

# GODALMING TOWN COUNCIL

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Municipal Buildings  
Bridge Street  
Godalming  
Surrey GU7 1HT

6 September 2019

I HEREBY SUMMON YOU to attend the **STAFFING COMMITTEE** Meeting to be held in the Council Chamber, Municipal Buildings, Bridge Street, Godalming on THURSDAY, 12 SEPTEMBER 2019 at 7.00pm.

Andy Jeffery  
Town Clerk

Committee Members: Councillor Ashworth  
Councillor Cosser  
Councillor Duce – Vice-Chair  
Councillor Hullah – Chair  
Councillor Williams  
Chair of Policy & Management (*ex officio*)

## AGENDA

1. MINUTES

To approve as a correct record the minutes of the meeting held on the 4 July 2019, a copy of which has been circulated previously.

2. APOLOGIES FOR ABSENCE

3. DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

To receive from Members any declarations of interests in relation to any items included on the Agenda for this meeting required to be disclosed by the Localism Act 2011 and the Godalming Members' Code of Conduct.

4. PETITIONS/STATEMENTS/QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair to invite members of the public to make representations, ask or answer questions and give evidence in respect of the business on the agenda or other matters not on the agenda. This forum to be conducted in accordance with Standing Order 5.

5. QUESTIONS BY MEMBERS

To consider any questions from Councillors in accordance with Standing Order 6.

6. WORK PROGRAMME

Members to review the Committee's work programme, copy attached for the information of Members.

7. STAFF ABSENCES & TOIL REPORT

Reports summarising staff absences for year to 30 August 2019 and current TOIL are attached for the information of Members.

8. DISCIPLINARY AND GRIEVANCE PROCEDURES

Members to review the attached Disciplinary Policy and Grievance Policy and if agreed to approve the policies and instruct the Town Clerk to distribute the draft policies to all staff for comment to be considered at the next meeting if necessary.

9. STAFF APPRAISALS

Members to note the Chair of the Committee attended a SSALC Appraisals and HR Workshop training event.

The Council's programme 2019-2023 was considered by the Policy & Management Committee on 5 September 2019 and will be further considered by Full Council on 26 September. As such, if adopted it is hoped to have completed staff appraisals prior to the next scheduled meeting of this committee.

10. MAINTENANCE STAFF

Members to receive an update from the Town Clerk on the engagement of the Grounds and Buildings Maintenance Operatives.

11. COMMUNICATIONS ARISING FROM THIS MEETING

Members to identify which matters (if any), discussed at this meeting, are to be publicised.

12. DATE OF NEXT MEETING

The next meeting of the Staffing Committee is scheduled to be held on Thursday, 7 November 2019 in the Council Chamber at 7.00 pm or at the conclusion of the preceding Joint Burial Committee, whichever is later.

13. ANNOUNCEMENTS

Brought forward by permission of the Chair. Requests to be submitted prior to commencement of the meeting.

6. STAFFING COMMITTEE – WORK PROGRAMME

<b>TASK</b>	<b>PROGRESS</b>	<b>LAST REVIEW DATE</b>	<b>PRIORITY FOR REVIEW</b>
Members Training	Identify Member training requirements for Staff appraisal – <b>Item on this Agenda</b>		<b>1</b>
TC Quarterly meeting	Chair of Staffing & Leader of Council to hold quarterly meeting with TC		<b>2</b>
Staff Meeting	Chair of Staffing & Leader of the Council to attend staff meeting		<b>3</b>
Set Date for Staff Appraisals	Chair of Staffing & P&M to conduct TC annual appraisal – <b>Item on this Agenda</b>		<b>4</b>

<b>POLICY REVIEWS</b>	<b>DATE ADOPTED</b>	<b>REVIEW DATE</b>
Disciplinary Procedure	19 July 2018	12 September 2019
Grievance Procedure	19 July 2018	12 September 2019
Employee Code of Conduct	13 September 2018	7 November 2019
Dignity at Work Policy	13 September 2018	7 November 2019
Fire Safety Precautions and Emergency Procedures	15 November 2018	30 January 2020
First Aid Policy	15 November 2018	30 January 2020
Lone Working Policy	15 November 2018	30 January 2020

