

PERSONNEL COMMITTEE REVIEW OF POLICIES – APRIL/MAY 2020.

Policy	Question/Response
Complaints Procedure	<p><i>It's not really clear what sort of complaints this is likely to refer to, bearing in mind the complaints covered in 1.4.</i></p> <p><i>Is it complaints against the Council or Clerk by members of the public? Or complaints by a councillor against the council / Clerk / another councillor? Perhaps you could just give examples please.</i></p> <p style="text-align: right;"><i>Pam Cane</i></p>
Clerk's response	<p>The procedure is designed to inform members of the public how they can complain about the Parish Council's procedures or administration.</p> <p>Complaints against Councillors are dealt with under the code of conduct.</p> <p>Complaints against Staff are dealt with by the Grievance & Disciplinary Procedure.</p> <p>I have added some more information to the Policy to make it clearer and will circulate an amended policy alongside this Q&A.</p>
Chair's comment	<p>Can we add that the investigation will remain confidential on the first page?</p> <p>Suggest acceptance of amended policy for submission to full Council for approval.</p>
Clerk's response	<p>The investigation may not be confidential – it may be undertaken by a committee, I have added the words "The meeting will be closed to members of the public and press" to the third bullet point of 3.1</p>
Complaints Procedure	<p><i>It states that details of the complaint and complainant should be stored appropriately in line with the Data Protection Act. Where is such data stored by us and is it encrypted?</i></p> <p style="text-align: right;"><i>Kamal Ivory</i></p>
Clerk's response	<p>I have a lockable filing cabinet and the information will be stored in there until disposed of in accordance with council policy.</p>
Chair's comment	<p>Noted that procedure complies with GDPR.</p>
Health & Safety	<p><i>Who provides the "Sufficient information, instruction and training for employees, contractors voluntary helpers and members of the public etc...." Do we ask Trevor, contractors etc to sign any document to confirm they have been trained?</i></p> <p style="text-align: right;"><i>Pam Cane</i></p>
Clerk's response	<p>As the policy states: "as far as reasonably practicable" I do on behalf of the Council.</p> <p>I am not sure how I would offer training to contractors as they should have their own. Any training we offer may invalidate their insurance. Suggest removing the word contractors from this section.</p> <p>Trevor has not yet had to undertake any additional training – once I have carried out the H&S risk assessment, I will determine if any training is required, this will then be noted in the parish council minutes in the Clerk's report "training" section.</p>
Chair's comment	<p>Suggest removal of word "contractors" as health & safety training will be their responsibility.</p>
Health & Safety	<p><i>We are asked to ensure that this is regularly discussed at PC meetings. Does this mean that it has to be an agenda item each time?</i></p> <p><i>In the same section, in 'Risk Assessments' - Banking - are any modifications required in view of current conditions?</i></p> <p><i>For Play Areas who are the nominated councillors and is there any guidance or protocol as to how these should be assessed?</i></p> <p style="text-align: right;"><i>Kamal Ivory</i></p>

