

**MINUTES OF A MEETING OF KINVER PARISH COUNCIL HELD ON WEDNESDAY 4<sup>TH</sup> DECEMBER 2019 AT THE COUNCIL OFFICES AT 95 HIGH STREET, KINVER**

PRESENT: Councillors JK Hall (Chairman), Miss V Webb (Vice-Chairman), S Anderson, H Williams, BR Edwards, Mrs C Allen, T Talbot-Webb, G Sisley, H Rogers, P Wooddisse, E Simons, D Light

210/19. Apologies for Absence.

Councillors IG Sadler, D Hadlington and County Councillor Mrs V Wilson were not in attendance due to other commitments.

211/19. Declarations of Councillors' Interest.

Councillor BR Edwards declared a pecuniary interest in relation to agenda item 218/19 and took no part on the recommendation or discussion on this item.

212/19. To receive for confirmation and adoption, the Minutes of the Parish Council meeting held on 6<sup>th</sup> November 2019 (copy attached).

The Minutes of the meeting held on 6<sup>th</sup> November 2019, having been circulated in advance of the current meeting, were approved and signed as a true record of the proceedings at that meeting with the following exception that on item 203/19 should read "South Staffordshire".

213/19. Public Participation – Standing Orders will be suspended for a maximum of 15 minutes to allow members of the public to address the Council (including BKV Frontages presentations).

For note: The public participation is for the public to address the Parish Council on matters that they wish to. The Parish Council cannot comment or resolve action on any points raised at this time. If the item requires information being sent from the Council, the Clerk will do this following the meeting. If it is a matter for further discussion it may be added to a future agenda.

It was noted that all meetings are recorded and any member of the public not wishing to be recorded when they speak should inform the Clerk prior to addressing the Council.

Mr J Cutler addressed the Council to thank members for their continued financial support for the Youth Cafe, it is now in its 3<sup>rd</sup> year and numbers of youths are reaching up to 40 per week.

They have received grants from local trusts to help purchase equipment and sponsor activities for the youths.

He also thanked the Council for all that they do for the village and wished everyone a merry Christmas.

214/19. Matters arising from Previous Minutes.

The large Lawson Cypress on Danesford Gardens is being reduced in height following a report by a tree surgeon that stated that it requires the split trunk at the top of the tree to be reduced. This was noted.

215/19. Police to address the Council on relevant matters and any relevant matter relating to ASB in the village and outstanding police matters of concern.

The Crime statistics were issued to all members and the PCSO in attendance ran through the statistics. Circulated with the agenda papers was a response from PC Vernon relating to the website [nextdoor.co.uk](http://nextdoor.co.uk). This was noted.

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216/19 To agree and adopt NALC standard Grievance and Disciplinary Policies.

It was proposed by Councillor D Lights and seconded by Councillor H Rogers to accept the above policies, with the amendment to remove "on examples of unsatisfactory work performance "In adequate IT Skills". On a vote this was carried.

217/19. To discuss the problem relating to the narrowing of the footway on the A458 at Stourton

In the Clerks report photographs were circulated showing a motorised scooter having to go along the pavement at an angle with 2 wheels on the small piece of pathway that is visible and 2 wheels on the bank. Members agreed to ask the Maintenance Technicians to clear a few small sections to show the width of the footpath and send these photographs to the County to show them the extent of the problem.

218/19. To receive the Minutes of the following Committee meetings and to consider adoption of any recommendations therein -

Leisure and Amenities Committee

13<sup>th</sup> November 2019

The minutes of the above meetings, having been circulated, were **Received**, and no Recommendations were made to the Parish Council.

Finance and General Purposes Committee

20<sup>th</sup> November 2019

(including the setting of the precept and budget for 2020/21)

The minutes of the above meetings, having been circulated, were **Received**, the following Recommendations were made to the Parish Council that:-

- the accounts as set as Appendix 1 to these minutes be accepted.
- a grant of £250 be given to the KSCA towards their planning application costs funded from budget line 54/3 grants budget head. The council will issue a cheque to the KSCA upon receipt of the invoice showing that the application has been submitted, the grant must be claimed before the 31<sup>st</sup> March 2020.
- replacement laptop is purchased from the grants budget 54/9 at a cost of £400.
- a leaf collecting machine at a maximum cost of £900 is purchased and funded from the community budget line.
- the Maintenance Technician is sent on the basic chainsaw course at a cost of £85 and funded from budget line 50/.

The above recommendations were agreed unanimously.

- the income and expenditure budget as set out as appendix 2 to these minutes is accepted and a precept figure of £144709 is agreed.
- It was proposed by Councillor D Light and seconded by Councillor H Williams and on a vote this was carried unanimously.