Code of Conduct – IT Facilities	22 March 2018	30 January 2020
Social Media Policy	22 March 2018	30 January 2020
DBS Data Handling Policy	15 November 2018	September 2020
Recruitment of Ex-Offenders Policy	15 November 2018	November 2020
Recruitment of Ex-Offenders Policy Statement	15 November 2018	November 2020
Appraisal Scheme	28 March 2019	March 2021
Absence & Sick Pay Policy and Procedure	4 July 2019	July 2021
Leave Policy	4 July 2019	July 2021

**GODALMING TOWN COUNCIL - STAFF ABSENCE REPORT APRIL 2019 TO AUGUST 2019**

	APRIL	MAY	JUNE	JULY	AUGUST	CUMULATIVE	2018/19	2017/18	2016/17
	Hours	Hours	Hours	Hours	Hours	Hours			
Available Working Hours	888.0	851.0	790.8	873.2	930.0	<b>4,333.0</b>	10,865.6	9,005.6	10,116.6
Annual Leave Taken	22.2	49.0	173.9	205.7	195.9	<b>646.7</b>	1,338.8	873.6	1,056.6
Sick Leave Taken	-	-	-	-	-	<b>-</b>	67.5	106.6	33.3
Other Authorised Absence	4.7	-	-	-	-	<b>4.7</b>	4.0	2.0	17.2
Net working hours	861.1	802.0	616.9	667.5	734.1	<b>3,681.6</b>	9,455.3	8,023.4	9,009.5
Net working hours as % of available hours	97%	94%	78%	76%	79%	<b>85%</b>	87%	89%	89%
Sick Leave as a % of Available Hours	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>	0.6%	1.2%	0.3%
Annual Leave taken as a % of Total Annual Leave	2%	4%	13%	15%	14%	<b>48%</b>	93%	83%	84%

Notes:

Annual Leave 2019/20 - Full Year						<b>1288.8</b>	1266.6	930.2	1051.6
Annual Leave b/f from 2018/19						<b>64.4</b>	168.6	118.6	199.8
Total Annual Leave Available - Full Year						<b>1353.2</b>	1435.2	1048.8	1251.4

All figures are expressed in hours

**GODALMING TOWN COUNCIL - STAFF TOIL REPORT APRIL 2019 TO AUGUST 2019**

	APRIL	MAY	JUNE	JULY	AUGUST	CUMULATIVE
	Hours	Hours	Hours	Hours	Hours	Hours
Opening TOIL Balance	31.0	39.2	75.0	59.0	50.0	
Accumulated	22.2	62.2	-	11.0	9.0	<b>104.3</b>
Taken	14.0	26.3	16.0	20.0	12.3	<b>88.6</b>
Closing TOIL Balance	<u>39.2</u>	<u>75.0</u>	<u>59.0</u>	<u>50.0</u>	<u>45.3</u>	
Festivals	-	-	-	-	9.0	<b>9.0</b>
Council Meetings	6.3	9.0	-	10.0	-	<b>25.3</b>
Parish Meetings	8.3	6.5	-	-	-	<b>14.8</b>
Other Evening Meetings	-	12.5	-	-	-	<b>12.5</b>
Civic Events	5.2	3.0	-	-	-	<b>8.2</b>
Other	2.0	30.5	-	1.0	-	<b>33.5</b>
	<u>22.2</u>	<u>62.2</u>	<u>-</u>	<u>11.0</u>	<u>9.0</u>	<b>104.3</b>

Notes:

- April - Annual Town Meeting
- May - Local Elections, Induction Evening, Mayor Making
- July - Council Meetings, Customer Support
- August - Staycation Live

SC 12.09.19  
 Agenda Item 7

## **DISCIPLINARY POLICY & PROCEDURES**

### **INTRODUCTION**

This policy is based on and complies with the 2015 ACAS Code of practice:  
<http://www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0>

It also takes account of the ACAS guide on discipline and grievances at work:  
<http://www.acas.org.uk/media/pdf/b//Discipline-and-grievances-Acas-guide.pdf>

The policy and procedures will be applied fairly, consistently and in accordance with the Equality Act 2010.

