



Horndean Parish Council

STAFF COMMITTEE

NOTICE OF MEETING

A MEETING OF THE STAFF COMMITTEE WILL BE HELD ON MONDAY 16 MARCH 2020 AT 6.30 P.M. AT JUBILEE HALL.

Members are summoned to attend.

A handwritten signature in black ink, appearing to read 'Carla Baverstock-Jones'.

Carla Baverstock-Jones PSLCC, GCILEx, MCMI
Chief Officer

10 March 2020

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 03 February 2020.
4. To receive a report and consider the draft Flexible Working Policy.
5. To receive a report and consider the revised Disciplinary and Grievance Procedure Policies.
6. To receive and consider the implementation of a training agreement.
7. **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)**
8. To receive and approve the Confidential Minutes of the meeting held on the 03 February 2020.



HORNDEAN PARISH COUNCIL STAFF COMMITTEE

MINUTES OF THE STAFF COMMITTEE MEETING HELD AT JUBILEE
HALL ON MONDAY 3rd FEBRUARY 2020 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.

SC020 19/20 **TO RECEIVE APOLOGIES FOR ABSENCE**

All were present.

SC021 19/20 **TO RECEIVE ANY DECLARATIONS OF INTEREST**

There were no declarations of interest received.

SC022 19/20 **TO RECEIVE AND APPROVE THE MINUTES OF THE MEETING HELD ON THE 1st JULY 2019**

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

This was proposed by Cllr R Veitch and seconded by Cllr Mrs E Tickell. All agreed.

SC023 19/20 **TO RECEIVE A REPORT AND CONSIDER THE DRAFT FLEXIBLE WORKING POLICY**

A report was circulated and a brief discussion took place. The paragraphs under the following headings are to be revisited as discussed:

- Flexitime
- Home Working
- Part-Time Working
- Right to Appeal Decision
- Complaints and Further Information

It was **RESOLVED** that the amended draft document is received at the next scheduled Staff Committee Meeting.

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

SC024 19/20 **TO RECEIVE A REPORT AND CONSIDER THE NALC/HALC MODEL
DISCIPLINARY AND GRIEVANCE PROCEDURE POLICIES**

The supporting documents were received and a discussion took place.

The current adopted Disciplinary and Grievance Procedures are to be amended to take into consideration the ACAS guidelines.

It was **RESOLVED** that a draft documents for the Disciplinary and Grievance Procedures are received at the next scheduled Staff Committee Meeting.

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

SC025 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 7:00pm.

Confidential part of the meeting

SC026 19/20 **TO RECEIVE AND APPROVE THE CONFIDENTIAL MINUTES OF THE
MEETING HELD ON THE 1st JULY 2019**

It was **RESOLVED** that the confidential minutes of the Staff Committee meeting held on 1st July 2019 be duly signed as a true record of the meeting.

All agreed.

SC027 19/20 **TO RECEIVE A REPORT AND AGREE A RECOMMENDATION TO
COUNCIL REGARDING ANY PROPOSED CHANGES TO STAFF
SALARIES FOR 2020/21**

A report prepared by the Chief Officer was circulated.

The Chief Officer is to investigate if bonuses are permitted to be given to staff i.e. a one-off payment in recognition of additional work undertaken.

It was **RESOLVED** to recommend to Council that the proposed changes to staff salaries for 2020/21 are approved.

SC028 19/20 **TO DISCUSS THE CHIEF OFFICER'S APPRAISAL**

There was a short discussion of the Chief Officer's Appraisal. Cllrs Veitch and Mrs L Evans will carry out the Appraisal.

SC029 19/20

**TO DISCUSS ANY PROPOSED CHANGES TO THE CHIEF OFFICER'S
SALARY FOR 2020/21**

The committee agreed to recommend that the Chief Officer receive the proposed increase to her salary.

The meeting closed at 7:30pm

.....
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 Council and the employee can be met.

It is the Council's policy to encourage open discussion with employees. An employee who 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 Council recognises that there may be alternatives or a combination of options which are suitable to both the Council and the employee:

- Compressed hours
 - Flexitime
 - Home-working
 - Job-sharing
 - Part-time working
 - Term-time working
-
- **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 week.

