

# GODALMING TOWN COUNCIL

Tel: 01483 523575  
Fax: 01483 523077  
E-Mail: office@godalming-tc.gov.uk  
Website: www.godalming-tc.gov.uk

Municipal Buildings  
Bridge Street  
Godalming  
Surrey GU7 1HT

15 June 2018

I HEREBY SUMMON YOU to attend the **STAFFING COMMITTEE** Meeting to be held in the Council Chamber, Municipal Buildings, Bridge Street, Godalming on THURSDAY, 21 JUNE 2018 at 7.00pm.

Andy Jeffery  
Town Clerk

Committee Members: Councillor Cosser – Chairman  
Councillor Gray – Vice Chairman  
Councillor Poulter  
Councillor Hunter  
Councillor Walden  
Chairman of Policy & Management (*ex officio*)

## AGENDA

1. ELECTION OF CHAIRMAN

To receive nominations for the Chairman of the Committee and to elect said Chairman.

2. ELECTION OF A VICE-CHAIRMAN

To receive nominations for the Vice-Chairman of the Committee and to elect said Vice-Chairman.

3. MINUTES

To approve as a correct record the minutes of the meeting held on the 3 May 2018, a copy of which has been circulated previously.

4. APOLOGIES FOR ABSENCE

5. 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.

6. WORK PROGRAMME

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

7. STAFF ABSENCES

In accordance with Standing Order 146 a summary report of staff absences for the period April to May 2018 is attached for the information of Members.

8. HR SUPPORT

Members to receive an oral update from the Chairman regarding HR support arrangements.

9. OUTSIDE WORKS & MAINTENANCE SERVICES

Members to receive a report (attached for the information of Members) from the Town Clerk regarding the implementation and recruiting arrangements of potentially two new staffing positions for the delivery of Outside Works and Maintenance Services. Without prejudice to the decisions of the Policy & Management Committee, Members are requested to consider and agree the basis of implementation of the potential options which may emerge from decisions of the Policy & Management Committee.

10. DELEGATION OF THE FUNCTIONS OF PROPER OFFICER OF THE COUNCIL IN THE ABSENCE OF THE TOWN CLERK

Members to receive a report from the Town Clerk relating to the delegation of the functions of the Proper Officer of the Council in the absence of the Town Clerk and are requested to make their recommendations to Full Council (report attached for the information of Members).

11. CONTINUOUS PROFESSIONAL DEVELOPMENT

Members to consider a report from the Town Clerk relating to Continuous Personal Development for the Museum Curator (report attached for the information of Members).

Members are requested to agree the recommendations contained within the report.

12. 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.

Members wishing to view the Council's current Disciplinary and Grievance policies can do so by visiting [www.godalming-tc.gov.uk/council-policies-procedures/](http://www.godalming-tc.gov.uk/council-policies-procedures/)

13. PROFESSIONAL SUBSCRIPTIONS

Members to review the attached list of professional subscriptions paid by Godalming Town Council in 2018/19 and to agree the professional subscriptions for payment in 2019/20.

14. COMMUNICATIONS ARISING FROM THIS MEETING

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

15. DATE OF NEXT MEETING

The next meeting of the Staffing Committee is scheduled to be held in the Council Chamber on Thursday, 20 September 2018 at 7.30pm, or at the conclusion of the preceding Audit Committee, whichever is later.

16. ANNOUNCEMENTS

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

THE COMMITTEE MAY WISH TO EXCLUDE THE PUBLIC AND PRESS FROM THE MEETING AT THIS POINT PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED IE. STAFFING MATTERS.

17. ADDITIONAL WORKED HOURS AND TOIL ARRANGEMENTS

Members to receive an update from the Chairman in relation to additional hours and TOIL arrangements.

