

MINUTES of the Staffing Committee of Melksham Without Parish Council held on Monday, 18th January 2021 at 7.45pm

DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS WAS A VIRTUAL MEETING, WITH MEMBERS OF THE PUBLIC BEING ABLE TO ACCESS THE MEETING VIA THE PUBLISHED ZOOM INVITATION, THIS MEETING WAS ALSO LIVE STREAMED VIA YOUTUBE

Present: Councillors Alan Baines (Chair), Nick Holder (Vice-Chair of Committee), Richard Wood (Chair of Council) John Glover (Vice Chair of Council) David Pafford, Robert Shea-Simonds

Officers: Teresa Strange (Clerk) & Marianne Rossi (Finance & Amenities Officer)

261/20 Welcome, Announcements & Housekeeping

Councillor Baines welcomed everyone to the meeting.

262/20 To Receive Apologies and Approval of Reasons Given

None

263/20 To Receive Declarations of Interest

Staff members present declared an interest in all items relating to them as staff members. The Finance & Amenities Officer left the meeting when item 9b was discussed.

264/20 Dispensation Requests

None.

265/20 To consider holding items 8a & 9b in Closed Session due to the confidential nature of the business to be transacted.

Resolved: That Under the Public Bodies (Admissions to Meetings) Act 1960, the public and representatives of the press and broadcast media be

excluded from the meeting during the consideration of these items of business, as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted. This is in line with Standing Order 3d: "That in the view of the special/confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw". Reason: a) engagement, terms of service, conduct and dismissal of employees.

266/20 Public Participation

There were no members of public present.

267/20 To note previous Staffing Committee minutes of 16th March 2020 for background information

Members noted the staffing minutes of 16th March 2020 for background information.

268/20 To note latest Covid status for Wiltshire (Tier 5 lockdown and current case in Wiltshire)

Members noted the latest Covid case figures for Wiltshire. Councillor Baines advised that Wiltshire's rate of cases had slightly decreased along with Swindon. Members were pleased to note that the case rates in the South West had recently decreased in most areas.

Councillor Shea-Simonds reported that he had recently spoken to a local PCSO who explained that they were still receiving reports of people not complying with the current lockdown restrictions.

The Clerk explained that she had recently reviewed on social media people suggesting locations for exercise which included traveling to other towns and villages in Wiltshire. She had recently attended a Wiltshire Council Covid meeting as part of Melksham Community Support team and had asked whether their messaging could be made clearer. It was felt that if the policy was to not travel outside of a local Town or Village, advising people to stay in their local area did not go far enough and needed to be made more obvious. She advised that Wiltshire Council were currently looking into this.

Councillor Pafford agreed that getting the message across was very important and felt that the route of the problem was the mixed messages

being received. It was essential that the all messaging was consistent and explains what was currently happening and why this must stop.

Members agreed that the messaging needed to be made much clearer as it was important that people received the right message that they should only be traveling outside of their own Town or Village if it was essential.

In line with Standing Order 3d the following agenda item was held in Committee.

269/20C To review operational duties of staff due to current tier 5 restrictions

Recommendation 1: The Council write a letter to the Caretaker to confirm that he should not return to work under government advice.

Recommendation 2: The Allotment Warden undertake weekly visual inspections of the play areas and playing fields, and weekly water flushing, alarm and emergency lighting testing at the Pavilion in the absence of the Caretaker. The Allotment Warden to be asked if he would be happy to be added to the pavilion alarm call out list. The monthly travel allowance (£47.50) be paid to the Allotment Warden and not the Caretaker whilst covering the Caretaker's duties.

Recommendation 3: The Council to apply for a DBS check for the Allotment Warden.

270/20 To review Min.489/19 regarding sick pay due to self-isolation or shielding and to consider payment terms if time exceeds over 6 month rule

The Clerk explained that during the first lockdown the council had agreed as per min. 489/19 to pay contractual sick pay to any employee who was shielding or self-isolating during the pandemic.

The NJC (National Joint Council) "Green book" states that any employee over 5 years of services should receive 6 months full pay and 6-month half pay during a 12-month period. She advised that an employee began receiving contractual sick pay from March until they returned back to work in June, therefore had already received full contractual sick pay for around 12 weeks out of the 26 weeks for full sick pay stated in the green book.

The Clerk queried what members wished to do if the employee was shielding over the 26 week period, and sought a steer as to whether full pay would continue or as per the NJC Green Book they received half pay for the following 26 weeks. She also queried what the council's stance would be after the employee had received their vaccine.

Members wished to seek clarification on whether the 1-year rule was cumulative within 12 months of the start date of payment or if it went from one financial year to the other.

Councillor Glover queried whether there was any government guidance on payment to employees who were either self-isolating or shielding. The Clerk advised that the council had previously used the recommendations from ACAS. She advised that last time the recommendation from ACAS was to claim Statutory Sick Pay (SSP) and if the employer offered contractual sick pay it was good practice to pay this. The Clerk advised that the council were only able to claim 2 weeks of SSP last time.