- **Home-working** is when an employee regularly carries out all, or part of, their duties from home rather than the employer's premises. The Parish Council can consider home-working on the basis of an occasional agreed day.
- **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 Council. 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.
- **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 will consider if the post is suitable to be undertaken on a part-time basis.
- **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 Council 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 Council
- 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 Council.

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

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.

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 Council'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 Council receiving the request. This time limit may be extended with the agreement of both the employee and Chief Officer/Council.

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 Parish Council 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 Council'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 Parish Council 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 by the Staff Committee 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/Council.

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 Parish Council 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 Parish Council 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 Parish Council may reduce or lengthen the trial period where necessary with the agreement of the employee). The Council 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 Parish Council 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 working 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 Parish Councils 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



HORNDEAN PARISH COUNCIL

Disciplinary procedure

Policy

The Council aims to ensure that there will be a fair and consistent approach to the enforcement of standards of conduct throughout the organisation. This policy and procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. This policy also aims to resolve problems of conduct or performance and wherever possible to avoid dismissal.

The following list provides examples of conduct that will normally be regarded as misconduct leading to disciplinary proceedings. The list is not exhaustive and are only examples:

- i. Unsatisfactory time keeping.
- ii. Absenteeism, including any absence from work during a working day without prior authorisation or instruction.
- iii. Failure to comply with rules and regulations applicable to job requirements.
- iv. Failure by an employee to perform the duties and responsibilities of his or her post to the standard expected by the council.
- v. Insubordination.
- vi. Any other conduct that from time to time is defined by the council as amounting to misconduct.

Purpose and scope

The organisation's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action that will be taken when disciplinary rules are breached.

Principles

- The procedure is designed to establish the facts quickly and to deal with disciplinary issues consistently.
- No disciplinary action will be taken until the matter has been fully investigated. The employee will be advised in writing of the nature of the complaint against him or her and the arrangements for the hearing.
- Employees will have the opportunity to state their case at every stage at a disciplinary hearing and be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- An employee has the right to appeal against any disciplinary penalty. An appeal hearing will be arranged as soon as possible and will be conducted by the Staff Committee or the Appeals Committee where appropriate.
- The right of representation does not extend to investigatory meetings.

- Mitigating circumstances will be taken into account when reaching decisions on appropriate disciplinary penalties
- No employee will be dismissed for a first breach of discipline, except in the case of gross misconduct. The penalty for this will be summary dismissal, i.e. dismissal without notice or pay in lieu of notice
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action
- In poor performance cases, where the reason is not within the control of the employee, the organisation's capability policy and procedure will be used instead. But poor performance resulting from negligence, lack of application or attitudinal problems, for example, will be dealt with under the disciplinary procedure. Also, where an employee's absences are deemed to be of a casual nature, the employee will be dealt with under the disciplinary procedure.

Informal Verbal Warning

It may be appropriate for an employee to receive an informal warning prior to formal disciplinary action being taken. This will be for the purpose of allowing the employee a chance to address the issue without formal proceedings. An informal warning is not recorded in writing (although an informal file-note may be made in the personnel file).

The procedure

At the conclusion of the disciplinary hearing, any of the following actions may be deemed to be appropriate.

Stage 1 – First written warning

If conduct or performance is unsatisfactory, the employee will be given a formal disciplinary warning. Such warnings will be recorded, and issued by the Chief Officer but disregarded after a period of satisfactory service. The written warning will remain in force for a minimum of 6-12 months.

A First Written Warning will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action; and
- iv. the employee's right to appeal.

Stage 2 – Final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be issued by the Chief Officer. This will include the reason for the warning, and a note that if no improvement results within a reasonable timescale the action detailed at Stage 3 will be taken. The final written warning will remain in force for 12 months.

A Final Written Warning will set out:

- i. the nature of the offence and the improvement required (if appropriate) and over what period;
- ii. the likely consequences of any further offence or failure by the employee to improve his/her conduct to an acceptable standard;
- iii. that further offences will result in more serious disciplinary action; and
- iv. the employee's right to appeal.

Stage 3 – Dismissal or action short of dismissal

If the conduct or performance has failed to improve, or further misconduct occurs within the time specified within the Final Written Warning, the employee may be subject to demotion, suspension or dismissal.