6. STAFFING SUB-COMMITTEE – WORK PROGRAMME – 21 JUNE 2018

TASK	PROGRESS	LAST REVIEW DATE	PRIORITY FOR REVIEW	ACTUAL COMPLETION DATE
Absence and Sick Pay Policy, Leave Policy	<b>Approved by SC, recommended for adoption by FC 19 July meeting</b>	9 Feb 2015	<b>2</b>	
Appraisal Scheme	Adopted by Full Council on 20 July 2017	20 July 2017		20 July 2017
Bullying & Harassment Policy	To be reviewed by TC and HR providers and brought to Nov 8 meeting of this committee	31 Mar 2016	<b>7</b>	
Code of Conduct – IT Facilities & Social Media Policy	Adopted by Full Council on 22 March 2018	13 Sept 2001	<b>1</b>	22 March 2018
Disciplinary Procedures	<b>Agenda Item 21 June 2018</b>	6 June 2013	<b>4</b>	
Grievance Procedures	<b>Agenda Item 21 June 2018</b>	21 Mar 2013		
Employee Code of Conduct	To be reviewed by TC and HR providers and brought to Sept 20 meeting of this committee	6 Jun 2013	<b>5</b>	
Equality & Diversity Statement	To be reviewed by TC and HR providers and brought to Sept 20 meeting of this committee	27 Mar 2014	<b>6</b>	
Health & Safety Policy	To be reviewed by TC and HR providers and brought to Nov 8 meeting of this committee	31 Mar 2016	<b>8</b>	
Training Statement of Intent	<b>Approved by SC, recommended for adoption by FC 19 July meeting.</b>	30 Apr 2009	<b>3</b>	

**GODALMING TOWN COUNCIL - STAFF ABSENCE REPORT APRIL 2018 TO MAY 2018**

	APRIL Hours	MAY Hours	CUMULATIVE Hours	2017/18	2016/17	2015/16	2014/15
Available Working Hours	850.0	857.0	<b>9,150.4</b>	9,005.6	10,116.6	10,944.6	9,281.1
Annual Leave Taken	15.7	136.9	<b>152.6</b>	873.6	1,056.6	1,132.2	994.6
Sick Leave Taken	-	16.8	<b>16.8</b>	106.6	33.3	547.7	404.2
Other Authorised Absence	-	-	-	2.0	17.2	32.8	32.0
Net working hours	834.3	703.3	<b>8,981.0</b>	8,023.4	9,009.5	9,231.9	7,850.3
Net working hours as % of available hours	98%	82%	<b>98%</b>	89%	89%	84%	85%
Sick Leave as a % of Available Hours	0.0%	2.0%	<b>0.2%</b>	1.2%	0.3%	5.0%	4.4%
Annual Leave taken as a % of Total Annual Leave	1%	10%	<b>11%</b>	83%	84%	82%	84%

Notes:

Annual Leave 2018/19 - Full Year			<b>1266.6</b>	930.2	1051.6	1154.4	992.6
Annual Leave b/f from 2017/18			<b>168.6</b>	118.6	199.8	181.3	186.4
Total Annual Leave Available - Full Year			<b>1435.2</b>	1048.8	1251.4	1335.7	1179.0

All figures are expressed in hours

9. OUTSIDE WORKS & MAINTENANCE SERVICES

**Outside Works & Maintenance Services:** It is suggested that the employment of a direct labour force would provide GTC with the flexibility to allocate tasks at an appropriate level, provide the ability to respond to new initiatives, maintain and improve current services, ensure the proper upkeep of GTC property and land, bid for localism funding and provide service delivery in a more effective and efficient manner.

A report regarding the provision of an Outside Works & Maintenance Services team will be considered by the Policy & Management Committee on the 12 July. As such, as the Staffing Committee is not scheduled to convene again until 20 September, it is requested that this Committee, without prejudice to the outcome(s) of the Policy & Management Committee, agree an implementation plan in advance of the Policy & Management Committee meeting scheduled for 12 July so as to be able to inform P&M's considerations.

**Outside Works & Maintenance Services Operative(s)**

If GTC were to employ 'Outside Works & Maintenance Services' Operative(s), it is suggested that the line-management of the position would fall to the Facilities Supervisor, with oversight from the Town Clerk (as with all GTC staff).

If a two person Outside Works & Maintenance Services Team option were to be employed, it is suggested that the first position is the team leader, who, as well as being an operative, also has supervisory function for the 'junior operative, with both positions line-managed by the Facilities Supervisor.

It is suggested that these positions are initially offered at the SCP detailed below, and are subject to annual inflationary review as recommended by the **NALC**, with the option of the Staffing Committee being able to amend the SCP going forward as it considers appropriate.

**Staff Employment Costs for Outside & Service Maintenance Services Operatives**

Position	Spinal Column Point	2018/19 Salary	Employer's NI	Employer's Pension Contribution	Capitation Cost
Full Time Maintenance Operative/supervisor	26	23,866	3,294	4,105	31,265
Full Time Junior Maintenance Operative	13	17,391	2,400	2,991	22,782
26 week per annum Junior Operative	13	8,695	1,200	1,495	11,391

**Table 1**

**Overtime**

It is suggested that as NJC terms and conditions require out of hours additional hours to be paid as overtime for employees below Spinal Column 28, an extra 10% is budgeted for within salary costs, therefore, an additional allowance of either £1,954 and £3,378 is made depending upon whether the introduction of the Outside Works & Maintenance Team is introduced on a staggered basis or not.

