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MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

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Monday 23rd October 2023

To all members of the Council **Staffing Committee**: Councillors: Alan Baines, John Glover (Chair of Council), Stefano Patacchiola, David Pafford (Vice-Chair of Council), Robert Shea-Simonds, Shona Holt and Rob Hoyle.

You are summoned to attend the Staffing Committee Meeting which will be held on **Monday 30th October 2023 at 7.00pm at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES** to consider the agenda below.

TO ACCESS THE MEETING REMOTELY, PLEASE FOLLOW THE ZOOM LINK BELOW. THE LINK WILL ALSO BE POSTED ON THE PARISH COUNCIL WEBSITE WHEN IT GOES LIVE SHORTLY BEFORE 7PM.

Click link here:

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRIVWVU54UW1YWWE4NkNrZz09>

Or go to www.zoom.us or Phone 0131 4601196 and enter: **Meeting ID: 279 181 5985**
Passcode: 070920. Instructions on how to access Zoom are on the parish council website www.melkshamwithout.co.uk. If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

To access the agenda online please scan the below QR code.

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Yours sincerely

Teresa Strange, Clerk



Serving rural communities around Melksham

AGENDA

1. **Welcome, Announcements and Housekeeping**
2. **To receive Apologies and approval of reasons given**
3. To receive **Declarations of Interest**
4. **To consider holding items in Closed Session to confidential nature** Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business (**Agenda items 10, 12, 13, 14, 15 & 16**) as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted
5. **Public Participation**
6. **Policies:** To note response received from NALC (National Association of Local Councils) following the council's request for clarification on what constituted as 'gross negligence' and 'gross insubordination' on the model policy and consider updating Disciplinary Policy.
7. To note the joint initiative between Wiltshire Police and Soroptimist International of Salisbury called 'Operation Awake' which provides additional support to local women in public life who might be at the receiving end of abusive emails and social media posts.
8. **Health and Safety:** To note any Health and Safety matters occurring since the last meeting (standing item as per the health and safety policy).
9. To note latest update on 2023/24, pay increase negotiations (nationally)
10. To note staff additional hours up to September 2023 and Actual vs Budget for staffing (by individual) for this financial year to date
11. **Staff contract:** To note staff contract consultation underway and consider any matters arising
12. **Staff Training:** To consider any requests for staff training and to note current training log
13. To receive feedback following staff appraisals and consider any actions arising
14. To receive feedback following Clerk's appraisal and consider any actions arising
15. To consider any amendments to Job Descriptions
16. To consider scale point reviews for all staff following appraisals

Copy to: All Councillors

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Marianne Rossi

From: Teresa Strange
Sent: 27 July 2023 12:21
To: Marianne Rossi
Subject: FW: Wilts 021 - Request for Legal Advice

For info,

Can you put in a folder for the next staffing meeting please, and put a diary entry for early September for us to look at having a meeting – after we have done the contracts working party – need a prompt for that please, early September

Thanks!

From: Legal Team at NALC. <legal@nalc.gov.uk>
Sent: 05 July 2023 15:22
To: Deborah Bourne <dbourne@communityfirst.org.uk>
Subject: RE: Wilts 021 - Request for Legal Advice

Afternoon Deborah, I hope you are well.

Thank you for your email.

I've been advised to relay on the following message;

The council wants to know the difference between 'negligence' and 'insubordination', and 'gross negligence' and 'gross insubordination'. Both 'gross negligence' and 'gross insubordination' are given as examples of 'gross misconduct' in the NALC template policy which defines gross misconduct as 'misconduct that is so serious that it is likely to lead to dismissal without notice'.

NALC legal considers that it is consistent with the template policy for 'negligence' and 'insubordination' to be misconduct allegations despite them not being listed as examples. It will depend on how serious a council sees the particular allegations.

