

MINUTES of the Staffing Committee of Melksham Without Parish Council held on Monday 7th November 2022 at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, Melksham, SN12 6ES at 7.45 p.m.

Present: Councillors: David Pafford (Acting Council Chair), Alan Baines, Andy Russell (Acting Council Vice-Chair), Stefano Patacchiola, Robert Shea-Simonds, Shona Holt and Rob Hoyle.

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

245/22 Welcome and Housekeeping

Councillor Baines as outgoing Chair of the Committee welcomed everyone to the meeting and explained the housekeeping procedures.

It was noted that as acting Vice- Chair Councillor Russell was in attendance at the meeting.

246/22 a) To appoint Chairman of Staffing & Resources Committee for 2022/23:

Councillor Baines invited nominations for the Chairman of the Staffing & Resources Committee for 2022/23.

Councillor Holt proposed, seconded by Councillor Shea-Simonds that Councillor Baines be elected as Chair of the Staffing & Resources Committee for 2022/23. Councillor Baines was happy to accept, and there were no other nominations made.

Resolved: The Committee resolved that Councillor Baines be Chair of the Staffing & Resources Committee for 2022/23.

b) To appoint Vice Chair of Staffing & Resources Committee for 2022/23:

Councillor Baines proposed, seconded by Councillor Hoyle that Councillor Shea-Simonds be Vice-Chair of the Staffing & Resources Committee for 2022/23. Councillor Shea-Simonds was happy to accept, and there were no other nominations made.

Resolved: The Committee resolved that Councillor Shea-Simonds be Vice- Chair of the Staffing & Resources Committee for 2022/23.

247/22 Apologies and approve reasons given:

The Clerk advised that no apologies had been received. Councillor Baines reminded everyone that Councillor Glover had a leave of absence.

248/22 To receive Declarations of Interest:

The Clerk and Finance & Amenities Officer declared an interested in all staffing matters relating to them and left the room during the meeting as appropriate.

249/22 To consider holding items in Closed Session (11,12, 13, 16, 17c, 17d) due to confidential nature:

Resolved: To hold items 11,12,13,16,17c and 17d in closed session for reason 3a engagement, terms of service, conduct and dismissal of employees.

250/22 Public Participation:

There were no members of the public present.

251/22 To note latest situation with negotiations on NJC (National Joint Council for Local Government Services) new pay scales for 2022-2023:

Councillor Baines advised that confirmation of the new NJC (National Joint Council for Local Government Services) pay scales for 2022/23 had been released on 2nd November. The agreement in place was for a flat rate increase of £1,925 (based on 37 hours per week) on all pay scale points, which equates to an additional £1 per hour for all staff members and is effective from 1st April 2022. This means that there will be some back payment due for all employees in their November pay.

Officers had put together an actual vs budget sheet analysing all pay to date to October 2022, which included the new pay increase. It was noted that, although the payment increase was more than anticipated at budget setting, the budget was still on track for most staff with the exception of the Caretaker and Allotment Warden. It was noted that depending on what pay scales staff were on would depend on the percentage increase to their pay point, with the lower pay scales receiving a higher percentage. The Allotment Warden who is employed to work 1 hour per week had undertaken more hours while covering for the Caretaker's holiday, as well as recently undertaking a 2-day RoSPA course, this is why his salary is over budget for the year. The Clerk drew members' attention to the fact that there will also be a knock-on effect with the employers National Insurance (NI) and pension contributions. The Clerk also advised that from 1st April 2023 there will be an increase of 1 day to all employee's annual leave entitlement.

The Clerk explained to members that the council have always abided by the NJC arrangements and policies. A due diligence check had been undertaken on everyone's contracts earlier on in the day to ensure that this was detailed in their contracts and this was not reflected correctly as it was only detailed under sick pay. The Clerk had also discovered that when the Finance & Amenities Officer was employed by the council as an apprentice in 2016, she had a contract end date which was dated for the end of her qualification. Following the completion of the apprenticeship, the council employed her in the Assistant Parish Officer role, however she was not issued with a new contract at that time. Whilst it was noted that officers do not need to sign a new contract every time a job title or

part of the role changes, this contract had an end date to it, so a new contract should be issued to reflect her employment.

The Clerk explained that everyone's contracts needed to be looked at, as they had all come from different models, so suggested to members that all contracts would need updating to a new standard model.

Recommendation: The council update all staff contracts to a standard model, so that all contracts were based on the same structure.

252/22 To note latest newsletter from Wiltshire Pension Fund with Fund Update on current market conditions:

Members noted the latest newsletter from Wiltshire Pension Fund.

