

**MINUTES of the Staffing & Resources Committee of Melksham Without Parish Council held on Monday 26<sup>th</sup> June 2017 at Crown Chambers, Melksham at 7.00 p.m.**

**Present:** Cllrs Richard Wood (Council Chair), Alan Baines and Nick Holder

Officers: Teresa Strange (Clerk) and Jo Eccleston (Parish Officer).

- 109/17 **Apologies:** Cllrs. Terry Chivers and John Glover who are on holiday and Cllr. Kaylum House who had an appointment which had been booked prior to this meeting being scheduled. The Council approved these reasons for absence. It was noted that as this committee had six members that three members present was quorate.
- 110/17 **Housekeeping & Announcements:** Cllr. Wood welcomed all to the meeting and explained the evacuation procedures in the event of a fire.
- 111/17 **Election of Chair of Staffing Committee:** Cllr. Wood invited nominations for the Chair of the Staffing Committee for 2017/18. Cllr. Wood proposed, seconded by Cllr. Holder that Cllr. Alan Baines was elected as Chair of the Staffing Committee. **Resolved:** *The Council unanimously resolved that Cllr. Baines be Chair of the Staffing Committee for 2017/18.*
- Cllr. Baines took the Chair.*
- 112/17 **Election of Vice-Chair of Staffing Committee:** Cllr. Baines invited nominations for the Vice-Chair of the Staffing Committee for 2017/18. Cllr. Wood proposed, seconded by Cllr. Baines that Cllr. Nick Holder was elected as Vice-Chair of the Staffing Committee. **Resolved:** *The Council unanimously resolved that Cllr. Holder be Vice-Chair of the Staffing Committee for 2017/18.*
- 113/17 **Declarations of Interest:** The Clerk and the Parish Office declared an interest in all items related to them as staffing members.
- 114/17 **Items to be held in Committee:** **Resolved:** *Agenda items 13b, 13c & 13d to be held in Committee in line with Standing Order 61: "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.*
- 115/17 **Public Participation:** There were no members of the public present.
- 116/17 **Terms of Reference:** The Committee noted the Terms of Reference for the Staffing and Resources Committee adopted at the Annual Council Meeting on 15<sup>th</sup> May, 2017.
- 117/17 **Minutes of Last Staffing Committee Meeting:** The Minutes of the Staffing Committee meeting held 30<sup>th</sup> January, 2017 and an extract of the Full Council

Meeting held 6<sup>th</sup> March, 2017 (Min.389/16) were noted. These gave background information and context with regard to staff sickness and the Clerk's contractual hours.

*Agenda item 13 was brought forward and held in Committee in line with Standing Order 61.*

#### 118/17C Staff Contracts:

- a) **Rewording of Contracts:** On advice from the Parish Council's Insurance company's HR advice line (rradar), it had been identified that the wording of employment contracts needed to be updated. Councillors noted that Staff contracts could be amended by inserting a clause into the existing contract, but that there was a procedure to follow. **Recommended: 1.** *The Parish Council vary the contracts of employment for existing staff and the wording of contracts for any future employees by removing the word "MINIMUM" with regard to the notice period. 2.* *The Parish Council undertake a Staff Consultation on this change to last one week.*
- b) **Clerk's Pattern of Working Hours:** The Clerk explained that following the increase in her contractual hours from 25 hours per week to 37 hours per week (as resolved under Min.389/16c), she had been analysing her pattern of working hours and recording those hours worked over and above 37. It was noted that there was now a meeting on most Monday evenings, which the Clerk was contractually obliged to attend. It was noted that the Clerk was the only member of staff who worked on a Friday and that the office was not open to the public. The Committee discussed how this pattern of working, most specifically on a Monday would affect the Clerk's holiday pay and sick pay It was noted that this could be an issue for other clerks who also worked more hours on a particular day of the week due to the contractual requirement of attending all meetings. **Recommended:** *The Clerk to seek advice from other Clerks and query how they record and breakdown their weekly hours, and how this is reflected within their holiday and sick pay.*
- c) **Staff Sickness:**
- i) **Forthcoming Staff Sickness:** The Committee noted that the Clerk was due to have a minor knee operation on Thursday 20<sup>th</sup> July, and hoped to be back to work on Monday 24<sup>th</sup> July.
- ii) **Advice Relating to Paid/Unpaid Leave for Hospital Appointments:** At the Staffing Meeting held on 30<sup>th</sup> January 2017, the Clerk had sought guidance on whether sick pay was to be paid to cover the time off taken to attend hospital appointments. The Recommendation made under Min.344/16b) "The Council expect staff to either make the time up, take as holiday or unpaid leave any time taken off for GP/dentist/hospital appointments unless there are extenuating circumstances such as the appointment is for screening for the recurrence of a life threatening illness" was not approved by Full Council on 6<sup>th</sup> March and was deferred pending further investigation. The Clerk had undertaken further research from the SLCC (Society of Local Council Clerks) and the policies of other Councils. It was noted that if a member of staff was a full time employee that they were unable to attend medical appointments, unless the establishment offered out of office hours appointment times, which some dentists and GPs do. It was acknowledged that due to waiting times for some hospital and consultant appointments that it was difficult for staff members to renegotiate the dates