The council may decide that it needs assistance with clarifying when conduct is misconduct and when it is so serious that it amounts to gross misconduct. Such assistance is a HR matter and falls outside the remit of NALC legal department. WorkNest (<https://worknest.com/blog/5-examples-gross-misconduct/>) has provided HR resources for members that are available on the Nalc website. There are many other organisations that can provide HR assistance to councils. For example Acas are HR experts and a good source of advice for employers in the public sector (see <https://www.acas.org.uk/index.aspx?articleid=1461>).

We hope this helps, Deborah.

Kind regards,

Olivia

Legal Team at NALC.

nalc

National Association of Local Councils

The Bloomsbury Building, 10 Bloomsbury Way, Holborn, London WC1A 2SL

www.nalc.gov.uk

nalc@nalc.gov.uk

020 7637 1865



From: Deborah Bourne <dbourne@communityfirst.org.uk>

Sent: Monday, July 3, 2023 12:59 PM

To: Legal Team at NALC. <legal@nalc.gov.uk>

Subject: Wilts 021 - Request for Legal Advice

Dear Legal Team

Please find attached request from Melksham Without Parish Council for additional definitions within your Disciplinary Policy Template.

Thank you for your help in this matter.

Kind Regards

Deborah Bourne

Deborah Bourne CertHE PSLCC | Local Council Advisor | Wiltshire Association of Local Councils

www.wiltshire-alc.org.uk

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validate all DBS checks on an annual basis by using the updated service. As discussed under agenda item 8, the committee are unable to use the DBS update service and felt that it was more than adequate to renew the DBS for all staff members every three years.

The Clerk highlighted that under point 6 in the policy, it referred to the council having a written policy on the recruitment of ex-offenders. She explained that this wasn't clear as it implied that the council had a separate policy, which was not the case as this subject formed part of the DBS policy. Members agreed that this clause needed to be made clearer to reflect the fact that the recruitment of ex-offenders was included in this policy.

Recommendation: The council re-adopt the DBS policy with the amendments discussed above.

b) Habitual & Vexatious Complainants Policy

The Clerk drew members' attention to clause 2c, which related to methods of contact with the complainant. The clause stated that the council should 'decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained.' She explained that this included fax as a method of contact, which the council no longer did, so this would need to be taken out. Councillor Holt queried whether social media needed to be included under this clause, as this was a form of communication that the council could be contacted on. It was also noted that the council had an out-of-hours mobile phone and, therefore, could be contacted by text, so this should be added to the policy.

Members discussed this clause in further detail and felt that the wording wasn't very clear. It was agreed that it needed to be amended so that it clearly set out the council's position relating to a complainant repeatedly contacting the council.

It was also queried who would make the decision with regards to deciding what form of contact needed to be maintained. The Clerk advised that as the council met on a regular basis, she would bring this issue to the council's attention. It was felt that the Chair of the council and Chair of the staffing committee should be made aware of any developing situation that occurs so that a decision on how to move forward can be jointly agreed upon. It was felt that this would need to be added to the policy as a separate clause.

Recommendation: Officers to make the wording clear on this policy under schedule C clause 2 of the document, as discussed above. A new clause should be added to the policy to identify who makes the decision on the form of communication the council will use to communicate with the complainant and bring this back to the full council for approval.

c) Disciplinary Policy

The Clerk advised that this policy was the current NALC (National Association of Local Councils) standard template and confirmed that there had been no changes since the council had adopted the policy. Councillor Glover queried what the

difference was between the terms 'negligence' and 'insubordination' and 'gross negligence' and 'gross insubordination'. He explained that the difference between 'misconduct' and gross misconduct had been defined with examples in the policy, but this hadn't been defined for negligence or insubordination. He felt that this needed to be made clear in the policy as it is open to interpretation on what constituted as 'gross'. Members agreed that NALC should be contacted for clarification on this.