Planning and Development Committee

27<sup>th</sup> November 2019

The minutes of the above meetings, having been circulated, were **Received**, the following Recommendations were made to the Parish Council that the:-

- planning recommendations as set out in agenda item 5 are sent to the District Council.
- Option G is the better option for Kinver, with a proposed housing increase of 35 dwellings. Any future dwellings in Kinver should be deducted from this total as previously with the Stone Lane development. The infrastructure needs to be addressed for services in the Parish such as Doctors, transport etc. With regard to the proposed site of White Hill, the roads in this area need to be assessed (if this has not been completed already) and the report produced taken into account before any development takes place in this area. In addition from appendix 5 - Historic Landscape Areas - Kinver Edge not mentioned, this is obviously an oversight and needs to be included / amended in the proposed report.

It was proposed by Councillor S Anderson and seconded by Councillor D Light to agree both the above recommendations, on a vote this was carried with 8 votes for.

219/19. District Councillors to address the Council on any matters relevant to the Parish

Councillor BR Edwards reported that the District Council are working on the elections for both the Bi-election and the Parliamentary election. The SAD sites will not be released for formal consultation until At the earliest July 2020. The budget is being worked on at present and it is looking like the District Council have enough reserves for 5 years.

220/19. Report of the Chairman

The Chairman reported that he attended both the Kinver / Enville Parish Remembrance Day and also the District Councils where he laid wreaths on behalf of the Council.

221/19. Report from the Clerk.

### **Publications to note**

Email map from Ewan Chapman relating to what's happening on Kinver Edge  
 Closed Churchyard special expenses report from SSDC  
 Parish Councillor Remuneration – D Pattison  
 Purdah information – D Pattison  
 Tithe map digitisation project  
 Information re demolition of the Burgesses

### **Superintendents Report**

4 headstone permits agreed  
 2 x new burial plot for 2  
 1 x reopening of an ashes plot

The above were noted.

222/19. Reports from Members on Outside Bodies.

The annual giving of vouchers for the over 60 ladies and over 65 gentleman takes place on Friday the 5<sup>th</sup> December by the Old Peoples Welfare Committee.

223/19. Accounts for Payment.

The accounts presented to the members are attached as appendix 3 to these minutes.

224/19. Items for future Meetings

Items for the next meeting to be with the Clerk by January 2<sup>nd</sup> 2020.

Future agenda item SID's, Lesley Birch – 8/1/2020, Christmas 2020, Prayers before meetings

225/19. Dates of Next Meetings –

Planning and Development Committee	11 <sup>th</sup> December 2019
Parish Council	7 <sup>th</sup> January 2020
Leisure and Amenities Committee	15 <sup>th</sup> January 2020
Planning and Development Committee	29 <sup>th</sup> January 2020
Finance and General Purposes Committee	19 <sup>th</sup> February 2020

## KINVER PARISH COUNCIL'S GRIEVANCE 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](https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf) ). It aims to encourage and maintain good relationships between the Council and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
2. Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.
3. This policy confirms:
  - employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for his /her grievance/appeal and to 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 the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the 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 must be agreed by the employee and the Council
  - an employee has the right to appeal against the decision about his/her grievance. The appeal decision is final
  - information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance 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 grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
  - if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure

- if a grievance is not upheld, no disciplinary action will be taken against an employee if he/she raised the grievance in good faith
- the Council may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can use all stages of the grievance procedure If the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the council's grievance procedure (paragraph 4) to deal with all grievance issues, including a complaint about a councillor Employees cannot use the formal stages of the council's grievance procedure for a code of conduct complaint about a councillor. If the complaint about the councillor is not resolved at the informal stage, the employee can contact the monitoring officer of South Staffordshire District Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the council's grievance procedure (see paragraph 5)
- If the grievance is a code of conduct complaint against a councillor, the employee cannot proceed with it beyond the informal stage of the council's grievance procedure. However, whatever the complaint, the council has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns his or her safety within the working environment, whether or not it also concerns a complaint against a councillor, the employee should raise these safety concerns with his or her line manager at the informal stage of the grievance procedure. The council will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

### **Informal grievance procedure**

4. The Council and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with his/her manager to see if an informal solution is possible. Both should try to resolve the matter at this stage. If the employee does not want to discuss the grievance with his/her manager (for example, because it concerns the manager), the employee should contact the Chairman of the staffing committee or, if appropriate, another member of the staffing committee. If the employee's complaint is about a councillor, it may be appropriate to involve that councillor at the informal stage. This will require both the employee's and the councillor's consent.

### **Formal grievance procedure**

5. If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.
6. The staffing committee will appoint a sub-committee of three members to hear the grievance. The sub-committee will appoint a Chairman from one of its members. No councillor with direct involvement in the matter shall be appointed to the sub-committee.

