

Employment Policy

Contents

Equality Statement	Page 2
Recruitment and Appointments	Page 2
Performance Appraisals and Personal Development Plan	Page 2
Salary Reviews	Page 3
Disciplinary Procedure	Page 3
Grievance Procedure	page 6

Equality Statement

Brundall Parish Council is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.

All employees, whether part-time, full-time, permanent or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the company.

Our commitment is to:

- create an environment in which individual differences and the contributions of all our staff are recognised and valued;
- a working environment that promotes dignity and respect to all employees. No form of intimidation, bullying or harassment will be tolerated;
- train, develop and make available progression opportunities to all staff;
- equality in the workplace as good management practice and sound business sense;
- review all our employment practices and procedures to ensure fairness;
- treat breaches of our equality policy as misconduct and reason for disciplinary proceedings;
- monitor and review this policy annually.

Recruitment and Appointments

Vacancies for Staff shall be advertised upon the Notice Boards and the website. Adverts for a Clerk to the Council shall also be sent to the Norfolk ALC website.

The Staffing Committee will interview candidates. A final decision rests with the full Council upon the recommendations of the Staffing Committee.

Performance Appraisals and Personal Development Plan

Performance Appraisals and personal development plans shall be conducted annually in August. The Staffing Committee shall carry out the review.

Salary Reviews

Revision of employees' salaries and hourly payment rates shall be made by the Staffing Committee with recommendations to the full Parish Council as below stated:

- a) the review of all salaries being carried out in October and/or November of each year;
- b) budgetary provision being made for all salary increases in the Parish Council Precept
- c) all salary increases being paid on or after 6th April each year.
- d) In the case of a member of staff fulfilling a condition for a salary increase this shall be paid upon meeting the requirement as stated in the contract.

Disciplinary Procedure (Employer)

Brundall Parish Council recognises that good management can prevent the development of disciplinary problems. However, when such problems arise, the Council will deal with the matter fairly and in accordance with this Disciplinary Procedure.

Any complaint or allegation regarding the conduct of an employee shall, in the first instance, be referred to the Clerk to the Council who will determine the gravity of the conduct and take appropriate action;

Examples of Misconduct (Staffing Committee)

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct:

- 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 (Staffing Committee)

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;

- Acts of bullying, discrimination and/or harassment on the grounds of race, religion, age
- Acts of incitement of bullying, discrimination and/or harassment on the grounds of race, religion, age
- Incapacity at work because of alcohol and/or drugs
- Violent behaviour
- Fraud or theft
- Gross negligence
- Gross insubordination
- Serious breaches of health and safety rules

- Serious and deliberate damage to property
- Use of the internet or email to access pornographic, obscene or offensive material
- Disclosure of confidential information

Examples of unsatisfactory work performance (Clerk to Council)

The following list contains some examples of unsatisfactory work performance;

- Inadequate application of office procedures
- Inadequate IT skills
- Unsatisfactory management of staff
- Unsatisfactory communication skills

In the event of disciplinary action against the Clerk to the Council, the Staffing Committee will undertake an investigative procedure

In the event that there is a suspension of the Clerk to the Council, the Deputy Clerk and/or RFO shall assume the role of the Clerk to the Council until the procedure is completed.

During any informal discussion, the Clerk to the Council will point out any shortcomings and encourage improvement.

Where the facts of the case appear to call for disciplinary action, the Clerk to the Council will decide whether the misdemeanour amounts to misconduct or gross misconduct. The appropriate procedure will then be followed.

If the outcome of the informal discussion is that an improvement is required, the employee will be advised that they are being given a verbal warning.

It is important that the employee knows how conduct will be reviewed and over what period. In addition, they must be made aware of the consequences of a lack of improvement or if further misconduct occurs.

A note giving details of the verbal warning will be retained on file and a copy given to the employee who should confirm its receipt in writing.

If no further disciplinary action is required within 6 months of issuing the verbal warning, the note should be removed from file.

The employee shall be advised in writing of their right of appeal to the Council's Staffing Committee.

If the outcome of an informal discussion is that a serious offence has occurred, or there has been no improvement following a verbal warning, the employee will receive a formal written warning from the Clerk to the Council.

The written warning will set out the nature of the offence, the improvement required, a timescale where applicable and the consequences of no improvement or further misconduct.

A note giving details of the formal written warning will be retained on file and a copy given to the employee who should confirm its receipt in writing.

If no further misconduct relative to the same warning occurs and the improvement required

is sustained, then the note will be removed from the employee's file at the end of 9 months.

The employee shall be advised in writing of their right of appeal to the Council's Staffing Committee.