Clerk's response	<p>Risk Assessments of play parks etc are a monthly agenda item – Councillors are asked to identify any faults etc. I have produced a form and circulated it in the past, however I very rarely had them returned. I have attached copies to this Q&A for reference.</p> <p>Risk Assessment responsibilities agreed at May 2019 AGM:</p> <ol style="list-style-type: none"> a. Community Centre Play Park – Pam Cane b. Fitness Track – Velda Lummis c. Westhall Play Park – Kamal Ivory d. Cemetery – Velda Lummis e. Permissive Path – Pam Cane <p>Given that the PC's AGM for this year has been postponed, these Cllrs stay in post until the membership of all committees etc can be reviewed.</p> <p>The Council's Risk Assessment is reviewed annually – should the changes to the Financial Regulations and the current situation caused by COVID-19 change the risk the Council faces, this will be reflected in the assessment when it is reviewed.</p> <p>I have prepared a "Risk Assessment" form for use by any Councillors/Volunteers undertaking an activity on behalf of the Parish Council – for example the Maintenance Working Party. Copy of the draft will be circulated for review.</p>
Chair's comment	<p>H&S assessments for the staff will be reviewed once lockdown restrictions are eased and the audit of Street Cleaning work can be properly undertaken. Finance Committee will review Risk Assessment document alongside Statement of Internal Controls. The forms should be completed every month as evidence that the reviews are being carried out.</p>
Chair's question	<p><i>While reading the responsibilities for you, eg "As Council's safety officer, the Clerk will ensure that..." and "make effective arrangements... that voluntary helpers comply with all reasonable health and safety requirements.." I thought this put a huge legal burden on you, bearing in mind your idea of safety compared to someone else's, and Personnel needs to stress this to councillors and bring it out in a meeting, once things are normal. You might need some evidence (for insurance purposes) that proper precautions are being taken—perhaps leaders/volunteers can sign a form about using the correct protective gear and taking every precaution with equipment. I'm thinking particularly of the maintenance working party and also the lorry watch. Do you think there is anything else that can protect you that can be put on the policy to save you having to have a discussion each time?</i></p> <p style="text-align: right;"><i>Toni Wisbey</i></p>
Clerk's response	<p>I have prepared a "Risk Assessment" which will need to be completed by anyone undertaking voluntary work on behalf of the Council. This can be highlighted to Cllrs at the next meeting when the policies are proposed by the Personnel Committee. A form will need to be completed for each new project or activity.</p>
Training & Development	<p>2.2 "All new councillors.....They will be expected to attend relevant training...." I would prefer to see encouraged to attend relevant training, not expected.</p> <p style="text-align: right;"><i>Pam Cane</i></p>
Clerk's response	<p>Councillor training: I was asked to include the word "expected" by the Chair of the Personnel Cttee.</p> <p>Should the Personnel Committee agree to change it to "encouraged", then it can be amended before it is presented to the Council for approval.</p> <p>Alternatively, both words could be included and the Council can decide which to include.</p>
Chair's comment	<p>As a compromise I suggest we use the word "advised".</p>

Additional Cllr comment	<p><i>I would like to propose a further compromise of wording – “They will be advised of the benefits of attending relevant training “</i></p> <p style="text-align: right;"><i>Pam Cane</i></p>
Chair’s comment	<p>I do not feel that wording reflects the original intention of the policy. I would prefer to return to the word “expected”.</p> <p style="text-align: right;">Toni Wisbey</p>
Clerk’s comment	<p>Having spent some time reviewing how motions are put to and debated by the Council, I have spoken with the Toni as Chair of the Committee, and the following motion will be proposed by Toni:</p> <p>The Training & Development policy is proposed for adoption by the Council. The policy which will have the word “expected” included.</p> <p>Any Councillor is able to put forward an amendment to the proposal at the meeting for Councillors to vote on.</p>
Training & Development	<p>2.4 <i>“The Clerk must have the CiLCA or equivalent Any new Clerk must hold CiLCA or obtain it within 12 months of taking up position....”</i></p> <p><i>I would prefer to see “The Council would give greater consideration to applicants holding the CiLCA qualification when applying for the position of Clerk. And any applicant without the CiLCA qualification would be encouraged to obtain it within 24 months of taking up the position”</i></p> <p><i>My reasons for this are as follows:</i></p> <p><i>It’s not always easy to encourage people to apply for the position of Clerk and you wouldn’t want to put them off by stating they <u>must</u> have this qualification.</i></p> <p><i>A perfectly suitable candidate who is new to the job of Clerk will obviously not have the qualification.</i></p> <p><i>Bearing in mind that you yourself were considering taking another year to complete the qualification, it might not be feasible for someone new to clerking to complete within 12 months.</i></p> <p style="text-align: right;"><i>Pam Cane</i></p>
Clerk’s response	<p>Clerk training: Since the Council has adopted the General Power of Competence – it is important that the Council remains eligible.</p> <p>A Clerk must therefore either be CiLCA qualified, or willing to work towards it. One year is the usual time it takes and SALC have a new training programme based around this timescale.</p> <p>The legal issues the Council faced took up my contracted hours which is I why I requested additional time – however it was not needed in the end and I finished my portfolio ahead of the 12 month deadline.</p> <p>This is guidance on training that may be required for the Clerk. The proposed wording above appears to be an advert rather than a training policy proposal.</p>
Chair’s comment	<p>As this is a training policy and not an advert the wording is ok as it is.</p> <p>I would recommend a rewording of the last sentence of point 2.2 to read: “will be given developmental training, if necessary, where there is a significant change in legislation or policy.”</p>
Training & Development	<p><i>As this includes the option for a new Clerk to be employed <u>without</u> the CiLCA, but to obtain within 12 months I will accept this wording.</i></p> <p style="text-align: right;"><i>Pam Cane</i></p>
General	<p><i>I think the style of wording could only probably be accurately interpreted and subsequently applied by someone qualified in HR. Perhaps you could precis the policies to enable councillors and employees to appreciate the content and be an aid to understanding and encourage participation.</i></p> <p style="text-align: right;"><i>Dennis Merritt</i></p>