The following formal disciplinary procedure will be followed:

The Staff Committee will investigate the alleged misconduct and will establish the facts surrounding the complaint as necessary, taking into account the statements of any available witnesses.

The Staff Committee will set out in writing the alleged conduct or other circumstances which lead the council to contemplate dismissing the employee, and the basis for the allegation, and will send the employee a copy of the statement inviting the employee to attend a disciplinary meeting to discuss the matter. The employee will be provided with a reasonable opportunity to consider his or her response to the information provided in the statement before attending the meeting. The employee must take all reasonable steps to attend the meeting.

Disciplinary meetings will normally be convened within 5 working days

If the time or date proposed for the meeting is inconvenient (either for the employee or for the employees companion should he or she wish to be accompanied to the meeting. The employee may ask to postpone the meeting by up to 5 working days.

The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated.

After the meeting, the Council will inform the employee of their decision and any applicable sanction within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.

Appeals

If the employee wishes to appeal against the decision he or she must notify the council in writing within 5 working days of receiving written notice of the decision.

If the employee notifies the council that he or she wishes to appeal, the employee will be invited to attend a disciplinary appeal meeting before 3 members of the Council's Staff/Appeals Committee, consisting only of members not having been previously involved. The employee must take all reasonable steps to attend the disciplinary appeal meeting. The employee has a right to be accompanied to the disciplinary appeal meeting by a fellow employee or by a representative of a trade union

A disciplinary appeal meeting will normally be convened within 10 working days of the Council receiving notification that the employee wishes to appeal. If the meeting date is inconvenient for the employee or the employee's companion he or she may ask to postpone the meeting by up to 5 working days.

Any new evidence that the employee wishes to put forward will be considered, as will any new evidence from the Council. The original disciplinary penalty will be reviewed.

The disciplinary appeal sanction originally imposed cannot be increased upon appeal.

The disciplinary appeal meeting will not necessarily take place before any disciplinary sanction imposed by the Council takes effect. If the employee's appeal is against dismissal and the appeal is successful the employee will be reinstated and continuity of employment will be preserved.

The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated, or to afford the Council's Staff/Appeals committee time to consider its decision.

After the disciplinary appeal meeting the Council will inform the employee of its final decision within 5 working days. The meeting may be reconvened for this purpose. The decision will be confirmed to the employee in writing.

If your appeal is against dismissal, the dismissal decision will stand unless or until the Staff/Appeals Committee decides otherwise. The decision of the committee will be notified to the employee in writing and will be final and binding.

COUNCIL DISMISSAL PROCEDURE FOR USE IN GROSS MISCONDUCT.

Gross misconduct

If an employee has committed an offence of the following nature the normal consequence will be dismissal without notice or payment in lieu of notice:

- theft, fraud
- any involvement in bribery, giving, receiving or facilitating bribes
- unauthorised entry to computer records or deliberate falsification of records
- a serious breach of the organisation's rules on email and internet usage, health and safety policy, harassment policy or data protection policy
- fighting or assault
- deliberate or reckless damage to Council property
- an inability to perform job duties through being under the influence of alcohol or drugs
- a serious breach of the Council's safety rules or a single error due to negligence which causes, or could have caused, significant loss, damage or injury to the organisation, its employees or customers
- conviction of a criminal offence that makes the employee unsuitable or unable to carry out his or her duties
- a serious act of insubordination, such as deliberate refusal to carry out proper instructions
- acts of bullying, harassment or discrimination
- a serious breach of trust or confidentiality.

This list is not intended to be an exhaustive, and only gives an indication of the types of offence that may be considered gross misconduct. Other incidents may also constitute Gross Misconduct

The employee may be suspended while the alleged gross misconduct is being investigated. During this time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer after full investigation. When this investigation has been completed the employee will be invited to attend a disciplinary meeting (at which s/he will be entitled to representation) to respond to the allegations.

In cases of misconduct (situations less serious than gross misconduct) it might also be appropriate to suspend the employee if this assists with the investigation.

The Council will send the employee a statement, setting out the allegations of misconduct that led to the employee's dismissal and the Council's basis for thinking that the employee is guilty of that misconduct. The date on which the employment is terminated will be confirmed to the employee and the employee may be reminded of any continuing obligations he or she may have following the termination of employment. This statement will also explain the employee's right to appeal against the council's decision.