If there has been no improvement following a written warning, or the misconduct is sufficiently serious to warrant only one written warning, the employee will receive a final written warning from the Clerk to the Council.

The warning will detail the misconduct, warn the employee that dismissal will result if there is no satisfactory improvement, giving a time scale if necessary, and notify them of the right of appeal to the Council's Staffing Committee.

If no further misconduct relative to the same warning occurs and the improvement required is sustained, then the note will be removed from the employee's file at the end of 12 months.

The Clerk to the Council shall notify the Council of any final written warnings given.

If there is no improvement following a final written warning, the Clerk to the Council shall notify the Council who shall instruct the Clerk to the Council to convene a meeting of the Staffing Committee.

Following the recognised agenda for such hearings, the Staffing Committee shall consider the cases of both the Clerk to the Council and the employee.

Any employee of the Council attending such a hearing may be accompanied by a representative of the trade union to which they belong (who may or may not be a work colleague) or by a work colleague, friend or adviser not acting in a legal capacity.

The Staffing Committee shall decide "in camera" whether dismissal is justified and will communicate the decision to the parties concerned verbally after the close of the meeting should the parties so wish.

In the event of the Staffing Committee being unable to make the decision (eg because of the Committee's need to seek further advice), the reason for not reaching a decision shall be conveyed in writing to the parties concerned.

In any event, the decision of the Staffing Committee will be conveyed in writing within 5 working days.

If the employee wishes to appeal against the decision of the Staffing Committee, they must do so in writing to the Chairman of the Council within 21 working days of the date of the decision notice.

On receipt of such notice of appeal, the Chairman of the Council shall instruct the Clerk to the Council to convene a meeting of the Staffing Committee within 10 working days. The Staffing Committee will consider the case according to this Procedure and will communicate their decision in writing to the parties concerned.

The decision of the Staffing Committee shall be final, except in the case of dismissal of the Clerk to the Council which has to be referred to the full Council for a final decision.

Gross Misconduct

Where the Clerk to the Council concludes that the misdemeanour amounts to gross

misconduct, the Council shall immediately be informed and the Council shall decide whether the employee will be suspended on full pay while the matter is investigated.

The Council shall convene a meeting of the Staffing Committee who shall consider the case as if at the stage of a final written warning.

The employee may appeal to the Staffing Committee, whose decision shall be final.

Grievance Procedure (employee)

Brundall Parish Council recognises the need for a fair, speedy and consistent process for any employee of the Council to raise a grievance in connection with their employment and will seek to resolve any matters arising from such a procedure.

Any employee must first raise their grievance verbally or in writing with the Staffing Committee.

The Staffing Committee shall attempt to resolve the matter by informal discussion and respond to the employee as soon as possible, within five working days at a maximum. The response to a written request shall be in writing and a copy kept by the respondent who will also keep a note of any verbal grievance aired and response given.

In the event of a grievance against the Clerk to the Council, an employee may raise the matter informally with the Chairman of the Staffing Committee who shall attempt to resolve the matter and communicate their response in writing to the parties concerned.

It is expected that most grievances will be resolved at the informal stage and it may be necessary to repeat the procedure to reach a satisfactory conclusion for all concerned.

Where it becomes evident that the matter cannot be resolved informally, an employee can instigate the formal procedure.

An employee must submit their grievance in writing to the Chairman of the Staffing Committee who shall instruct the Clerk to the Council to convene a meeting of the Staffing Committee within 10 working days. The press and the public shall not be admitted to the meeting.

Following the recognised agenda for such hearings, the Staffing Committee shall consider the cases of both the employee and the person who has sought to resolve the matter and shall ask such questions of the parties concerned as the Committee deems necessary.

Any employee of the Council attending such a hearing may be accompanied by a representative of the trade union to which they belong (who may or may not be a work colleague), or by a work colleague, friend or adviser not acting in a legal capacity.

The Staffing Committee will seek to reach a decision "in camera" and communicate the decision to the parties concerned verbally after the close of the meeting if the parties so wish.

In the event of the Staffing Committee being unable to make the decision (eg because of the need to seek further advice), the reason for not reaching a decision will be conveyed to all parties concerned.

In any event, the decision will be conveyed in writing within 7 working days.

If the complainant wishes to appeal against the decision of the Staffing Committee, then they must do so in writing to the Chairman of the Staffing Committee within 10 working days of the date of the decision notice.

On receipt of such notice of appeal, the Chairman of the Staffing Committee shall instruct the Clerk to the Council to convene an extraordinary Meeting of the Parish Council within 10 working days. The Council shall consider the case and communicate its decision in writing to all parties concerned.

The decision of the Parish Council shall be final.

Should the complainant still not be satisfied, employment arbitration can be sought at the suggestion of either party.