and times that they were given. It was considered that having time off for medical appointments, and whether this was paid or unpaid, should be a discretionary matter. The policies of other Councils state that where possible medical appointments should be made outside of normal working hours, and that if this is not possible then this time off is granted at the discretion of the Line Manager. **Recommended:** *The Staff Sickness Policy to read "The Council expect staff to either make the time up, take as holiday or unpaid leave any time taken off for GP/dentist/hospital appointments unless there are extenuating circumstances, in which case this will be at the discretion of the Line Manager, and in the case of the Clerk will be at the joint discretion of the Council Chair and the Chair of the Staffing Committee".*

**iii) Return to Work Interview for Member of Staff on Long Term Sick:** The Clerk reported that she had carried out a back to work interview on Friday 23<sup>rd</sup> June, 2017, with a member of staff who had been off sick since February of this year. The Clerk discussed with the member of staff what she could and could not do with regard to her duties, and the member of staff reported that she was fine and pleased to be back at work.

**d) Apprentice:**

**i) Progress of Apprentice Parish Officer:** The Clerk reported that the Apprentice Parish Officer's Assessor from the new training provider, Lifetime Training, is extremely impressed with the Apprentice Parish Officer. She reported that at this point in the course most learners are 25% through the course, but that the Apprentice Parish Officer has completed 55% of the course work. The Apprentice Parish Officer is ahead of schedule with only two more modules to complete, with existing staff members being able to write witness statements for some of the criteria required.

**ii) Rate of Pay for Apprentice Parish Officer when Covering Additional Hours as Staff Cover:** The Clerk and the Parish Officer both reported that following the resignation and gardening leave of the Finance Assistant, that the Apprentice Parish Officer had risen to the challenge and had been undertaking extra duties. She had been very supportive and was enjoying the extra responsibility, and had indicated that she was willing to undertake additional hours to help out. The Committee were happy that she worked additional hours on the proviso that this did not impinge on her ability to undertake and complete her apprenticeship. It was also felt that as any additional hours would not form part of her apprenticeship programme that a separate contract should be drawn up and that any additional hours should be paid at the National Living Wage rate for an employee of her age. Additionally, it was considered that the Lone Working Policy should be reworded to reflect staff members working in the office on their own on days when the office was not open to the public. **Recommended: 1.** *The Apprentice Parish Officer to be asked to do an additional 2 hours a day, Monday to Thursday. 2. A new employment contract is drawn up for these additional hours and the rate of pay to be the National Living Wage for an employee of the Apprentice Parish Officer's age. 3. The new contract to commence after the Apprentice Parish Officer's annual leave in July and to continue until a new Finance Assistant starts, to then be reviewed. 4. The Lone Working policy wording to be amended to reflect lone working practices when the Council office is not open to the public.*