### **Investigation**

7. If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillors or members of the public).
8. The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

### **Notification**

9. Within 10 working days of the Council receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:
  - the names of its Chairman and other members
  - the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 25 working days of when the Council received the grievance
  - the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
  - a copy of the Council's grievance policy
  - confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of his/her witnesses as soon as possible before the meeting
  - confirmation that the employee will provide the Council with any supporting evidence in advance of the meeting, usually with at least two days' notice
  - findings of the investigation if there has been an investigation
  - an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

### **The grievance meeting**

10. At the grievance meeting:
  - the Chairman will introduce the members of the sub-committee to the employee
  - the employee (or companion) will set out the grievance and present the evidence
  - the Chairman will ask the employee questions about the information presented and will want to understand what action does he/she wants the Council to take
  - any member of the sub-committee and the employee (or the companion) may question any witness
  - the employee (or companion) will have the opportunity to sum up the case
  - a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

11. The Chairman will provide the employee with the sub-committee's decision, in writing, usually within five working days of the meeting. The letter will notify the employee of the action, if any, that the Council will take and of the employee's right to appeal.

### **The appeal**

12. If an employee decides that his/her grievance has not been satisfactorily resolved by the sub-committee, he/she may submit a written appeal to the staffing committee. An appeal must be received by the Council within five working days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.
13. Appeals may be raised on a number of grounds, e.g.:
  - a failure by the Council to follow its grievance policy
  - the decision was not supported by the evidence
  - the action proposed by the sub-committee was inadequate/inappropriate
  - new evidence has come to light since the grievance meeting.
14. The appeal will be heard by a panel of three members of the staffing committee who have not previously been involved in the case. 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 Council members who may include members of the staffing committee. The appeal panel will appoint a Chairman from one of its members.
15. The employee will be notified, in writing, usually within 10 working days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 25 working days of the Council's receipt of the appeal. The employee will be advised that he/she may be accompanied by a workplace colleague, a trade union representative or a trade union official.
16. 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 decision of the staffing sub-committee
  - explain the action that the appeal panel may take.
17. The employee (or companion) will be asked to explain the grounds of appeal.
18. The Chairman will inform the employee that he/she will receive the decision and the panel's reasons, in writing, within five working days of the appeal meeting.
19. The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.
20. The decision of the appeal panel is final.



# KINVER PARISH COUNCIL'S 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](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

### **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
  - 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.

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Appendix 2 to the full Parish Council minutes held on the 4<sup>th</sup> November 2019.

Proposed Draft Budget  
2020/2021

	PARISH COUNCIL INCOME	BUDGET	PROPOSED
		INCOME	BUDGET
		2019-20	2020/21
			2% SALARY INCREASE
10	PRECEPT	144709.00	144709.00
14	BURIAL FEES	10225.00	10225.00
15	TOILETS HIGH STREET	1200.00	1000.00
16	DONATIONS	300.00	300.00
19	SUNDRIES	0.00	150.00
22	INTEREST ON NEW RESERVES ACC AT WBROM	10.00	30.00
23	INTEREST BATH BUILDING SOCIETY	250.00	100.00
24	POLICE OFFICE RENT	4000.00	4000.00
		<b>160694.00</b>	<b>160514.00</b>
	<u>EXPENDITURE FOR PARISH</u>	BUDGET	BUDGET
		EXPENDITURE	EXPENDITURE
50	GENERAL ADMIN	2019-20	2020-21
50/1	GA TELEPHONE	2100.00	2100.00
50/2	GA STATIONARY	3950.00	2850.00
50/3	GA GENERAL INSURANCE	3500.00	1940.00
50/4	GA RATES BURIAL GROUND AND WATER RATES	500.00	1200.00
50/5	GA OFFICE ELECTRICITY & GAS	1500.00	1700.00
50/6	GA AUDIT	850.00	850.00
50/7	GA CHAIRMAN'S ALLOWANCE	500.00	500.00
50/9	GA STAFF TRAINING EXPENSES	100.00	100.00
50/25	GA MEMBERS EXPENSES	200.00	200.00
50/47	GA COMPUTER SUPPORT SERVICES / OFFICE EQUIP (2010)	2300.00	2300.00
50/48	GA PHOTOCOPIER	240.00	240.00
50/51	GA ADVERTISING	0.00	0.00
	<b>TOTAL FOR ADMINISTRATION</b>	<b>15740.00</b>	<b>13980.00</b>
52	<b>MAINTENANCE</b>		
52/1	MAINTENANCE TOILETS	2500.00	2500.00
52/6	MAINTENANCE MISC.	6500.00	6500.00
52/7	MAINTENANCE GRASS CUTTING	4240.00	3000.00
52/26	MAINTENANCE PLAY AREA	2000.00	2000.00
	<b>MAINTENANCE TOTAL</b>	<b>15240.00</b>	<b>14000.00</b>
	<u>EXPENDITURE FOR PARISH</u>	BUDGET	BUDGET