Inevitably, because the Town Council is a small organisation, Members may be involved in initiating, investigating or hearing disciplinary action. Members must always follow this procedure and should always seek external support and advice when taking disciplinary action. Suitable sources of advice include the Surrey Association of Local Councils (SALC) or the Town Council's external HR provider, the Chairman of the Staffing Committee is authorised to seek advice and engage the services of the HR provider for disciplinary issues.

### **PURPOSE AND SCOPE**

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, satisfactory work performance and attendance which are acceptable at all times, including the need to: -

- Fulfil the duties specified in their contract of employment,
- Be honest and act beyond suspicion of dishonesty, and,
- Maintain high standards of integrity and conduct to protect the Council's reputation with the public.

The aim is to ensure consistent and fair treatment for all staff. It does not apply to employees in their probationary period.

### **PRINCIPLES WHICH UNDERPIN THE DISCIPLINARY PROCEDURE**

This policy confirms:

- No formal disciplinary action will be taken (i.e. a formal warning) until the necessary investigations have been completed.
- The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- The Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy also applies to work performance issues to ensure that alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance

management proves ineffective. For more information see the ACAS publication “How to manage performance” at <http://www.acas.org.uk/media/pdf/m/0/How-to-manage-performance-advisory-booklet.pdf>

- Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
- Employees may be accompanied by a fellow worker, a trade union representative (certified by their union as being competent to accompany a worker) or a trade union official at any disciplinary, or appeal meeting which could result in a formal warning or other disciplinary action being taken. The companion is permitted to address such meetings, to put the employee’s case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee’s wishes or prevent the employee from explaining his/her case.
- The Council will give employees reasonable notice of any meetings in this procedure. Employees must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submission.
- If the employee’s companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date.
- Recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee’s medical condition.
- Employees have the right to appeal against any disciplinary action. The appeal decision is final
- 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.

## EXAMPLES OF MISCONDUCT

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct. This list is not to be regarded as exclusive or exhaustive:

- unauthorised absence;
- poor timekeeping;
- unsatisfactory work performance (either repeated instances of poor work or one piece of very poor work);
- not working co-operatively and positively as a member of a team;
- failure to preserve the dignity, respect and privacy of others or behaviour that would breach the harmony in the workplace;
- breach of confidentiality – to an extent short of that specified under the relevant example given for Gross Misconduct;
- misuse of the Council’s resources and facilities including telephone, email and internet;
- inappropriate behaviour;
- failure to follow reasonable instructions;
- breach of health and safety rules;
- impropriety or disorderly conduct whether within or outside working hours which the Council reasonably considers to be detrimental to the Council;
- failure to disclose a personal interest;
- unsatisfactory manner or/and appearance;
- any act or omission which, after investigation and due consideration to the individual circumstances is believed to amount to misconduct.



## EXAMPLES OF GROSS MISCONDUCT

Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct. This list is not to be regarded as exclusive or exhaustive.

- intentionally making false statements when incidents or accidents are being investigated, or when applying for employment or in connection with medical examination;
- bullying, discrimination and/or harassment;
- incapacity at work because of alcohol or drugs;
- violent behaviour;
- fraud or theft;
- gross negligence;
- gross insubordination;
- serious breaches of health and safety rules;
- serious and deliberate damage to property;
- use of the internet or email to access pornographic, obscene or offensive material;
- disclosure of confidential information;
- impropriety or disorderly conduct whether within or outside working hours which the Council reasonably considers to bring or potentially bring the Council into disrepute;
- failure to disclose a personal interest;
- unsatisfactory manner or/and appearance;
- any act or omission which, after investigation and due consideration to the individual circumstances is believed to amount to gross misconduct.

## EXAMPLES OF UNSATISFACTORY WORK PERFORMANCE

The following list contains some examples of unsatisfactory work performance:

- inadequate application of office procedures;
- inadequate IT skills;
- unsatisfactory management of staff;
- unsatisfactory communication skills.