e) **Recruitment:**

- i) **Job Description and Person Specification for Finance Assistant and Allotment Warden:** It was noted that the Staffing Committee had delegated powers under Min.107/17c) to appoint a Finance Assistant and Allotment Warden. The Committee reviewed the indicative timeline for advertising these two roles, shortlisting candidates for interview, carrying out interviews and potential selection and start dates. The existing job descriptions and person specification for both of these roles were reviewed. **Resolved:** *The existing job description and person specification for both the Finance Assistant and Allotment Warden were approved.*
- ii) **Advertisement of Vacancies:** It was noted that if job vacancies were advertised in the Melksham News that they could also be advertised in one of the sister publications for half the cost of the initial advert. The Melksham News had sister publications in Westbury and Frome. It was felt that Frome was probably too far away geographically to interest potential applications in a part time position, however, the Council had previously been interest from applicants living in and around Westbury. It was considered that only the Finance assistant vacancy should be advertised in both the Westbury paper, White Horse News and the Melksham News, with the Allotment Warden Vacancy being advertised in just the Melksham News. This would cost £99.00+VAT per advert in the Melksham News and £49.50+ Vat in the White Horse News, a total cost therefore of £247.50+VAT. Advertising the Wiltshire Times was discounted as the cost for this was £836.00+VAT. Wiltshire Council charge £99.00+VAT to advertise on their job website, and it was agreed that this would go out to wide audience, particularly to those people looking for “school hours” jobs. It was noted that both vacancies could also be advertised on the Parish Council website, noticeboards, and social media for free. **Resolved: 1.** *The position of Finance Assistant to be advertised in the Melksham News at a cost of £99.00+VAT and in the White Horse News at 49.50+VAT, and the position of Allotment warden to be advertised in the Melksham News at £99.00+VAT. 2.* *The position of Finance Assistant to be advertised on Wiltshire Council Job Vacancies Website at a cost of £99.00+VAT. 3.* *Both positions to be advertised Parish Council website, noticeboards, and social media for free.*
- iii) **Shortlisting Panel and Interview Panel:** **Resolved:** *Closing date for submission of applications to be Friday 14<sup>th</sup> July at 12.00 noon, with the selection panel shortlisting candidates on the afternoon of Friday 14<sup>th</sup> July at 1.00pm. Interviews for the position of Finance Assistant to be held on the evening of Tuesday 18<sup>th</sup> July from 6.00pm onwards, and for the position of Allotment Warden on the afternoon of Wednesday 19<sup>th</sup> July from 3.00pm onwards. The Clerk and Cllrs. Wood and Holder to be on the selection panel and the Clerk and Cllrs. Wood and Baines to be on both interview panels.*

119/17 **Staff & Member Training:**

- a) **Training Log:** The Committee noted the training log and that not only was it diverse, but that it also covered volunteers as well as staff and members. Of particular note was the fact that members of the CAWS CEG (Community Action Whitley Shaw Community Emergency Group) had attended emergency training delivered on by BOACEV (Bradford-on-Avon Community Emergency

Volunteers). The Clerk clarified that the outgoing Finance Assistant did not have any training costs to repay as this was only a requirement if any course costs were £1,000 or above.

- b) Requests for Future Training:** The Committee noted the Training Budget for 2017/18 of £500 for Staff and £1,000 for Councillors. It was noted that the requests for training were higher for staff than councillors and some funds could be vired between the two budget headings and supplemented from the Staffing Contingency Reserve if needed.
- (i) It was noted that under Min.341/16 the Council had approved that the Parish Officer could undertake the **ILCA** (Introduction to Local Council Administration) course at a cost of £99.00+VAT. The Clerk informed that the Parish Officer was now booked onto this course and that the cost for this course had been approved in the last financial year, but would be paid for in this financial year.
  - (ii) The Clerk explained that as of 25<sup>th</sup> May, 2018 a new Data Protection Act would become law, the **General Data Protection Regulation (GDPR)**. The legislation will be much more robust with high fines for organisations that breach the legislation, particularly in the voluntary sector, and Clerks have asked for assistance with the introduction of this new law from the SLCC. There is some forthcoming SLCC Webinar training on this subject on Wednesday 5<sup>th</sup> July at a cost of £25+VAT, which both the Clerk and the Parish Officer could sit in on. **Recommended:** *The Clerk and the Parish Officer undertake the SLCC Webinar training on the new General Data Protection Regulation on Wednesday 5<sup>th</sup> July at a cost of £25+VAT.*
  - (iii) The Clerk attended the **SLCC Regional Training Seminar** last year and found it to be an extremely useful event; she found the specialist solicitors that the Parish Council now use to negotiate the Council's position in S106 Agreements, as well as identifying specific accountancy software packages for Councils, investment options and advice from English Heritage on how to register the Roll of Honour in Whitley Reading Rooms as a War Memorial. She requested that she go again this year at a cost of £69+VAT. **Recommended:** *The Clerk attend the SLCC Regional Training Seminar at a cost of £69+VAT.*
  - (iv) The Clerk explained that she had been on a waiting list for an SLCC Health, Safety & Wellbeing Course for 3 years. She is regularly asked to approve event management plans and risk assessments by groups hiring the Parish Council's facilities and Sports Fields. She did this based on experience and common sense rather than having any formal qualification. She advised that there was a four day **IOSH Managing Safely Course** being held at Trowbridge Rugby Club in September for £395+VAT. The Committee considered that training in this area would be prudent and this course provided a certificate of competence from a recognised body. **Recommended:** *The Clerk attend the four day IOSH Managing Safely Course at Trowbridge Rugby Club, 18<sup>th</sup> to 21<sup>st</sup> September at a cost of £395+VAT.*
  - (v) It was noted that the Parish Caretaker last did a **"Working Safely Course"** in 2013, and that a refresher course was now due. It was considered that this was not just about his own safety but also the safety of members of the public. **Recommended:** *The Clerk to investigate possible Working Safely*

