



## Astley Village Parish Council

### Agenda

To: Members of Astley Village Parish Council Personnel Committee.

**YOU ARE HEREBY REQUESTED** to attend a meeting of the Personnel Committee to be held on **Wednesday 7 July 2021** at 6.15pm in the Community Centre at which the following business will be transacted.

In line with COVID regulations, there currently has to be limited public access to meetings to ensure social distancing. The number of members of the public who can be safely accommodated at each meeting will be dealt with on an individual basis, taking into account factors such as size of the membership and room capacity.

**If you wish to attend in person, you are requested to contact the Parish Clerk whose details are included below in order to discuss arrangements. If you attend the meeting without contacting us in advance, there may not be a place available for you.**

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### Agenda

#### **1. Apologies for Absence**

To receive members' apologies.

#### **2. Declarations of Interest**

Members and Officers are invited to declare any interests they may have in any of the items included on the agenda for this meeting in accordance with the requirements of the relevant authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464).

#### **3. Minutes**

To approve as a correct record and sign the minutes of the meeting of the Personnel Committee held on 19 January 2021. (Enclosed).

#### **4. Exclusion of the Press and Public**

To consider the Press and public for any item on the Agenda due to the confidential nature to be discussed pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960.

#### **5. Parish Clerk & Responsible Financial Officer – Review of Contracted Hours**

To consider a report of the Chair of the Personnel Committee (Enclosed)

#### **6. Date of Next Meeting.**

To agree the date of the next meeting (October/November 2021)

#### **Members**

Councillor Chris Sheldon (Chair)

Councillor John McAndrew

Councillor Gillian Sharples

VACANT Vice Chair (Ex officio)

Craig Ainsworth  
Clerk to the Parish Council  
5 Clarendon Gardens  
Bromley Cross  
BL7 9GW

A handwritten signature in black ink, appearing to read 'Craig Ainsworth', written in a cursive style.

28 June 2021



## Astley Village Parish Council

### Personnel Committee

19 January 2021 at 7pm

Present

Councillor Chris Lennox (Chair) (in the Chair); Councillors Arnold Almond, Rod Fraser (ex-officio), and John McAndrew.

#### **1. Apologies for Absence**

None

#### **2. Declarations of Interest**

Councillors and officers were invited to declare any interests they had in any of the items on the agenda for the meeting.

Mr C Ainsworth (Parish Clerk & Responsible Financial Officer) declared an interest in item 6 "Parish Clerk & Responsible Financial Officer – Proposed Increase in Contracted Hours" as the report concerned himself.

#### **3. Minutes**

RESOLVED - That the minutes of the meeting of the Personnel Committee held on 12 February 2020 (copies of which had been circulated) be approved as a correct record and signed by the Chair.

#### **4. Exclusion of the Press and Public**

RESOLVED – That the Press and public be excluded from the meeting during consideration of items 6 "Parish Clerk & Responsible Financial Officer – Proposed Increase in Contracted Hours" (Minute 6) and 7 "Village Caretaker" (Minute 7) due to the confidential nature to be discussed pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960.

#### **5. Review of HR Policies/Documents**

The Parish Clerk submitted a report (copies of which had been circulated) proposing changes to the HR policies/documents referred to in the report. At the Parish Council Meeting on 4 November 2020, the Personnel Committee was requested to review the following HR policies/documents:

##### **Document 15. Bullying and Harassment Policy (Appendix A)**

RESOLVED – (1) That the amended policy be approved subject to the following amendments:

Paragraph 1.3 Examples, changing the last sentence to read "Bullying and

harassment may occur face -to-face, in meetings, through written communication, including e-mail, **social media**, by telephone or through automatic supervision methods. It may occur on or off work premises, during work hours or non-work time.”

Delete the last sentence of the policy “A review of the policy shall be undertaken each year (or as appropriate) and necessary amendments will be undertaken by the Parish Clerk and reported to the Personnel Committee for approval.”

(2) That the policy be published on the Parish Council Website.

