

**MELBOURN PARISH COUNCIL  
Employment Policy**

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## **Equality Statement**

We are committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the company.

Our commitment is:

- to create an environment in which individual differences and the contributions of all our staff are recognised and valued;
- to a working environment that promotes dignity and respect to all employees. No form of intimidation, bullying or harassment will be tolerated;
- to train, develop and make available progression opportunities to all staff;
- to equality in the workplace as good management practice and sound business sense;
- to review all our employment practices and procedures to ensure fairness;
- to treat breaches of our equality policy as misconduct and reason for disciplinary proceedings;
- to monitor and review this policy annually.

## **Appointments**

Vacancies for Staff shall be advertised upon the Notice Boards and the website. **In general recruitment will be through open competition and vacancies for staff will be advertised as appropriate to their nature. Under some circumstances, the Council may make a case for not going to open competition. If this relates to appointment of the Clerk or Deputy Clerk CAPALC should be consulted.**

The Council's Human Resources Committee will conduct the process and interview candidates. A final decision rests with the full Council upon the recommendations of the HR Committee.

## **Performance Appraisals and Personal Development Plan**

Performance Appraisals and personal development plans shall be conducted annually one year after appointment. The HR committee of the Council will carry out the review for the Clerk. The Clerk will carry out this function for all other employees.

At the beginning of each appraisal year (October to September) objectives appropriate to the job will be agreed for the coming year. At the end of the year, each employee will be asked to provide evidence of how those objectives have been met and the HR Committee/Clerk will decide whether the evidence is sufficient.

## **Salary Reviews**

Revision of employees' salaries and hourly payment rates shall be made by the full Parish Council as below stated:

- a) The review of all salaries being carried out in November of each year;
- b) Any increase in salary will be dependent on a satisfactory performance appraisal.
- c) Budgetary provision being made in the next year's Precept for all salary increases in the Parish Council

## **Precept**

- c) All salary increases being paid on 1 April each year.
- d) In the case of a member of staff fulfilling a condition for a salary increase this shall be paid upon meeting the requirement as stated in the contract.

In the case of the Parish Clerk to the Council, the HR Committee shall make a written recommendation to the full Parish Council.

In the case of all other employees, the Parish Clerk to the Council shall make a written recommendation to the full Parish Council.

## **Disciplinary Procedure (Employer)**

Melbourn Parish Council recognises that good management can prevent the development of disciplinary problems. However, when such problems arise, the Council's will deal with the matter fairly and in accordance with this Disciplinary Procedure.

In the event of disciplinary action against the Clerk to the Council, the word "Clerk to the Council" should be replaced by "Chairman of the Council" in this Procedure.

Any complaint or allegation regarding the conduct of an employee shall, in the first instance, be referred to the Clerk to the Council who will, in the case of a first and relatively minor misdemeanour, deal with it informally.

During any informal discussion, the Clerk to the Council will point out any shortcomings and encourage improvement.

Where the facts of the case appear to call for disciplinary action, the Clerk to the Council will decide whether the misdemeanour amounts to misconduct or gross misconduct. The appropriate procedure will then be followed.

If the outcome of the informal discussion is that an improvement is required, the employee will be advised that he or she is being given a verbal warning.

It is important that the employee knows how conduct will be reviewed and over what period. In addition, he or she must be aware of the consequences of a lack of improvement or if further misconduct occurs.

A note giving details of the verbal warning will be retained on file and a copy given to the employee who should confirm its receipt in writing.

If no further disciplinary action is required within 6 months of issuing the verbal warning, the note should be removed from file.

The employee shall be advised in writing of his or her right of appeal to the Council's Staff Appeals Committee.

If the outcome of an informal discussion is that a serious offence has occurred, or there has been no improvement following a verbal warning, the employee will receive a formal written warning from the Clerk to the Council.

The written warning will set out the nature of the offence, the improvement required, a timescale where applicable and the consequences of no improvement or further misconduct. A note giving details of the formal written warning will be retained on file and a copy given to the employee who should confirm its receipt in writing.

If no further misconduct relative to the same warning occurs and the improvement required is sustained, then the note will be removed from the employee's file at the end of 9 months. The employee shall be advised in writing of his or her right of appeal to the Council's Staff Appeals Committee.

If there has been no improvement following a written warning, or the misconduct is sufficiently serious to warrant only one written warning, the employee will receive a final written warning from the Clerk to the Council.

The warning will detail the misconduct, warn the employee that dismissal will result if there is no satisfactory improvement, giving a time scale if necessary, and notify him or her of the right of appeal to the Council's Staff Appeals Committee.

If no further misconduct relative to the same warning occurs and the improvement required is sustained, then the note will be removed from the employee's file at the end of 12 months. The Clerk to the Council shall notify the Council of any final written warnings given. If there is no improvement following a final written warning, the Clerk to the Council shall notify the Council who shall instruct the Clerk to the Council to convene a meeting of four Members of the Staff Disciplinary Committee.