*Courses for the Parish Caretaker and the Allotment Warden, once appointed.*

- (vi) **Emergency first aid at work:** It was noted that the Clerk and the Parish Officer are the Parish Council's trained first aiders and that their certificates run out in January 2018. A discussion took place over whether an external first aid training company could hire the Bowerhill Sports Pavilion and run a course from this venue that the Officers could attend. Prices had been obtained from a couple of providers at £95 each and **Recommended:** *The Officers to look into the most appropriate First Aid training package for the Clerk and the Parish Officer to undertake before their certificates run out.*
- (vii) **SLCC How to promote Your Assets, Venues & Facilities Course:** It was noted that one of the Council's objectives for 2017/18 is the promotion of the facilities at the Bowerhill Sports Pavilion. It was considered that there would be more value in advertising this facility in the press rather than the officers attending this course.
- (viii) **SLCC Transfer of Community Assets Course:** It was noted that as the Parish is due to have two new community buildings provided by developers of recently approved planning applications in Berryfield and the East of Melksham, that this would be a very useful course for the Clerk to attend, however there are no published dates at the moment.
- c) **WALC (Wiltshire Association of Local Councils) New Councillor Training:** It was noted that this would be useful for new members and covered Roles & Responsibilities, Law and Procedures. A discussion took place over whether councillors from the Town Council or other local Parish Councils may also be interested, in which case WALC may bring the training to the Parish Council and the cost could be shared. Cost of £250 + VAT for 1-10 councillors and £350 + VAT for 11-20 councillors plus travel expenses. Alternatively Councillors could attend a scheduled training session run by WALC at £35 each + VAT **Recommended:** *The Officers explore the possibility of other councillors on councils in the Melksham Community Area would be interested in attending this training with a view to this being held at Crown Chambers.*
- d) **WALC (Wiltshire Association of Local Councils) Chairmanship Training:** It was thought that this would be useful for Chairs of Committees and aspiring Chairs, and for future succession planning. **Recommended:** *The Council offer its members the opportunity to attend this training if desired.*
- e) **Planning Negotiations Training:** The Clerk reported that the Town Council Officers had attended this training and had found it extremely useful. As the Parish Council had already negotiated with developers on community benefits for S106 Agreements and would continue to do so in the future, it was considered that all the councillors would benefit from this training, not just the Officers. WALC were not planning on running this training again this year, however, the trainer, Dr. Andrea Pellegram, ran her own training sessions and would come out to a venue of choice to deliver the programme. A half day or evening course of 2 – 2 ½ hours cost £350 plus expenses (excl. VAT). **Recommended:** *The Council commission Dr. Andrea Pellegram to deliver the "Negotiating a Better Outcome in Planning" course at Crown Chambers on a free Monday evening for all Councillors and Officers to be trained in house at a cost of £350 plus expenses (Excl. VAT).*
- f) **Finance & VAT Training Course:** It was considered that any newly appointed Finance Assistant would need to be in post for some time before going on any

Finance or VAT Training Course in order to fully understand the Parish Council's Financial Regulations and Procedures to be able to benefit from the course.