✗ **Recommendation:** The Clerk contact NALC for clarification on what constitutes as 'gross negligence' and 'gross insubordination' so that this can be clearly defined in the policy. ✗

d) Equality and Diversity Policy

The Equality and Diversity Policy is a standard template policy from NALC, and no alterations have been made since the council last adopted it. The Clerk drew members' attention to the training section of the policy, as the council hasn't provided equal opportunity training to those members who were likely to be involved in recruitment. She explained that there may be an online training course that she could take; however, she was not the only person who was involved in the recruitment of staff. Councillor Pafford suggested that when the council is at the time of recruitment, those members who are involved in the selection process should undertake the awareness session so it is fresh in their minds at the time. He felt that there would be no benefit to the staffing committee undertaking this training now, as it could be some time before the council needed to undertake the recruitment process. Members agreed with this way forward and felt that this training should be undertaken as and when necessary.

Recommendation: The council re-adopt the Equality and Diversity Policy with the inclusion of equal opportunity training being undertaken at the time of recruitment for those members involved.

e) Health & Safety Policy

The Clerk advised that she had updated the policy in line with the council's actual procedures. She highlighted that the policy stated that health and safety should be a permanent item on the staffing agenda, but this is currently not being done. She explained that any immediate issues regarding health and safety were reported at the next appropriate meeting, as the staffing committee was not held very often. It was felt that health and safety should be a standard item on the staffing committee agenda even if there were no issues to report, and an addition should be added to the policy to state that any urgent matters should be reported to the next appropriate meeting.

It was noted that there was an old fire safety emergency plan at the end of this policy that would need to be replaced with the current plan for the campus. The Clerk advised that officers needed to be aware of what the fire evacuation plan was when holding a meeting at other venues, so this should be included in the policy.

Members were happy with the amendments made.



MELKSHAM WITHOUT PARISH COUNCIL

Disciplinary Policy

Introduction

- 1 This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>). It also takes account of the ACAS guide on discipline and grievances at work.

https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf

The policy is designed to help Council employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.

- 2 The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
- 3 This policy confirms:
 - informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance
 - the Council will fully investigate the facts of each case
 - the Council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all 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 ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>

- employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
- employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. 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. Employee 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 submissions
- 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 unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council's procedure must be agreed by the employee and the Council
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council can include a written warning, final written warning or dismissal
- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this

- 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,
- the Council may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties
- The Chair of the Council needs to remain independent should the need for staff disciplinarys arise and there is the possibility that an appeal hearing will be required. Therefore, should any disciplinary matter be discussed then the Chair of the Council will leave the meeting and not be party to the discussion. The Chair of the Council will also not be copied in on any emails, correspondence or documentation relating to disciplinary issues in order that independence is maintained. *(included from the Council's previous Discipline Policy)*

Examples of misconduct

4 Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- unauthorised absence
- poor timekeeping
- misuse of the Council's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

Examples of gross misconduct

5 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: The list is not exhaustive

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft

- gross negligence
- gross insubordination
- serious breaches of council policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

Suspension

- 6 If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
- 7 While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor.
- 8 The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

- 9 The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.
- inadequate application of management instructions/office procedures
 - inadequate IT skills
 - unsatisfactory management of staff
 - unsatisfactory communication skills.

The Procedure

- 10 Preliminary enquiries_ The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

- 11 Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

- 12 A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
- 13 If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking 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 staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
- the allegations or events that 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 written report
 - who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
- 14 The Investigator will be asked to submit their findings within 20 working days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
- 15 The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that he/she has reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council's disciplinary procedure. The Council will also inform the employee that when he/she meets

with the Investigator, he/she will have the opportunity to comment on the allegations of misconduct.

- 16 Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
- 17 If there are other persons (e.g. employees, councillors, members of the public or the Council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
- 18 The Investigator has no authority to take disciplinary action. His/her role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the staffing committee whether or not disciplinary action should be considered under the policy.
- 19 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 a formal hearing should be convened under the Council's disciplinary procedure.
- 20 The Investigator will submit the report to the staffing committee which will decide whether further action will be taken.
- 21 If the Council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

- 22 If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of three councillors, to formally hear the allegations. The staffing sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee.
- 23 No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
 - the names of its Chairman and 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 information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure
- 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
 - that witnesses may attend on the employee's and the Council's behalf and that both parties should inform each other of their witnesses' names at least two working days before the meeting
 - that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account
- the employee (or the companion) will set out his/her case and present evidence (including any witnesses and/or witness statements)
- any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- the employee (or companion) will have the opportunity to sum up

24 The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within five working days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

25 The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

26 If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning

If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the 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
- the employee's right of appeal
- that a note confirming the written 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 for a specified period of time (e.g. 12 months).

Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, 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 a note confirming the final written 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 for a specified period of time (e.g. 12 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.

27 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 sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as

a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal

- 28 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.
- 29 The grounds for appeal include;
 - a failure by the Council to follow its disciplinary policy
 - the sub-committee's disciplinary decision was not supported by the evidence
 - the disciplinary action was too severe in the circumstances of the case
 - new evidence has come to light since the disciplinary meeting.
- 30 Where possible, 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 staff committee. The appeal panel will appoint a Chairman from one of its members.
- 31 The employee will be notified, in writing, within 10 working days of receipt of the notice of appeal of the time, date 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.
- 32 At the appeal meeting, the Chairman will:
 - introduce the panel members to the employee
 - explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
 - explain the action that the appeal panel may take.
- 33 The employee (or companion) will be asked to explain the grounds for appeal.
- 34 The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
- 35 The appeal panel may decide to uphold the disciplinary 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.

- 36 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.
- 37 The appeal panel's decision is final.

Date Policy reviewed/ approved	Amendments
<i>Recommended for approval by the Staffing Committee on 16 March 2020 (Min 489c/19. (This Policy is taken from a Nalc Disciplinary Policy)</i>	
Staffing Committee 26 th June 2023 (min. 95/23c)- NOTE: Policy needs to be looked at again at next staffing meeting as council need clarification on what constitutes as 'gross negligence' and 'gross insubordination' so that this can be clearly defined in the policy	

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Teresa Strange

From: DONELAN, Michelle <michelle.donelan.mp@parliament.uk>
Sent: 21 August 2023 10:18
To: Teresa Strange
Subject: RE: Operation Awake - an initiative to support female councillors

Dear Teresa,

Thank you for email and for sending across the information. Best to have on hand, but lets hope we do not need it.

Kind regards,



Michelle Donelan

Member of Parliament for Chippenham Constituency

Email: michelle.donelan.mp@parliament.uk

Twitter: @michelledonelan

Website: www.michelledonelan.co.uk

AD

From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>
Sent: 16 August 2023 12:37
To: DONELAN, Michelle <michelle.donelan.mp@parliament.uk>
Subject: FW: Operation Awake - an initiative to support female councillors

Dear Michelle

I have shared the information below and attached with the female Melksham Without Parish Councillor and officers, and I thought it was appropriate to share with yourself too, for your awareness.

Let's hope we never had to use it....

With kind regards, Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
01225 705700
www.melkshamwithout-pc.gov.uk

Wellbeing Statement I may send emails outside office hours but never with any expectation of response. Please just get back to me when you can within your own working hours. Thank you.

Teresa Strange

From: Liz Batten <lizmbatten@gmail.com>
Sent: 14 August 2023 12:00
To: Liz Batten
Subject: Operation Awake - an initiative to support female councillors
Attachments: Letter to councillors v5.docx

Dear Chief Officer

Some six weeks ago we launched **Operation Awake**, a joint initiative between Wiltshire Police and Soroptimist International of Salisbury. It aims to provide additional support to local women in public life who might be at the receiving end of abusive emails and social media posts. We are saying "It's not OK for women in public life to receive gender abuse in this way".

We began by contacting all County, Borough, City and Town councillors to inform them about this initiative and received a unanimously positive response, so we are now aiming to include all Wiltshire parish councillors in this scheme. I would be very grateful if you could pass the attached communication on to all female members of your Parish Council. I hope the attached provides a clear overview of **Operation Awake**, but please do email me with any questions.

Thanks in advance and best wishes

Liz

Soroptimist International of Salisbury

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Teresa Strange

From: Teresa Strange
Sent: 23 October 2023 15:30
To: Spencer, Daniel
Cc: Marianne Rossi; Dempsey, Abi
Subject: RE: Fire Evacuation Plan

Hi Dan and Abi

Just following up on this, and the planned fire drill in December I think you said it was.