### **Document 16. Equality and Diversity Policy (Appendix B)**

RESOLVED – (1) That the amended policy be approved subject to the third paragraph being amended to read “The Personnel Committee has responsibility for implementing and monitoring the Equality and Diversity in Employment Policy supported by the Parish Clerk and, as part of this process, all personnel policies and procedures are administered with the objective of promoting equality of opportunity and eliminating unfair or unlawful discrimination.”

(2) That the policy be published on the Parish Council Website.

### **Document 17. Health and Safety Policy (Appendix C)**

RESOLVED – (1) That the amended policy be approved.

(2) That the policy be published on the Parish Council Website.

### **Document 18. Grievance Procedure (Appendix D)**

RESOLVED - (1) That the amended policy be approved subject to the following amendments:

Paragraph 3.3 Investigations, the insertion of the following sentence

“The Parish Council will appoint an independent advisor to support the process including attending all meetings and be responsible for maintaining written records of the nature of the grievance raised, the employer’s response, action taken (with reasons), details of any appeal and subsequent developments to be retained and kept.”

Paragraph 3.5 Appeal be amended to read:

“If the employee is dissatisfied with the decision of the Personnel Committee on his/her complaint s/he should inform the Chair of the Personnel Committee considering the matter that had considered the matter within five working days, in writing and giving reasons for the appeal. An Appeal may be raised if:

- The employee thinks the finding or penalty is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

Where possible the Appeal will be heard by the Chair of the Parish Council and two Parish Councillors who have not been involved in the original grievance hearing conducted by the Personnel Committee, who will view the evidence with impartiality and will consider the issues and shall then take all such steps, as s/he may consider necessary to resolve those issues. The employee will have the right to be accompanied by a colleague or accredited official employed by a trade union or lay member at the appeal hearing. The outcome of the appeal and reasons for it will be advised to the employee as soon as possible after the meeting and be confirmed in writing. The decision taken at the Appeal hearing will be final.”

The deletion of paragraph 3.9.

### **Document 19. Disciplinary Procedure (Appendix E)**

RESOLVED – (1) That the amended policy be approved subject to the following amendments:

Paragraph 3.1.2 delete the word “excessive” from the sixth bullet point.

Paragraph 3.3 Meeting or Hearing, the insertion of the following sentence

“The Parish Council will appoint an independent advisor to support the process including attending all meetings and be responsible for maintaining written records of the nature of the grievance raised, the employer’s response, action taken (with reasons), details of any appeal and subsequent developments to be retained and kept.”

The deletion of paragraph 3.9.

### **Document 20. Councillor Employee Relations (Appendix F)**

RESOLVED – (1) That the amended policy be approved subject to under ‘Complaints about employees or services’, the second paragraph being amended to read:

“Parish Councillors must avoid undermining public respect for employees and should therefore avoid making any criticism of an employee at a public meeting, in the press or by way of any other public statement. **Similarly, employees should not criticise in public individual Parish Councillors when acting in their capacity as Parish Councillors.** Making such criticisms would be damaging to the public image of the Parish Council. It would also undermine the mutual trust and courtesy which underpins effective working relationships. If a Parish Councillor wishes to raise an issue about an employee, they should use any established channels in place or, direct their concerns through the Chair/Vice-Chair.”

(2) That the policy be published on the Parish Council Website.

### **Document 21. Training Policy (Appendix G)**

RESOLVED – (1) That the amended policy be approved.

(2) That the policy be published on the Parish Council Website.

(3) That the Parish Clerk be requested to explore the cost and benefits of the Parish Council becoming a member of the National Association of Local Councils.

(4) That the Parish Clerk be requested to explore training opportunities for Parish Councillors.

### **Document 24. Sickness Absence Policy Procedure (Appendix H)**

RESOLVED - (1) That the amended policy be approved subject to under ‘Pay During a Sickness Absence’ the deletion of the word” Company”.

(2) That the policy be published on the Parish Council Website.

## **6. Parish Clerk & Responsible Financial Officer – Proposed Increase in Contracted Hours**

The Chair of the Personnel Committee submitted a report (copies of which had been circulated) inviting the Committee to consider the proposed increase in the contracted hours for the Parish Clerk & Responsible Financial Officer.