## DISCIPLINARY INVESTIGATION

Necessary investigations of potential disciplinary matters will be carried out without unreasonable delays. The nature and extent of the investigations will depend upon the seriousness of the matter and the more serious it is then the more thorough the investigation will be.

It will not always be necessary to hold an investigatory meeting. If a meeting is held, the employee will be given advance warning and time to prepare.

Investigations are intended to establish the facts.

Where practicable, different people should carry out the investigations and the disciplinary hearing.

Where investigations are carried out against the Town Clerk, the Chair~~man~~ of the Staffing Committee will appoint an investigator who will be responsible for undertaking the investigation – a fact-finding exercise to collect all relevant information. The investigator will be independent and will normally be a councillor. If the Chair~~man~~ of the Staffing Committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The investigator will be appointed as soon as possible after the allegations have been made. The Chair~~man~~ of the Staffing Committee will inform the investigator of the terms of reference of the investigation. The terms of reference should deal with the following:

- what the investigation is required to examine;
- whether a recommendation is required;
- how the findings should be presented, for example, an investigator will often be required to present the findings in the form of a report;
- who the findings should be reported to (normally the Chair~~man~~ of the Staffing Committee) and who to contact for further direction if unexpected issues arise or advice is needed.

The investigator's report will contain ~~his/her~~ recommendations and the findings on which they were based. ~~He/she~~The investigator will recommend either:

- the employee has no case to answer and there should be no further action under the Council's disciplinary procedure;
- the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or;
- the employee has a case to answer and the matter should proceed to the Council's disciplinary procedure.

The investigator will submit the report to the Chair~~man~~ of the Staffing Committee, who will present the report to the Staffing Committee without delay. The Staffing Committee will decide whether further action is to be taken.

Where investigation of potential disciplinary matters are carried out against other staff members, The Town Clerk will request that the Chair~~man~~ of the Staffing Committee appoints an independent person to conduct an investigation, informing the investigator of the terms of reference of the investigation. The terms of reference are to follow the guidelines set out above. The investigator is to report ~~his/her~~ recommendations and findings to the Town Clerk. The investigator's report is to contain ~~his/her~~ recommendations as set out above.

## THE DISCIPLINARY HEARING

Disciplinary hearings will consider the outcome of the investigation, together with the employee's representations and any other matters or further investigations it wishes to conduct before deciding whether to issue a warning or dismissal.

The Town Clerk will usually conduct disciplinary hearings with staff members. However ~~he/she~~ before holding the hearing, the Town Clerk is to will usually seek advice from the Council's HR advisers ~~first~~, and discuss the matter with the Chair~~man~~ of the Staffing Committee.

In the case of the Town Clerk, if the Staffing Committee decides that, following an investigation, there is a case to answer, it will appoint a ~~Staffing Sub-Committee~~Disciplinary Hearing Panel (The Panel) of three councillors (~~T~~the Staffing Sub-Committee Panel members could, if appropriate be Councillors who are not members of the Staffing Committee). The ~~Staffing Sub-Committee Panel~~ members will appoint a Chair~~man~~ from one of its members. The original investigator shall not sit on the panel. No councillor with direct involvement in the matter shall be appointed to ~~T~~the Panel ~~Staffing Sub-Committee~~. The employee will be invited, in writing, to attend a disciplinary hearing. The ~~Staffing Sub-Committee~~Disciplinary Hearing Panel's letter will confirm the following:

- the names of its Chair~~man~~ and the other two members;
- details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the hearing;
- a copy of the investigation report and all the supporting evidence;
- the time and place for the hearing; the employee will be given reasonable notice of the hearing so that ~~he/she has~~ they have sufficient time to prepare for it.

## DISCIPLINARY ACTION

If the ~~Staffing Sub-Committee~~Disciplinary Hearing Panel decides that there should be disciplinary action, it may be any of the following:

### First written warning

A first warning is issued for most first instances of misconduct. The Council will notify the employee:

- of the reason for the warning, the improvement required (if appropriate) and the time period for improvement;
- that further misconduct/failure to improve will result in more serious disciplinary action;
- the employee's right to appeal;
- that a note confirming the oral warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force a period of time, usually for six months.