GENERAL PROCEDURE INFORMATION.

Informal Verbal Warnings and Written Warnings will normally be issued by the Chief Officer. Disciplinary proceedings raised under the standard Council disciplinary procedure, will also normally be investigated by the Chief Officer. Any meetings to discuss the disciplinary proceedings will be conducted by the Chief Officer.

Where disciplinary proceedings are instigated against the Chief Officer and all employee relations matters are dealt with by the Council's Staffing Committee, Verbal Warnings and Written Warnings will be given by the Chairman of that Committee. Any investigations and any meetings will be carried out by the Council's Staff Committee. Any disciplinary appeal meetings will be conducted by (3) members of the Council who do not sit on the Staffing Committee.

- Informal coaching and supervision will be considered, where appropriate to improve conduct, performance and/or attendance.
- Employees will be provided, where appropriate, with written copies of evidence and relevant statements in advance of a disciplinary hearing.
- Information regarding an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for the disciplinary action, and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- Audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- If an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- Except for gross misconduct when an employee may be dismissed without notice, the Council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council will write to the employee to confirm any period of suspension and the reasons for it.



HORNDEAN PARISH COUNCIL

Grievance procedure

INTRODUCTION

This policy aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

Procedure

Informal stage

If an employee has a grievance about their employment, the matter should be discussed informally with their immediate manager. Both should try to resolve the matter at this stage. If the matter concerns the manager the employee should contact the Chief Officer. In the case that it is the Chief Officer that is aggrieved, he or she should discuss their concern informally with the Chairman of the Staff Committee. A response will be given within five working days. If the employee wishes to pursue a formal grievance they should follow the procedure detailed below.

Formal stages

Stage 1

If the employee feels that the matter has not been resolved satisfactorily through informal discussions, he or she may submit a formal grievance in writing to the Chief Officer outlining the nature of the grievance and the outcome being sought. In the case that it is the Chief Officer that is aggrieved, he or she should write to the Chairman of Staff Committee.

The employee will receive an acknowledgement within five working days and a meeting will be arranged within 10 working days, and conducted by the Chief Officer. Prior to the meeting the organisation may carry out such reasonable investigation as necessary so that it can properly deal with the grievance. The employee, any relevant witnesses and the manager will attend the meeting and may choose to be accompanied by a colleague, or accredited trade union official. The Chief Officer will give a response within five working days of the meeting and will inform the employee of the appeals procedure.

Stage 2 – Appeal Stage

If an employee is not satisfied with the response, he or she may raise the matter, in writing within 5 working days of receiving the decision, with the Chief Officer. In the case of a grievance from the Chief Officer then he or she should write to the Chair of the Staff/Appeals Committee. An appeals hearing will be arranged consisting of 3 members of the Staff Committee who have not been involved in the case. The employee will be notified of the appeal date within 10 working days of the written appeal request. Employees and their companions must make all reasonable efforts to attend. If the companion is not available, the employee can propose an alternative date within 5 working days of the original date. The decision of the appeal panel will be provided to the employee within 5 working days and is final.

Investigations

The Council is committed to ensuring that all grievances are investigated fully by the Chief Officer. This may involve carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The identity of witnesses will be kept confidential where necessary. If appropriate, (e.g. the grievance is complex), the Staff/Appeals Committee may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case.

General Procedural Information

The employee may raise a complaint directly with the Chief Officer or the Chairman of the Staff Committee if it:

- a. concerns your immediate manager or
 - b. is of too personal or sensitive a nature to raise with your immediate manager.
2. Complaints concerning discrimination, bullying or harassment by your immediate manager may be raised directly with the Chief Officer or the Staff Committee. This may be done informally or formally.
 3. If your complaint concerns an alleged wrongdoing or criminal offence by someone within the organisation, you should raise it immediately with the Staffing Committee. See the Public Interest Disclosure Act 1998 (known as the Whistle-blowers' Act) for details of the additional protection available for protected disclosures.
 4. The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint against the behaviour of a manager during the course of a disciplinary case, you may raise it as a grievance with the Chief Officer/Chairman Staff Committee. The disciplinary procedure may be suspended for a short period if necessary until the grievance can be considered.