## **Outside & Maintenance Service Team Operating Base**

Due to the constraints of the current accommodation at Municipal Buildings, it is suggested that the team would predominantly operate out of the Town Council's workshop and the Broadwater Park Community Centre's office for access to GTC network system plus use of mobile devices.

## **Terms & Conditions of Service**

This Committee has recently reviewed the standard model contract of employment for Godalming Town Council Staff, it is recommended that if P&M were to approve the employment of a direct labour force, the model contracts of employment are used to provide the required Particulars of Employment.

## **Probation Period**

It is suggested that any position offered is subject to a six-month probationary period.

## **First Aid Qualification**

Due to the nature of the proposed positions, it is recommended that at least one of the positions is put forward for a first aid at work qualification.

## **Job Descriptions**

It is suggested that the job descriptions for the potential positions are agreed by the Town Clerk, Chairman of the Policy & Management Committee and the Chairman of the Staffing Committee, post P&M meeting of the 12 July and prior to the start of the recruitment process.

## **Recruitment**

It is suggested that the posts are advertised via the Town Council's website and Facebook page, with the recruitment schedule being agreed between the Chairman of Staffing Committee and the Town Clerk. It is further suggested that the shortlisting and interview process be conducted by the Town Clerk and the Chairman of the Staffing Committee.

10. DELEGATION OF THE FUNCTIONS OF PROPER OFFICER OF THE COUNCIL IN THE ABSENCE OF THE TOWN CLERK

During the restructuring process undertaken in 2017 relating to the Town Council's administrative staff, the issue of the appointment of a Deputy or Assistant Clerk was considered as part of that process. The outcome of the considerations was that Members felt that a specific appointment of a Deputy or Assistant Clerk did not fit into the model of a modern working environment where each member of staff is given responsibility for the delivery of their role and function.

An objective of the adopted model is the empowerment of individual employees to deliver their functions at a tactical level with the support of strategic oversight by the Town Clerk, an objective that is being delivered. However, a resultant issue is the requirement to delegate the functions of the Proper Officer of the Council in the absence of the Town Clerk.

Standing Order 30 States that:

The Council's Proper Officer shall be either (i) the Town Clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

Whilst SO 30 (i) has been achieved, SO 30 (ii) is still to be addressed.

In order for Godalming Town Council to be able to function efficiently and effectively, it is necessary for the Council to make appropriate arrangements for another employee to be authorised to undertake the duties of the Proper Officer in the absence of the Town Clerk.

The Staffing Committee needs to consider which member of Staff should be recommended to be authorised to act as the Proper Officer of the Council in the Town Clerks absence.

In authorising another member of staff to undertake the duties of the Proper Officer in the absence of the Town Clerk, Members are also placing the responsibilities of the Proper Officer on the employee and, by default, the accountability of their actions whilst they are undertaking such duties. As such, Members may wish to consider recommended best practice that those undertaking the functions of the Proper Officer should be CILCA qualified.

Whilst under the Deputy/Assistant Clerk model the role and responsibilities would form part of an employee's contract and particulars of employment, it is suggested that under the model adopted by GTC, that the authorisation of an individual to undertake the functions of the Proper Officer of the Council in the absence of the Town Clerk be confirmed by letter to the authorised individual, stating the terms of the authorisation.

Members may wish to consider recommending that Full Council authorise the nominated individual for a 12-month period, with the nomination of the individual being reviewed annually by the Staffing Committee at the last meeting of the Committee of each civic year. It is suggested that consideration of the nomination is made a standing agenda item of the annual meeting of the Council until such time as Members make further recommendations on the structure of the administration of the Council.



In undertaking the duties, responsibilities and accepting the accountability of the Proper Officer, it is reasonable that the person so authorised is remunerated accordingly. It is suggested that the remuneration be set as a single column point increment increase above the contracted NJC Column Point of the authorised individual.