Councillor Shea-Simonds wished to seek clarification on the guidance from the NJC Green book as it only references employees who are sick and not shielding or self-isolating due to a pandemic. Under the sickness scheme employees who are sick would need to produce a doctor's letter to meet the criteria, however if an employee was self-isolating or shielding, they would not be able to produce this document. He felt that the wording was not clear and wished for the Clerk to do some investigations.

Recommendation 1: The Clerk to seek clarification on whether the 1 year rule was cumulative within a 12 month period from the first day of sick leave, or if it reset in the next financial/holiday period year.

Recommendation 2: To continue to pay contractual sick pay to all staff (if sick, shielding or self-isolating) during the current Covid-19 pandemic as per the ACAS guidance. The Clerk to seek further clarification from the NJC with regards to the sickness scheme and if this includes for employees shielding or self-isolating due to Covid-19.

271/20

To consider holiday entitlement carry over and pay implications due to Covid restrictions

Councillor Baines advised due to the workload in the current pandemic staff members had been unable to take their holiday, therefore have a considerable amount of annual leave left to take. The Clerk advised that the council's current holiday policy was that employees were able to carry

over 2 days holiday into the new financial year. She advised that if staff had to take all of their holiday entitlement in this financial year, this would have a significant impact on the council.

Members felt that due to the current circumstance staff members should be allowed to take over more than 2 days holiday. Councillor Pafford explained that no one could foresee what the council's work load would be after lockdown, which could result in staff still being unable to take leave in the next financial year, therefore a solution would need to be considered to enable staff to take the time off.

Councillor Holder emphasised that the council needed to ensure that staff are taking the appropriate leave and felt that unless this was dealt with it will build up a problem for the next financial year. He explained that one option could be that the council close down the office for a week to clear a significant amount of staff holiday and allow the staff to be able to carry over 7 days of holiday due to the unprecedented circumstances. He suggested that this could be done in "Purdah" (period of heightened sensitivity before the elections) when there were less meetings. Another option which was the least favourable was to pay staff for the leave that had not been taken, however this would come at a cost to the parish. It was also acknowledged that if staff were paid for the holiday that they had not taken they were not getting the break that a holiday was intended for.

It was queried with the Clerk whether closing down the office for a week during Purdah would be a feasible option. The Clerk advised that this was a feasible option as there was no meetings week commencing 29th March however it was highlighted that Friday 2nd April was a bank holiday therefore to enable staff members to take 5 days off the office could be closed from Friday 26th March.

The Clerk also advised that an employee who was shielding had 13 days of annual leave left. The guidance in the NJC Green book states that while a staff member is receiving sick pay under the scheme and a public or statutory holiday fall within that time, no substitute public or statutory day should be given.

Recommendation: To clear a significant amount of staff annual leave due to the Covid restrictions, the officers take 5 days of annual leave from Friday 26th March and return to work Tuesday 6th April. Due to the exceptional circumstances the holiday allowance that is permitted to be taken over from one holiday year to the next to be increased from 2 to a maximum of 7 days.

272/20

To consider how to undertake quarterly play area inspections

Councillor Baines explained that the Caretaker normally undertakes quarterly written inspections on all parish council play areas and this was now due. The Clerk explained that the council's regime in agreement with the council's insurance company was to do a weekly visual, quarterly written and an annual independent inspection. It was noted that the quarterly written inspection needed to be conducted from someone who was RoSPA trained and qualified therefore the Allotment Warden was unable to do this; but the Clerk could..

The Clerk had obtained a number of quotes to undertake a quarterly inspection of all play areas. Councillor Glover had concerns over the quotes received as the council's requirements for the inspections had not be set out when obtaining the quotes. He also queried what needed to be inspected at the Bowerhill Sports Field and Shaw Playing Field as these are large areas. The Clerk advised that the council had quarterly written inspection sheets with details of what needs to be inspected at each play area.

It was also noted that the cost for Shurnhold Fields would need to be split down as this was coming from the maintenance contribution. The Clerk advised that the amenities team at Melksham Town Council were currently going to Shurnhold Fields every week to do a visual inspection and was currently waiting for a reply from them to advise to whether they were carrying out the quarterly inspection.

Councillor Glover also highlighted that there may need to a consideration in the future as to whether the quarterly inspections should go out to contract for the longer term as the council only had one employee who could undertake any repairs, therefore was solely reliant on them. It was noted that the Clerk was trained as a RoSPA inspector but could not undertake any repairs that are required. The Clerk advised that it was never the intention of the council for her to routinely inspect play areas but as she was the officer who would go out to do the investigation work when there was an incident at a play area it was though necessary that she was trained.

Councillor Pafford felt that a solution needed to be sought for the medium term while the Caretaker was off work so that the responsibility was not on the Clerk to undertake the play area inspections. He suggested that as this was now an urgent matter, the council consider appointing Idverde to undertake the next two quarterly inspection so that it gives the council time to review the situation.