We still haven't heard a fire alarm (test or otherwise) so they must be on a day we are not in. Would like to hear it so we recognise it, we have obviously been here more than a year now.

If you could send the route plans etc that would be great,

Many thanks, Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham
Wiltshire, SN12 6ES
01225 705700
www.melkshamwithout-pc.gov.uk

Wellbeing Statement I may send emails outside office hours but never with any expectation of response. Please just get back to me when you can within your own working hours. Thank you.

Want to keep in touch?

Follow us on facebook: [Melksham Without Parish Council](#) or [Teresa Strange \(Clerk\)](#) for additional community news

On twitter: [@melkshamwithout](#)

On Instagram: [melkshamwithoutpc](#)

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We do not guarantee that any email is free of viruses or other malware.

From: Spencer, Daniel <Daniel.Spencer@wiltshire.gov.uk>
Sent: 29 June 2023 12:26
To: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>; Dempsey, Abi <Abi.Dempsey@wiltshire.gov.uk>
Cc: Marianne Rossi <admin@melkshamwithout-pc.gov.uk>; Dempsey, Abi <Abi.Dempsey@wiltshire.gov.uk>
Subject: Re: Fire Evacuation Plan

Hi Teresa,

I have attached our Fire Risk Assessment for you.

[@Dempsey, Abi](#) when you get a moment (perhaps next week when you are on admin shifts) would you be able to send anything across on route plans etc if possible.

Thanks.

Kind Regards

Dan

Dan Spencer
Melksham Community Campus Manager

Wiltshire Council

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From: Teresa Strange <clerk@melkshamwithout-pc.gov.uk>

Sent: 29 June 2023 10:34

To: Spencer, Daniel <Daniel.Spencer@wiltshire.gov.uk>

Cc: Marianne Rossi <admin@melkshamwithout-pc.gov.uk>

Subject: Fire Evacuation Plan

Hi Dan

The parish council have just reviewed their Health & Safety Policy, and one of things we need to update is our Fire Evacuation Plan as part of our procedures.

We have only been shown on a quick walk through, do you have anything documented please that we can add to our procedures?

Many thanks, Teresa

Teresa Strange
Clerk & Responsible Financial Officer
Melksham Without Parish Council
First Floor
Melksham Community Campus
Market Place, Melksham

Local Government Pay Claim 2023/24

 Published 4 October 2023

Further to previous updates on the ongoing delay in the pay settlement. We realise the frustration that there is continuing delay before you can finally get the pay increase that has been outstanding since 1st April.

The Unions are due to meet after the GMB Ballot closes on 24 October and thereafter we hope that the settlement will be agreed and paid. It is hoped that this will be in time for the November pay, which will be some seven months after the anniversary date.

In the meantime, the employers' side advises very strongly against imposing or implementing any pay increase as an interim payment before the collective bargaining process has concluded. Doing so they add would not only fragment the unity of the employers' position but would also leave councils vulnerable to questions being asked by auditors about why, in the absence of a national collective agreement, expenditure has been incurred.

Further news on this will be issued as soon as we are aware.

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Staff Additional Hours Report 2023/24
Staff Member