In order to comply with SO30 (ii) and to provide for the efficient and effective administration of Godalming Town Council, Members are requested to:

1. Nominate an employee for Full Council to consider for authorising to undertake the duties of the Proper Officer of the Council in the absence of the Town Clerk.
2. To recommend to Full Council that such authorisation remains extant for the duration of the civic year.
3. To recommend to Full Council that the authorisation of an employee under Standing Order 30 (ii) be made a standing agenda item of the annual meeting of the Council.
4. To recommend to Full Council that the remuneration associated with the authorisation be set as a single column point increment increase above the contracted NJC Column Point of the authorised individual, and that the associated remuneration ceases at the expiry of the authorisation.

11. CONTINUOUS PROFESSIONAL DEVELOPMENT

Associate of The Museums' Association Qualification

Members are asked to consider a request by the Museum Curator to undertake the Associate of the Museums' Association qualification. This qualification is a 2-3 year (on average) qualification that is intended to be undertaken alongside employment and involves independent study under the guidance of a mentor. As part of the study programme there is a requirement to attend some training periods as part of CPD. Examination is by professional review at the end of the period of study. Costs are as below:

**Registration = £310** (Registration includes the annual fee for the first year of the AMA).

**Annual Fee = £125** (The first year's annual fee is included in the registration fee. After that you will pay an annual fee for each year you work towards the AMA).

**Professional Review Fee = £250**

Total fees if completed in two years equates to £342.50 per annum.

Total fees if completed over a three year period equates to £270 per annum.

The Council's Training Statement of Intent provides for Members to agree to support training that will enhance the professional skills of staff and benefit the Council's service delivery by having well skilled, professionally competent staff.

The Museums' Association is a professional body for those working within the museum and heritage sphere and aims to inspire and provide training and understanding to its members which focus's on, amongst other issues, the impacts that museums will have in the future on individuals, communities, society, and the environment; considers the impact of museums in the three main areas of wellbeing, better places, ideas and people and challenging members to develop new ways of thinking and engage with experimental ideas, fresh thinking and learning from the experience of experts and innovators.

The Associate of the Museums' Association (AMA) is the foundation of the professional development programme of the association and can lead onto the Fellowship programme.

Whilst Godalming Town Council has made a substantial commitment to the museum service provision within the town, one of the greatest challenges facing local museums is finding ways to engage the curiosity of the community, especially the younger generation. The AMA will allow the Curator to explore areas that will not only consolidate the current service provision but will enhance her skills, knowledge and confidence to explore, with the support of GTC and the GMT, new methods and innovations to improve the museum service in Godalming.

Members will wish to note that whilst the award of the AMA is a professional award, it does not trigger any salary enhancements.

Members will also wish to note that the Museum Cost centre currently has a budget of £1,000 for staff training and development.

Members are asked to approve the funding of the Curator of Godalming Museum to undertake Associate of the Museums' Association qualification.

## **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 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 or 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 Chairman 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 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 Chairman 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 Chairman 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 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 Chairman 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.

## **THE DISCIPLINARY MEETING**

Disciplinary meetings 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 meetings with staff members. However he/she will usually seek advice from the Council's HR advisers first, and discuss the matter with the Chairman 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 of three councillors (the Staffing Sub-Committee members could, if appropriate be Councillors who are not members of the Staffing Committee). The Staffing Sub-Committee members will appoint a Chairman 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 the Staffing Sub-Committee. The employee will be invited, in writing, to attend a disciplinary meeting. The Staffing Sub-Committee letter will confirm the following:

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

## **DISCIPLINARY ACTION**

If the Staffing Sub-Committee 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 will receive a written statement of the reasons for his/her dismissal, the date on which the employment will end and details of his/her 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 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 Chairman 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 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 Chairman 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 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 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/she 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/her 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/her 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/her 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/her grievance has not been satisfactorily resolved he/she 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 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 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.

## **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.

13. PROFESSIONAL SUBSCRIPTIONS

<b>Subscription</b>	<b>Purpose</b>	<b>Cost</b>
Surrey & Sussex Association of Local Councils (SSALC)	Council Corporate Membership	£1,650
National Association of Local Councils (NALC)	Council Corporate Membership	£1,163
Local Council Review Magazine	Council Corporate Subscription	£17
Data Protection Fee	Council Corporate Registration	£40
Society of Local Council Clerks	Membership Subscription x 2	£566
CAANZ	Professional Subscription	£380
	<b>Total</b>	<b>£3,816</b>
	<b>Budget</b>	<b>£6,000</b>
	<b>Balance</b>	<b>£2,184</b>

## 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.