		EXPENDITURE	EXPENDITURE
		2019-20	2020-21
54	<b>GRANTS &amp; SUBS EXTERNAL</b>		
54/1	PARISH COUNCIL SUBSCRIPTIONS	500.00	500.00
54/2	SPCA & LCR	700.00	700.00
54/3	GRANTS	8389.00	5434.00
	<b>GRANTS &amp; SUBS TOTAL</b>	<b>9589.00</b>	<b>6634.00</b>
55	<b>CAR PARK RENTAL</b>	<b>575.00</b>	<b>1450.00</b>
57	<b>CHRISTMAS LIGHTS</b>	<b>4500.00</b>	<b>4500.00</b>
58	<b>VEHICLES</b>		
58/1	LEASING	3500.00	3500.00
58/2	FUEL	1400.00	1400.00
58/4	INSURANCE FOR VEHICLE	1050.00	1050.00
	<b>TOTAL FOR VEHICLES</b>	<b>5950.00</b>	<b>5950.00</b>
60	<b>CONTINGENCIES</b>	<b>0.00</b>	<b>0.00</b>
62	<b>HEALTH AND SAFETY AUDIT</b>	<b>0.00</b>	<b>0.00</b>
63'	<b>PROJECTS FOR COMMUNITY FUNDED BY RENT</b>	<b>4000.00</b>	<b>4000.00</b>
100	<b>WAGES / SALARIES</b>		
103/1	SALARIES NET inc pen/Tax/Nl/	79000.00	81400.00
103/3	EMPLOYERS NATIONAL INS.	6000.00	7000.00
103/5	EMPLOYERS PENSION	17000.00	18000.00
103/6	OPENING TOILETS	1100.00	1100.00
	<b>TOTAL WAGES</b>	<b>103100.00</b>	<b>107500.00</b>
101/9	ELECTION EXPENSES	1000.00	1500.00
105	SOLICITORS FEES	1000.00	1000.00
	<b><u>TOTAL EXPENDITURE</u></b>	<b><u>160694.00</u></b>	<b><u>160514.00</u></b>
	<b><u>TOTAL INCOME</u></b>	<b><u>160694.00</u></b>	<b><u>160514.00</u></b>
	<b><u>TOTAL NET BALANCE</u></b>	<b><u>0.00</u></b>	<b><u>0.00</u></b>

Appendix 3 to the full Parish Council minutes held on the 4<sup>th</sup> November 2019.

**Accounts for payment 4th December 2019**

<b><u>Chg No</u></b>	<b><u>Accounts for payment</u></b>		
	Kinver Edge Farm		
405615	Shop	January	160.00
405616	Petty Cash	December	120.14
SO	Barclays Bank	Charges November	7.75
SO	Barclays Bank	Charges October	8.80
SO	Amazon	5 x Xmas Trees	44.50
SO	Archer Signs	Signs for KSCA car park	118.74
SO	Christmas Direct	Additional lights	117.88
SO	Dyno Rod	Clearing High Street toilets	96.00
SO	ESPO	Supplies	119.30
SO	Inland Revenue	Payment	1428.64
SO	J R K	Stationary	71.61
SO	R H Electrical	Christmas Lights work	3210.00
SO	Screwfix	Supplies	37.46
SO	SSDC	Election recharge	4181.68
SO	SCC	Pensions	2043.39
SO		September	338.11
SO	SCC	October	349.38
SO	SCC	Recharge for van fuel and broken parts for MOT	224.98
SO	Swinford Insurance	Additional weeks insurance for hire vehicle	112.81
SO	Swops	October	162.51
SO	Viking Direct	New shredder and stationary	410.21
SO	Waterplus	Toilets	85.90
SO	Wix	Annual charge for domain registration	144.72
			<b>13594.51</b>

**List of Monthly Direct Debits**

DD	SSDC	CR Rates	47.00
DD	Utility Warehouse	Garage electricity	15.52
		95 High Street Gas and electricity and mobile	
DD	Utility Warehouse	phone	169.02
DD	Utility Warehouse	Kinver Edge Toilets	10.79
DD	Utility Warehouse	High Street Toilets	41.51
DD	Salaries		5330.67

**Total 5614.51**

**Total Expenditure 19209.02**

**Receipts**

Burial Fees		1210.00
Toilet income		20.00
Barclays	Loyalty payment	1.76
VAT		1599.19