopted in 2015. Alternatively, the preference may be to adopt the NALC or HALC policies in their entirety.

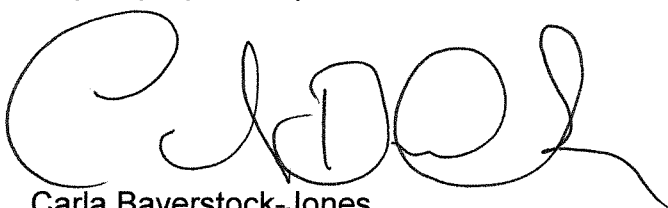
## **RECOMMENDATION**

It is evident that when matters concerning employment are called into question, significant credence is given to the ACAS Code of Practice, and compliance is viewed favourably. It is therefore important to have recognised, reputable and credible policies on which to base the management of any staffing issues.

The current HPC policies are in essence comparative to the revised versions. However, albeit that the ACAS Code of Practice is not legally binding, given its importance insofar as a tribunal will consider whether an employer has followed the ACAS Code, Members may consider it prudent to follow NALC's model guidance for completeness.

However, Council may alternatively wish to consider HALC's concise version, which presents as an appropriate framework on which to build, should Members so wish.

Report prepared by



Carla Baverstock-Jones  
Chief Officer