Clerk's response	<p>I am not sure which of the policies you are referring to. I have not received any other similar comments.</p> <p>Perhaps you could give some examples to show what you mean.</p> <p>To write two separate policies would be unwise as this could lead to confusion over which guidelines to follow.</p>
Chair's comment	<p>I agree that having two versions of policies could be confusing and perhaps not precise enough. However, not all new councillors will have an extensive vocabulary, or be confident about reading technical documents like these, so he has a point about accessibility. Perhaps by "précis" he means an abstract at the beginning of each policy. It is a problem, though: people either don't read the document, or just read the abstract! A short glossary, perhaps? We could offer a training session on the HR policies at some time to familiarise people, or different committees could give a short presentation of some of their committee's documents. I suggest this is as an agenda point for Personnel.</p>
Clerk's response	<p>I am loathe to change any policy that is recommended by NALC and ACAS so would not want to put a "precis" at the beginning and agree with the Chair that the whole document may not then be read correctly.</p> <p>I am happy to add a glossary if someone highlights the words that need to be explained. There is no reason why this can't be an agenda item for the first face to face Personnel Committee when this can take place.</p> <p>A Committee briefing on their policies could be useful.</p>
<i>General continued</i>	<p><i>I would suggest a summary of all policies which would be available to PCC, employees (and general public) with the comprehensive policies (which presumably are County Council approved) primarily available to Personnel Committee and to being available on request. As a general comment and to avoid creating beaurocracy I would think that if there is a need County Council HR professionals would be on hand to advise on content, processes and application of practical interpretation. To act without this support would be high risk as the cost of procedural failure could be high.</i></p> <p style="text-align: right;"><i>Dennis Merritt</i></p>
Clerk's comment	<p>As previously stated it is not possible to have two policies covering the same topic. If you indicate which policy you think is difficult to understand I will try to help – if you can highlight the difficulties within the policies that would be helpful as general statements without specific examples are difficult to respond to.</p> <p>With regards to the comments about the County Council HR professionals – neither the County Council nor the District Council have any jurisdiction over a Parish Council therefore it would not be possible to call on them as you suggest. The Parish Council can contact SALC for advice via the Clerk or Chairman if the need should arise.</p> <p>Complaints against all Councillors are dealt with by a Monitoring Officer. In the case of Stradbroke Parish Council this is Mid Suffolk District Council's Monitoring Officer acting on behalf of the Parish Council not the District Council.</p>
Chair's question	<p><i>Can we review the Bullying & Harassment Policy alongside these policies as it is strongly connected and should be brought to everyone's attention?</i></p> <p style="text-align: right;"><i>Toni Wisbey</i></p>
Clerk's response	<p>NALC have issued a new Anti-Harassment and Bullying Policy which will need to be adopted by full Council at the next meeting. This has been circulated to the committee.</p>