Month Paid	Teresa Strange	Marianne Rossi	Lorraine McRandle	Terry Cole	David Cole	Month Total	Cumulative Total
APRIL	16.25	3.75	12.75	0.00	0.00	32.75	32.75
Paid Hours	10.75	3.75	12.75	0.00	0.00	27.25	27.25
Taken in Lieu	5.50	0.00	0.00	0.00	0.00	5.50	5.50
MAY	14.50	2.25	11.50	0.00	0.00	28.25	61.00
Paid Hours	2.00	2.25	11.50	0.00	0.00	15.75	43.00
Taken in Lieu	12.50	0.00	0.00	0.00	0.00	12.50	18.00
JUNE	16.00	3.50	9.65	0.00	0.00	29.15	90.15
Paid Hours	8.75	3.50	9.50	0.00	0.00	21.75	64.75
Taken in Lieu	7.25	0.00	0.15	0.00	0.00	7.40	25.40
JULY	39.75	6.75	8.00	0.00	0.50	55.00	145.15
Paid Hours	22.00	6.75	8.00	0.00	0.50	37.25	102.00
Taken in Lieu	17.75	0.00	0.00	0.00	0.00	17.75	43.15
AUGUST	7.00	0.00	12.75	0.00	6.00	25.75	170.90
Paid Hours	4.50	0.00	12.75	0.00	6.00	23.25	125.25
Taken in Lieu	2.50	0.00	0.00	0.00	0.00	2.50	45.65
SEPTEMBER	10.25	2.50	11.25	0.00	0.00	24.00	194.90
Paid Hours	2.25	2.50	10.75	0.00	0.00	15.50	140.75
Taken in Lieu	8.00	0.00	0.50	0.00	0.00	8.50	54.15
OCTOBER	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
NOVEMBER	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
DECEMBER	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
JANUARY	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
FEBRUARY	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
MARCH	0.00	0.00	0.00	0.00	0.00	0.00	194.90
Paid Hours						0.00	140.75
Taken in Lieu						0.00	54.15
Staff Member Cumulative Total Hours	103.75	18.75	65.90	0.00	6.50		
Staff Member Cumulative Hours Paid	50.25	18.75	65.25	0.00	6.50		
Staff Member Cumulative Hours Taken in Lieu	53.50	0.00	0.65	0.00	0.00		

Change to Contracts – timing

Dear Councillors

On the staff training morning on Tuesday 17th October, I ran through the new model contract with all staff. Cllr Robert Shea-Simonds was with me, as had just undertaken appraisals with me.

In terms of the timing for the consultation period, you will see that the advice note from the SLCC says that the statutory minimum is based on a week per completed years' service up to a maximum of 12 weeks).

Two staff members have been employed at the parish council since Nov 2007, which is 12 weeks. I said to staff that therefore the “cleanest” date to start the new contracts would be 1st January if the dates fit, (I have just checked and its 11 weeks from the date we went through them).

However, having read the ACAS website on the subject I can see no time period given <https://www.acas.org.uk/changing-an-employment-contract/employer-responsibilities> either in the section advising either employers and employees.

Something for the staffing committee to decide please, so it can be included in the letter to staff.

Many thanks,

Teresa Strange, Clerk & RFO

ADVICE NOTE: Variation of Contract

One commonly asked question of the SLCC Advice Service is “can my council change my terms and conditions?” or “can I change a staff member’s contract?” As with so many personnel questions the answer is “it depends”. There follows a guide as to how to keep variations in contracts lawful and maintain the trust in the employment relationship.

1. Variation should be with **agreement of both parties**. This can be decided on an individual basis or can be as a result of a collective bargaining agreement e.g. where NALC: SLCC agree to change pay-scales annually, for instance.
2. Variations must be **reasonable, fair** and related to **business need**. Councils need to demonstrate this with an objective and independent report or feasibility study.
3. **Consultation** is key. Without meaningful consultation about proposed changes an employer’s action can be seen as unreasonable and unfair. By asking employees what they think a number of alternative solutions can often be found which are mutually agreeable.
4. Changes can be agreed **verbally or in writing** but the written amendment to a contract of employment is most preferable in view of possible future disputes.
5. **Notice** must be given of any planned changes and this must be appropriate to the contract of employment or statutory minimum (based on a week per completed years’ service to a maximum of 12 weeks)
6. Unilateral imposition of a **fundamental change** should be avoided. A fundamental change is one which “goes to the heart of the relationship” i.e. materially affects the employment such as hours, location, duties, pay.
7. If **unilateral variation** is the only option available to an employer there must be demonstration of negotiation, putting the proposal in writing, holding a meeting, offering a right of appeal then terminating the original contract with appropriate notice and offering a new contract which includes the revised terms. If this new contract is accepted the continuity of service will be preserved.
8. An employee is entitled to reject any fundamental change, refuse the new terms and conditions and either claim **breach of contract** through the civil courts or resign and claim **unfair (constructive) dismissal** at employment tribunal. The maximum award for compensation for breach of contract is £25,000. Claims will be successful if the employer has failed to consult, give notice or if there is no objective driver for change. An employee could continue to “work under protest” pending a court case.