RESOLVED – (1) That the contracted hours for the Parish Clerk & Responsible Financial Officer be increased to 30 hours per month and that this be backdated to 1 August 2020.

(2) That the Parish Clerk be requested to continue to keep a record of the hours worked on Parish Council business and the issue be reviewed by the Personnel Committee in six months (June 2021).

## **7. Village Caretaker**

The Parish Clerk submitted a report (copies of which had been circulated) in relation to the following issues relating to the Village Caretaker:

- Annual Appraisal.
- Increase in the Living Wage.
- The impact of Covid-19.

RESOLVED (1) That the report be noted.

(2) That the increase in the living wage be paid to the Village Caretaker from 1 April 2021 and that future increases be automatically applied without referral to this Committee.

The meeting concluded at 8.23 pm.  
Chair



# Astley Village Parish Council

<b>Title</b>	<b>Parish Clerk &amp; Responsible Financial Officer – Review of Contracted Hours</b>					
<b>Report of</b>	<b>Chair of the Personnel Committee</b>					
<b>Date</b>	<b>7 July 2021</b>					
<b>Type of Paper</b>	<b>Decision</b>	X	<b>Discussion</b>		<b>Information</b>	

**Purpose of Report**

To review the contracted hours for the Parish Clerk & Responsible Financial Officer.

**Key Issues**

The Personnel Committee at its meeting on 19 January 2021 resolved “(1) That the contracted hours for the Parish Clerk & Responsible Financial Officer be increased to 30 hours per month and that this be backdated to 1 August 2020.

(2) That the Parish Clerk be requested to continue to keep a record of the hours worked on Parish Council business and the issue be reviewed by the Personnel Committee in six months”

**History**

Following a recommendation from the Personnel Committee on 6 December 2016 the contracted hours for the Parish Clerk & Responsible Financial Officer was reduced from 32.5 per month to 26 per month from 1 January 2017. It should be noted that the previous Parish Clerk (and her husband) held the position for several Parish Councils and there was the opportunity for the time some tasks to be shared across the various Parish Councils they supported.

The current Parish Clerk has been keeping a timesheet since commencing his employment with the Parish Council in August 2020. The time recorded on the timesheet does not reflect the actual time spent on Parish Council business as it does not include emails responded to via smartphone or telephone calls but provides an indication of the tasks undertaken, and the time taken and provides a realistic indication of the time spent on Parish Council business.

**Current Position**

The Parish Clerk has continued to keep a record of the hours worked on Parish Council business and 30 hours a month reflects the time being spent each week although in reality it is probably more than the time recorded on the time sheet as he is involved in some Parish Council activity almost every day e.g., emails responded to via smartphone or

telephone calls.

The only issue is that the Parish Clerk has not taken any leave (the leave year runs from 1 August to 31 July). He is entitled to 41.52 hours (see calculation below and it is not going to be possible to take this before 31 July 2021).

I have agreed with the Parish Clerk that he will take some of this leave before the end of July 2021, (obviously fitting it in with the necessary work of the parish organising planned meetings and providing minutes) and will draw up a plan to take the remaining leave as soon as possible in the 2021/22 leave year.

In addition, the Parish Clerk has offered to set out a plan for taking next year's leave, so we do not end up in a similar situation.

#### Annual Leave calculation

<b>Full Time Annual Leave entitlements</b>	<b>Days</b>	<b>Hours</b>		
<b>Annual Leave entitlement</b>	22	162.8		
<b>Bank Holidays</b>	8	59.2		
<b>Full Time Equivalent Annual Leave</b>	30	222		
<b>Part time leave entitlement (pro rata)</b>	<b>Hours per week</b>	<b>Annual Hours worked</b>	<b>Pro rata annual leave (hours)</b>	
<b>Number of Hours Employed Per Week</b>	6.92	359.84	41.52	

The Personnel Committee has delegated powers to deal with Working Practices and Pay and Conditions. This issue does not relate to Pay Increments which would require the approval of the Parish Council.

#### **Action required by the Personnel Committee**

That the contracted hours for the Parish Clerk & Responsible Financial Officer should remain at 30 hours per month.