253/22 To note staff additional hours up to October 2022 and Actual vs Budget for staffing (by individual) for this financial year to date:

Members reviewed the staff additional hours up to October 2022. Councillor Baines explained that this log was a good way to monitor whether three staff working full time covered the requirements of the council and ensure that they were not doing too many additional hours for their wellbeing and work life balance. The Clerk advised that the office staff worked 37 hours per week and any meetings they attend is either paid as extra hours or taken off in lieu.

Councillor Shea- Simonds queried whether it was a joint decision as to whether the staff be paid for the additional hours worked or take the time off in lieu. The Clerk confirmed that this was a joint decision and staff are allowed to take time off in lieu as long as current work commitments had been met. The Clerk explained that as Line Manager she approves the staff's timesheets and the Chair approves her timesheet, which details when someone has taken time off in lieu or has been paid for the extra hours done.

254/22 To review the following policies:

a) DBS Check Policy and note current DBS status of staff:

Members reviewed the current DBS (Disclosure & Barring Service) policy and the status of all DBS checks for the council staff. Councillor Holt noted that the Finance & Amenities Officer has never undertaken a DBS check and felt that this should be done for all council staff as it gives a level of assurance to parishioners, especially as all staff come into contact with members of the public. It was noted that the Caretaker was due to renew his DBS check shortly, so the Finance & Amenities Officer could have hers done at the same time.

Councillor Patacchiola queried how the council determines who should have a standard or enhanced check, as he felt this should be detailed in the DBS policy. The Clerk advised that the policy changed slightly when the council looked at it in

October last year, to only those staff members who came into contact with vulnerable people. She advised that there wasn't currently a policy on this and when officers have tried to undertake the check for the Caretaker this time around the enhanced option hasn't come up, that's why it's still outstanding to be done. She explained that this is done on judgement and felt that this should be detailed in the policy. She also advised that she had spotted that the council was not consistent as a DBS check had been undertaken on the Parish Officer, but not the Finance & Amenities Officer and felt that they should be the same. It was also noted that as some officers also handled cash, this should be detailed in the policy.

The Clerk queried with members whether all staff members should undertake the enhanced DBS check and members agreed that this should be the way forward. Councillor Patacchiola advised that the council would need to give a reason as to why they were undertaking enhanced checks, as these kinds of checks are for people who are in and around vulnerable people, particularly on their own. He explained that anyone in contact with children would also normally have a List 99 check done as part of the DBS check process, which was normally an additional £5, so it may well be worth doing this as well. It was noted that in particular the Parish Caretaker undertakes weekly inspections at play areas.

Councillor Patacchiola felt that it needed to be outlined in the DBS policy which staff should undertake which checks, particularly, so that it's already in place for recruitment of new staff. He also felt that rather than the council renewing staff DBS checks every three years, the council could sign up for a live update code which was around £10 per year and the code could be used for life. The council could then on an annual basis type the code into the DBS database where it would undertake the check there and then. Members agreed that this way forward would be a good idea and the policy would need to be updated to reflect this.

Members discussed the reasons for staff undertaking an enhanced DBS check with the caretaker attending play areas alone, with unsupervised children in attendance. The allotment warden undertakes this role when the caretaker is on leave. With regards to officers, they are in the office, and other council buildings, sometimes on their own when meeting members of the public. The Clerk gave examples of when they came into contact with vulnerable members of the public. It was recognised that Officers also had access to cash and the council's bank accounts.

Recommendation: All staff should undertake an enhanced DBS, as well as the List 99 check. The council to sign up for a live update code for all staff members, so that the status of all staff checks could be validated on an annual basis. The DBS policy to be updated to reflect these changes.

b) New Communications Policy:

The Clerk explained that the council had only discussed having a communications policy recently and still needed to obtain a template for members to review. It was felt that this policy should be deferred to an IT Working Party meeting for review.

Recommendation: The council defer the new communications policy to an IT Working Party for review.

c) New National Association of Local Councils (NALC) Dignity at work Policy:

The Clerk explained that the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC) had recently published a new Dignity at Work model template policy, as part of the Civility and Respect campaigns. It was noted that the council already had a Dignity at Work policy, which was reviewed and adopted in October last year. Although, the council's current policy hadn't been compared to the template word for word, there didn't seem to be any major differences between the two. It was noted that there does not appear to have been any legislation changes, therefore, members felt that the current policy did not need updating as it was only reviewed last year. It was felt by the committee that when this policy is next reviewed by the council, the model template should be looked at again to see whether some additions needed to be made to the current policy.