The Clerk explained that the Allotment Warden had queried whether he should be going down to the BRAG picnic area as part of his duties. The Caretaker used to empty the bin at the picnic area but in the first lockdown the bin had been removed as it was felt it was not appropriate for the Allotment Warden to put the rubbish in his car and was not considered essential work. She advised that the Caretaker had continued to go to the picnic area as part of his parish walk and sought a steer from members as to whether this should still be continued. Members felt that as the picnic area was part of the parish of Seend and run by BRAG (Bowerhill Residents Action Group), it is not the Parish Council's responsibility.

Recommendation 1: The Council to appoint Idverde to undertake the next two play area quarterly written inspections but ask for the costs to be split down separately for Shurnhold Fields. These inspections not to include the Bowerhill Sports Field and Shaw Playing Fields.

Recommendation 2: The Council do not continue to carry out weekly inspections of the BRAG Picnic Area.

20:34pm Councillor Holder left the meeting

273/20 To consider how to undertake routine repairs and maintenance tasks

The Clerk explained that she would need to speak to the Caretaker to find out what he would normally be doing as part of his routine maintenance schedule for this time of year and suggests that if any maintenance needs to be done this should be brought back to the asset management committee to consider a way forward.

274/20 Staff Pay

- a) **To consider current situation with negotiations on NJC (National Joint Council for Local Government Services) new pay scales for 2021-2022 to be implemented from 1st April 2021 and note what Budget provision made.**

The Clerk explained that following the Government announcement that there would be a public sector pay freeze there had been no provisions set in the budget. She advised that she had recently received correspondence from the SLCC that negotiations on pay

scales for 2021/22 were still continuing therefore wished to inform the committee of the update.

Item 9b was moved to the bottom of the agenda as the Finance & Amenities Officer would need to leave the meeting when this item was discussed.

275/20

Volunteers

a) To consider if considered “essential” under Tier 5 lockdown restrictions for notices to be sent to volunteers for noticeboards

The Clerk sought a steer from members on whether they wished for officers to continue sending out council notices during lockdown. As she was unsure on whether volunteers should be asked to put up notices in the current circumstances, as it could be seen as encouraging people to make a non essential journey both to put the notices up, and encourage residents to visit to read them. She advised that the agenda was posted onto the council website and the law states that agendas should be in a conspicuous place, therefore this would be in accordance to the law, however did highlight that it would prevent parishioners who were not online from finding information about council meetings.

Councillor Shea Simonds explained that it was not just council agendas that were put up in the noticeboard, there were also useful community information displayed. He felt that himself as the volunteer who displays the notices in the noticeboards outside of the Pilot pub and Robinsons fish and chip shop, he was happy to continue. The Clerk advised that any decision that was made would perhaps be better if consistent for all noticeboards.

Councillor Glover felt that if the council are meeting the requirements in law by publishing the agenda on the website, volunteers should not be asked to put up the notices during the current circumstances.

It was felt by members that a prominent notice should be displayed in all of the noticeboards outlining that they will not be updated and directing members of the public to the council website. The Council 'phone number should also be published on the notice for parishioners who are unable to access the council website. It was also suggested

that the Melksham Community Support contact details should be listed on the notice.

Recommendation: 1. The Council no longer send out agenda notices for the duration of the lockdown period. The council to issue a notice to all noticeboards outlining that due to the Covid emergency they will not be serviced and directing the public to the council website to view agendas. This to also include the council number on the notice to enable parishioners to call the council if they wish for more information and to include the Melksham Community Support details.

2. The use of volunteers, councillors and staff to make a weekly visit and check on the community access defibrillators was considered essential and to continue.

21:02pm Councillor Glover left the meeting

276/20

To note request for officer support by Melksham Community Support and delegated decision made by appointed Councillors

Councillor Baines reported that following a request from Melksham Community Support for additional officer support during the current lockdown a decision had been made by delegated members of the council not to agree to the full request of 16 hours per week for the Clerk. Although members fully support the work of Melksham Community Support, it was felt that it had impacted on the council's workload. Members have agreed for the Parish Officer and Finance & Amenities Officer to work a shift each of 2 hours per week and the Clerk to work 4 hours per week.

21:15pm The Finance & Amenities Officer left the meeting.

a) To review scale points for staff

Recommendations:

1. To increase the Scale Point of the Finance & Amenities Officer from SCP7 to SCP9 £20,903 FTE (£10.86 per hour) with the provision of going up to SCP10 when the ILCA qualification has been obtained; based on the additional responsibilities being undertaken for both finance and amenity aspects of the role.

2. To increase the Scale Point of the Allotment Warden from SCP5 to SCP6
£19,698 FTE (£10.24 per hour); based on the additional responsibilities recently
taken on covering the Caretaker's duties.

Chairman

Approved Full Council on 25th
January 2021