### Final written warning

If there is further misconduct during the period of a written warning or if the misconduct is sufficiently serious, the employee will be given a final written warning. A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement;
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal;
- the employee's right of appeal;
- that the letter confirming the final written warning will be placed on the employee's personnel file, and that the warning will remain in force for 18 months.

### Dismissal

The Council may dismiss:

- for gross misconduct;
- if there is no improvement within the specified time period in the conduct which has been the subject of a final written warning;
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council will consider very carefully a decision to dismiss. If an employee is dismissed, he/she/they will receive a written statement of the reasons for his/her/their dismissal, the date on which the employment will end and details of his/her/their right of appeal.

If the Council decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action imposed as a result of the disciplinary meeting will remain in force unless and until it is modified as a result of an appeal.

## THE APPEAL

An employee who is the subject of disciplinary action will be notified of the right of appeal. His/her/Their written notice of appeal must be received by the Council within five working days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

The appeal will be heard by a panel of three members of the Staffing Committee who have not previously been involved in the case, this includes the investigator. There may be insufficient members of the Staffing Committee who have not previously been involved. If so, the appeal panel will be a committee of three members of the Council who may include members of the Staffing Committee. The appeal panel will appoint a Chair~~man~~ from one of its members.

Where the Town Clerk has received a warning or been dismissed, the appeal will be heard by a panel of three members of the Council not previously involved in the case. Where three members of the Council are not available, the Staffing Committee can appoint others to make up a panel. This might be councillors from other councils or other appropriate people.

The employee will be notified, in writing, usually within 10 working days of receipt of the notice of appeal of the date, time and place of the appeal meeting. The employee will be advised that ~~he/she~~ they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

The appeal panel may decide to uphold the decision of the Staffing Committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

The appeal panel's decision is final.

## **DATA PROTECTION**

The Council processes personal data collected during the investigation stage and any subsequent stages of disciplinary action in accordance with its Data Protection Policy. In particular, data collected as part of the investigation stage and any subsequent stages of disciplinary action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the disciplinary procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

## **GRIEVANCE POLICY & PROCEDURES**

### **INTRODUCTION**

Grievances are concerns, problems or complaints that employees raise with their employers. This document sets out the procedures that Godalming Town Council will use to deal with their employees' grievances.

This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/CHttpHandler.ashx?id=1047&p=0>). It also takes account of the ACAS guide on discipline and grievances at work. (<http://www.acas.org.uk/media/pdf/b/l/Discipline-and-grievances-Acas-guide.pdf>). It 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.

In most cases of grievance an informal approach between employee and line manager is the best way to proceed. This procedure is for use when an informal approach has not resolved matters to the satisfaction of an employee or when the informal approach seems inappropriate.

Inevitably, because the Town Council is a small organisation, Members will be required to hear either a grievance or an appeal. Members must always follow this procedure and should always seek external support and advice when dealing with a grievance raised by an employee (particularly when the grievance is raised by, or is about, the Town Clerk). Suitable sources of advice include the Surrey Association Local Councils (SALC) or the Town Council's external HR provider, the Chair ~~man~~ of the Staffing Committee is authorised to seek advice and engage the services of the HR provider for HR advice.

This policy confirms:

- Employees have the right to be accompanied at a grievance meeting or appeal by a workplace colleague, a trade union representative (certified by their union as being competent to accompany a worker) or a trade union official. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his/her grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her/their case.
- The Council will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date.
- An employee has the right to appeal against the decision about his/her/their grievance. The appeal decision is final.

- Recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed as a reasonable adjustment that takes account of an employee's medical condition.
- If an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure.
- If a grievance is not upheld, no disciplinary action will be taken against an employee if he/shethey raised the grievance in good faith.
- The Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the Council's and the employee's consent.

## INFORMAL GRIEVANCE PROCEDURE

The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/hertheir manager to see if an informal solution is possible. Both should try to resolve the matter at this stage.

## FORMAL GRIEVANCE PROCEDURE

If it is not possible to resolve the grievance informally, the employee may submit a formal grievance. It should be submitted in writing to the employee's manager or, if it is about the employee's manager, to their manager. If the Grievance is about the Town Clerk it should be raised with the Chairman of the Staffing Committee.