Recommendation: As the council have only recently reviewed and adopted the Dignity at Work policy and it does not appear to have been any legislation changes, the current policy was still fit for purpose. When the policy is next due to be reviewed, the new model template published should be reviewed again to see whether any additions are required to be made to the existing policy.

d) Habitual & Vexatious Complaints Policy:

It was noted that this policy was last reviewed in March 2020, so was due to be reviewed shortly. The Clerk explained that although most policies are on a three-year cycle, she had put this policy on the agenda to review, as the staffing committee did not meet very often. Members felt that this policy was still fit for purpose at this current time and should be reviewed again at its review date next year.

Recommendation: The current Habitual & Vexatious Complaints policy is fit for purpose and should be reviewed at its review date next year.

255/22 To note accident report and consider any actions:

Held in closed session.

Councillor Baines advised members that at the end of last year the Caretaker reported that he was subjected to a dog bite at Hornchurch Road public open space. It was noted that the bite did break the skin and the Caretaker went straight home to wash the wound out and apply antiseptic cream. Upon informing the Clerk about this incident she advised him that he must keep a close eye on it as dog bites are susceptible to infection, she had also printed out the advice from the NHS for him to read through.

The Clerk explained that she had brought this to the attention of the Staffing Committee, as although this is not something that occurred very often, this had now happened on two separate occasions. It was queried whether all staff had first aid training, the Clerk advised that while not all staff did, both the Caretaker and Allotment Warden carried a first aid kit with them and a charged mobile 'phone.

It was queried whether it was detailed in the council's First Aid policy whether there was a stated time frame when a member of staff should report any accidents to the council. It was felt that a clause should be added into the first aid policy to advise employees that if an accident occurs, they must report the incident to the council within 24 hours of the accident happening.

Recommendation: The council make an addition to the first aid policy to advise staff that should an accident occur, they must report the incident to the council within 24 hours of the event happening.

256/22 To receive feedback following staff appraisals and consider any actions arising

Held in closed session.

The Clerk gave a report on the staff appraisals undertaken over the last couple of weeks.

257/22 To receive feedback following Clerk's appraisal and consider any actions arising

Held in closed session.

Councillor Baines explained that both himself and Councillor Pafford had undertaken the Clerk's appraisal on Friday 4th November. He was pleased to report that it was a very satisfactory appraisal and felt that the Clerk was very honest about her challenges in the role. It was noted that the Clerk's objectives were the same as set out for the council.

258/22 To consider any requests for staff training and to note current training log:

The Clerk advised that there were no new training requests following on from staff appraisals. It was noted that the Finance & Amenities Officer still wished to do FILCA (Financial Introduction to Local Council Administration), which was the finance qualification and the Clerk would also still like to attend the SLCC annual regional conference. There was also some training on how to get the best out of Microsoft apps which would be useful for the staff to do.

259/22 To consider any amendments to Job Descriptions:

The Clerk explained that she hadn't got around to completing the necessary amendments to the staff job descriptions, as the appraisals were only completed late last week. It was noted that there were not any major additions.

260/22 To consider pay scale increase for Allotment Warden following successful completion of RoSPA qualification.

Held in closed session.

Councillor Baines explained that over the last couple of years the Allotment Warden had covered for the Parish Caretaker on a number of occasions, the council had recognised this by increasing his scale point to be on par with the Caretaker. It was felt that as the Allotment Warden now had the same qualification as the Caretaker, the qualification has now caught up with the previous scale point increase.

Recommendation: To not award a scale point increase to the Allotment Warden at this time.

261/22 Staffing Matters

a) To note current Disciplinary Policy:

Members noted the current disciplinary policy.

b) To note ACAS webinar re Investigations and disciplinaries – how to manage and disclose information (information to follow from webinar 7th Nov)

The Clerk explained that in late papers was a summary of the steps to be undertaken for a disciplinary investigation. She advised that on the ACAS website there was lots of useful information and templates on how to conduct an investigation and disciplinary.

c) To note current Disciplinary Investigation

Held in closed session.

Cllr Pafford reported that he had received a grievance notification in respect of action taken by the Clerk.

d) To consider next steps:

Held in closed session.

Following the grievance raised by Councillor Chivers, the Staffing Committee investigated the alleged events. The investigation concluded that the Clerk, as the authorised Press Officer, published a communication which had been sanctioned by the Chair and Vice-Chair to correct factual inaccuracies. It was therefore concluded that the grievance was not upheld.

Recommendation: The Council now declare the matter closed.

Meeting closed at 21.58

Chairman, 14th November, 2022