9. Councils and Clerks should not be afraid to **ask for help** if faced with difficulties relating to changes in contract. Specialist advice and knowledge of the local council sector is available from the SLCC Advisory Service and NALC.

10. **ACAS** the Arbitration, Conciliation and Advice Service is an excellent source of free advice on variation of contract issues via www.acas.org.uk or on **0300 123 1100**.

15/02/2022	Neighbourhood Plan Training- session 1 with Andrea Pellegram	Teresa Strange Lorraine McRandle Marianne Rossi
22/02/2022	Neighbourhood Plan Training- session 2 with Andrea Pellegram	Lorraine McRandle Marianne Rossi
06/03/2022	ILCA (Introduction to Local Council Administration)	Marianne Rossi
30/03/2022	Creating accessible documents	Teresa Strange Lorraine McRandle Marianne Rossi
15/06/2022	ROSPA Play Safety- Operational Playground Inspection Course	David Cole
06/09/2022	Managing Village Halls	Teresa Strange Marianne Rossi
14/10/2022	Scribefest 2022 - Bringing Local Communities Together	Teresa Strange
14/10/2022	Scribefest 2022- Sustainable Buildings and Transport	Lorraine McRandle
14/10/2022	Scribefest 2022- JPAG Practitioners Guide & Auditing	Marianne Rossi
30/11/2022	How to manage rising energy costs	Marianne Rossi
14/01/2023	Defibrillator awareness session- Berryfield Village Hall	Shona Holt Teresa Strange Marianne Rossi
15/03/2023	CILCA	Lorraine McRandle
10/05/2023	VAT Awareness Course	Teresa Strange Marianne Rossi
23/05/2023	SID Safety Awareness/Installation Course	Stefano Patacchiola
26/05/2023	Community Building Management Summit	Teresa Strange Marianne Rossi
11/05/2023	Ad-hoc social media training with Gloria from Melksham Town Council	Lorraine McRandle
27/05/2023	FILCA (Financial Introduction to Local Council Administration)	Marianne Rossi
09/06/2023	WALC conference – Planning	Teresa Strange
22/06/2023	SID Data collection training	Lorraine McRandle
28/06/2023	SID Data collection training	Teresa Strange
06/07/2023	Allotment Management: Site Facilities and Health and Safety	Marianne Rossi
07/07/2023	Local Council Accounts - From Zero to Hero!	Marianne Rossi
20/07/2023	Practical Compliance for CCTV by Parish, Town and Community Councils	Marianne Rossi

	Training	
01/08/2023	SID Safety Awareness/installation	Lorraine McRandle
31/08/2023	Community Resilience Exercise	Teresa Strange Marianne Rossi John Glover
07/09/2023	People Management Training	Teresa Strange
11/09/2023	Agenda preparation	Lorraine McRandle Marianne Rossi Teresa Strange
11/09/2023	SID Data Rollout	Teresa Strange Lorraine McRandle Marianne Rossi
13/09/2023	Themed Summit on Finance	Marianne Rossi
13/09/2023	Councillor Training	Robert Shea- Simonds
18/09/2023	Writing Minutes	Lorraine McRandle
	How to use ChatGPT: Use AI to do Council Tasks Faster	Teresa Strange
21/09/2023	Scribefest 2023- Minute training- 1 hour	Lorraine McRandle
17/10/2023	Level 1 Safeguarding everyone	Teresa Strange Lorraine McRandle Marianne Rossi Terry Cole David Cole
17/10/2023	First Aid refresher quiz (British Red Cross) https://firstaidchampions.redcross.org.uk/secondary/quizzes/	Teresa Strange Lorraine McRandle Marianne Rossi Terry Cole David Cole