The Manager receiving the grievance will arrange a meeting to discuss the grievance. Depending upon the complexity of the matter(s) raised the Manager will either look into the matter themselves or appoint someone to investigate.

If the grievance is against the Town Clerk, the Chairman of the Staffing Committee will appoint a sub-committee of three members to hear the grievance. Depending on the complexity of the matter they will either look into the matter themselves or appoint someone to investigate.

## NOTIFICATION

The employee will be asked, in writing, to attend a grievance meeting. The letter will include the following:

- the names of the person or people hearing the grievance;
- a summary of the employee's grievance based on his/hertheir written submission;
- the date, time and place for the meeting; the employee will be given reasonable notice of the meeting;
- the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official;
- a copy of the Council's grievance policy;
- confirmation that, if necessary, witnesses may attend on the employee's behalf and that the employee should provide the names of his/hertheir witnesses at least five working days before the meeting;
- confirmation that the employee will provide the Council with any supporting evidence at least five working days before the meeting.

## THE APPEAL

If an employee decides that his/hertheir grievance has not been satisfactorily resolved he/shethey may submit a written appeal to the Chairman of the Staffing Committee. An appeal must be received by the Council within five working days of the employee receiving the decision and must specify the grounds of appeal.

The appeal will be heard by a panel of three Members of the Staffing Committee, appointed by the Chairman of the Staffing Committee, who have not previously been involved in the case. There may be insufficient members of the Staffing Committee who have not previously been involved. If so, the appeal panel will be a committee of three Council Members who may include Members of the Staffing Committee. The appeal panel will appoint a Chairman from one of its members.

The employee will be notified, in writing, of the time, date and place of the appeal meeting. The employee will be advised that ~~he/she/they~~ may be accompanied by a workplace colleague, a trade union representative or a trade union official.

The decision of the appeal panel is final.

## **GRIEVANCES AGAINST COUNCILLORS**

~~Where a grievance against a Councillor concerns alleged behaviour falling within the scope of the Council Code of Conduct, the Council can decide whether to undertake a pre-investigation of the allegation before considering whether to pursue code of conduct proceedings by referring the matter to the Principal Authority.~~

Complaints about the conduct of parish and town councillors are handled by the Waverley Borough Council's Monitoring Officer. Case law, *R (Harvey) v Ledbury Town Council*, has found that complaints must be investigated under the standards procedures and not through other processes such as staff grievance procedures.

## **DATA PROTECTION**

The Council processes personal data collected during the Grievance Procedure in accordance with its data protection policy. In particular, data collected as part of the investigation stage and any subsequent stages of the Grievance Procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the Grievance Procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

## GODALMING TOWN COUNCIL

Disclosure by a Member<sup>1</sup> of a disclosable pecuniary interest or a non-pecuniary interest in a matter under consideration at a meeting (S.31 (4) Localism Act 2011 and the adopted Godalming Members' Code of Conduct).

As required by the Localism Act 2011 and the adopted Godalming Members' Code of Conduct, **I HEREBY DISCLOSE**, for the information of the authority that I have [a disclosable pecuniary interest]<sup>2</sup> [a non-pecuniary interest]<sup>3</sup> in the following matter:-

**COMMITTEE:**

**DATE:**

**NAME OF COUNCILLOR:** \_\_\_\_\_

Please use the form below to state in which agenda items you have an interest.

Agenda No.	Subject	Disclosable Pecuniary Interest	Non-Pecuniary Interest	Reason

**Signed** \_\_\_\_\_

**Dated** \_\_\_\_\_

<sup>1</sup> "Member" includes co-opted member, member of a committee, joint committee or sub-committee

<sup>2</sup> A disclosable pecuniary interest is defined by the Relevant Authorities (Disclosable Pecuniary Interests) regulations 2012/1464 and relate to employment, office, trade, profession or vocation, sponsorship, contracts, beneficial interests in land, licences to occupy land, corporate tenancies and securities

<sup>3</sup> A non-pecuniary interest is defined by Section 5 (4) of the Godalming Members' Code of Conduct.