Following the recognised agenda for such hearings, the Staff Disciplinary Committee shall consider the cases of both the Clerk to the Council and the employee.

Any employee of the Council attending such a hearing may be accompanied by a representative of the trade union to which they belong (who may or may not be a work colleague) or by a work colleague, friend or adviser not acting in a legal capacity.

The Staff Disciplinary Committee shall decide "in camera" whether dismissal is justified and will communicate the decision to the parties concerned verbally after the close of the meeting should the parties so wish.

In the event of the Staff Disciplinary Committee being unable to make the decision (e.g. because of the Committee's need to seek further advice), the reason for not reaching a decision shall be conveyed in writing to the parties concerned.

In any event, the decision of the Staff Disciplinary Committee will be conveyed in writing within 5 working days.

If the employee wishes to appeal against the decision of the Staff Disciplinary Committee, he or she must do so in writing to the Chairman of the Council within 21 working days of the date of the decision notice.

On receipt of such notice of appeal, the Chairman of the Council shall instruct the Clerk to the Council to convene a meeting of three members of the Staff Appeals Committee within 10 working days. The Staff Appeals Committee will consider the case according to this Procedure and will communicate their decision in writing to the parties concerned. The decision of the Staff Appeals Committee shall be final, except in the case of dismissal of the Clerk to the Council which has to be referred to the full Council for a final decision.

### **Gross Misconduct**

Where the Clerk to the Council concludes that the misdemeanour amounts to gross misconduct, the Council shall immediately be informed and the Council shall decide whether the employee will be suspended on full pay while the matter is investigated. The Council shall convene a meeting of four members of the Staff Disciplinary Committee who shall consider the case as if at the stage of a final written warning.

The employee may appeal to the Staff Appeals Committee whose decision shall be final. *Examples of offences that could be regarded as gross misconduct are theft; fraud; being unable to perform duties satisfactorily due to the influence of drink or illegal drugs whilst at work or on Council premises; disclosure of confidential information; deliberate damage to Council property or that of other employees or members of the public; disorderly, indecent or violent behaviour during employment or whilst on Council premises; acts of incitement or actual acts of harassment or discrimination on the grounds of sex, race, religion or age; negligence which could endanger employees and members of the public; any breaches of computer security.*

### **Grievance Procedure (employee)**

Melbourn Parish Council recognises the need for a fair, speedy and consistent process for any employee of the Council to raise a grievance in connection with their employment and will seek to resolve any matters arising from such a procedure.

An employee must first raise his or her grievance verbally or in writing with the Clerk to the Council. If the grievance is brought by the Clerk to the Council, then it must first be raised verbally or in writing with the Chairman of the Council.

The person approached shall attempt to resolve the matter by informal discussion and respond to the employee as soon as possible, within five working days at a maximum. The response to a written request shall be in writing and a copy kept by the respondent who will also keep a note of any verbal grievance aired and response given.

In the event of a grievance against the Clerk to the Council, an employee may raise the matter informally with the Chairman of the Council who shall attempt to resolve the matter and communicate his or her response in writing to the parties concerned.

It is expected that most grievances will be resolved at the informal stage and it may be necessary to repeat the procedure to reach a satisfactory conclusion for all concerned. Where it becomes evident that the matter cannot be resolved informally, an employee can instigate the formal procedure.

An employee must submit his or her grievance in writing to the Chairman of the Council who shall instruct the Clerk to the Council to convene an extraordinary meeting of the Parish Council within 10 working days.

The press and the public shall not be admitted to the extraordinary meeting of the Council. Following the recognised agenda for such hearings, the Parish Council shall consider the cases of both the employee and the person who has sought to resolve the matter and shall ask such questions of the parties concerned as the Council deems necessary.

Any employee of the Council attending such a hearing may be accompanied by a representative of the trade union to which he or she belongs (who may or may not be a work colleague), or by a work colleague, friend or adviser not acting in a legal capacity. The Parish Council will seek to reach a decision "in camera" and communicate the decision to the parties concerned verbally after the close of the meeting if the parties so wish. In the event of the Parish Council being unable to make the decision (e.g. because of the Council's need to seek further advice), the reason for not reaching a decision will be conveyed to all parties concerned.

In any event, the decision will be conveyed in writing within 7 working days. If the complainant wishes to appeal against the decision of the Parish Council, then he or she must do so in writing to the Chairman of the Council within 10 working days of the date of the decision notice.

On receipt of such notice of appeal, the Chairman of the Council shall instruct the Clerk to the Council to convene a further extraordinary Meeting of the Parish Council within 10 working days. The Council shall consider the case and communicate its decision in writing to all parties concerned.

The decision of the Parish Council at a second extraordinary Meeting shall be final. Should the complainant still not be satisfied, employment arbitration can be sought at the suggestion of either party.

\_\_\_BOB TULLOCH\_\_\_\_\_

\_\_\_ 25 JANUARY 2016\_\_\_

Chairman

Date