5. Employees are encouraged to raise grievances and will not suffer any detriment from doing so. If your grievance is found to be malicious or to have been made in bad faith, however, you will be subject to the organisation's disciplinary procedure.
6. A second management representative may be invited to attend formal grievance meetings to act as a witness and note-taker.
7. The organisation reserves the right to seek assistance from external facilitators at any stage in the grievance procedure.
8. If an employee experiences difficulties at any stage of the grievance procedure (e.g. for a reason related to a disability), the matter should be discussed with the Chief Officer as soon as possible.
9. Employees can use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage to deal with all grievance issues including a complaint about a councillor. Employees cannot use the formal stages of the procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer at EHDC, who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure.
10. If the employee's grievance concerns the Chief Officer he or she should raise the matter with the Chairman of the Staff Committee.
11. Matters excluded from this procedure are as follows:
 - Appeals against salaries, pensions, disciplinary actions, and matters over which the Council has no control.
12. Information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee, and records pertaining to the same will held by the Council in accordance with the General Data Protection Regulation (GDPR).
13. Audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
14. The timescales listed above will be adhered to wherever possible. Where there are good reasons, e.g. the need for further investigation or the lack of availability of witnesses or companions, timescales may be extended.

[Insert name of Council] Parish/Town Council (delete as appropriate)

1.0 Parties to the contract

This contract is between [name of employer] and [name of employee].

2.0 Costs of training

The Council agrees to pay the costs of training related to [name of training course or qualification]. It is understood that the training will cost [amount]. This amount will be paid directly by the Council to the training provider.

3.0 Additional costs

In addition to the costs of the training, the employer agrees to meet [include those that are applicable]:

- The cost of purchasing textbooks that are required to complete the training course. The employee must contact the employer prior to purchasing textbooks to agree the costs. The employee must seek the most cost effective approach to purchasing the books.
- The cost of materials required to successfully conclude the training. The employee must discuss these costs with the employer before making any commitment to their expenditure.
- The costs of sitting examinations or other assessments. The employee must inform the employer of the nature of these costs before committing to the expenditure.

4.0 Study time

The employee is permitted to be absent from work to attend the training sessions. The employee is also permitted to be absent for [amount] hours per week for the purpose of study.

If the employer becomes aware that the time is not being used for effective study this benefit may be removed.

5.0 Completion of the course

The employee is required to attend all training sessions associated with the course. If the employee misses any sessions, he or she is required to inform the training provider and the employer, giving a reason for the lack of attendance. This should be provided within two hours of the session's starting time.

If the course requires the employee to pass an assessment, the employee must make every effort to successfully complete those assessments. The employee is responsible for informing the employer of the result of any assessments as soon as it is available. If the employee is unsuccessful in any assessment, he or she must discuss with the employer the most appropriate way of proceeding.

6.0 Unacceptable behaviour

If the employer is made aware by the training provider, or other source, that the employee is:

- not attending the training sessions
- behaving inappropriately at the training sessions
- behaving in an unacceptable manner

disciplinary action may be taken against the employee. In serious cases this could include dismissal.

7.0 Leaving the Council

If the employee leaves the Council within 12 months of completing the qualification, the employee will pay back to the employer 80% of the costs of the training qualification. This will include all costs that have been incurred by the employer.

If the employee leaves the Council after 12 months, but before 24 months from the date of completing the qualification, the employee will pay back to the employer 60% of the costs of the training qualification. This will include all costs that have been incurred by the employer.

If the employee leaves the Council after 24 months, but before 36 months from the date of completing the qualification, the employee will pay back to the employer 25% of the costs of the training qualification. This will include all costs that have been incurred by the employer.

If the employee is made redundant by the employer, he or she will not be required to repay any costs associated with the training. However, if the employee volunteers for redundancy then the repayment terms set out above will apply.

Acceptance

I have read, understood and accepted the terms and conditions in relation to the [name of training course or qualification] training course.

Signed by:

[Insert name Council] Parish/Town Council (*delete as appropriate*)
Training contract

on behalf of the Council:
Date: [insert date]

Signed by the employee:
Date: [insert date]