- 120/17 **Policies:** The Committee reviewed some of the Parish Council's existing policies and looked at the policies of three other councils all of whom have experienced Clerks who advise the SLCC.
- a) **Dignity at Work/Bullying and Harassment Policy:** The Clerk had researched policies from other Council for the Committee to review, but it was noted that one of the policies appeared to have pages missing. **Recommendation:** *This policy to be deferred to a future meeting.*
  - b) **Health & Safety Policy:** The Committee reviewed the Parish Council's existing Policy and looked at the Health & Safety Policy of the other councils. **Recommended:** *The Council use the Warminster Town Council Health & Safety Policy as a template and update with Melksham Without Parish Council information, to include the Fire Procedures.*
  - c) **Pension Policy:** The Clerk explained that the Melksham Without Pension Policy was very outdated and referred to legislation that had now been superceded. The committee considered the Pension Policy of other councils. **Recommended:** *The Council use the Warminster Town Council Pension Policy as a template excluding the date specifics.*
  - d) **Disability Equality Policy:** It was noted that the Equality Act 2010 consolidated all the previous Acts and Regulations which made up all the anti-discrimination laws into one new piece of legislation, and therefore the Parish Council's Disability Equality Policy was outdated. The Committee considered the Equal Opportunities Policies of other councils. **Recommended:** *The Council adopt the Warminster Town Council Equal Opportunities Policy as a template, omitting the second sentence of point 7.2.*
- 121/17 **Health & Safety:**
- a) **Health & Safety Log:** The members noted the Health & Safety Log and that the Apprentice Parish Officer checks the emergency rear fire escape prior to every Monday Evening meeting.
  - b) **Review of Recent Fire Drill:** The Committee noted that the recent Fire Drill held on the evening of the last Full Council Meeting on 19<sup>th</sup> June, 2017 had gone well. On the evening there were officers, council members and members of the public present in Crown Chambers. Everyone evacuated the building safely via the rear fire escape and through the gardens of Crown House, mustering on the steps of the Town Hall due to the Market Place construction works. It took 6 mins in total for everyone to reach the Town Hall, however, the Parish Officer and the Chair who were leading the evacuation took 3 mins. The Clerk raised concerns that the front party were too far ahead of the rear and that there was no procedure to check that those at the rear had actually managed to evacuate the building. It was considered that a "runner" was required to go between each group to ensure that the front group are informed that all those present have evacuated the building. It was noted that if someone had accessed the office using the stairlift that a member of staff would stay with them in the building until they could be reached by the Fire Service. It was additionally noted that there were numerous trip hazards in the gardens of Crown House, which whilst fully visible on a light summer evening may prove to be more of an issue and challenge on a dark winter's evening. As such a fire drill in the dark winter

months using torches was required. **Recommendation:** *The Council to carry out a fire drill in the dark winter months and nominate someone at the commencement of the drill to be a runner for the evacuation.*

- c) **Crown Chambers Fire Risk Assessment:** It was noted that two years ago an independent fire risk assessment was carried out at Crown Chambers and the Clerk had written to the Landlord outlining the risks and concerns that were highlighted from that assessment. It was noted that the Landlord had addressed most of these issues and that out of date fire extinguishers in the communal areas had just been replaced.
- d) **Annual Service of Portable Firefighting Equipment at the Bowerhill Sports Pavilion:** It was noted that the fire extinguishers at the Pavilion had been inspected and the Parish Council had been issued with a certificate of maintenance in accordance with British Standard BS5306:2003 by Radcliffe fire protection.
- e) **Service of Automatic Fire Alarm and Detection System at Bowerhill Sports Pavilion:** It was noted that the six monthly service of the automatic fire alarm and detection system to comply with British Standard BS5839 Part:1 2003, and the service of the emergency lighting system to comply with British Standard BS5226 had been carried out by Radcliffe fire protection.
- f) **Internal Interim Inspections at the Bowerhill Sports Pavilion:** The Committee noted the weekly report on checks carried out at the Pavilion by the Parish Caretaker.
- g) **Display Screen Equipment (DSE) Risk Assessments:** It was noted that the office staff had carried out DSE risk assessments. It had been approved under Min.056/17b)1) for the purchase of 3no larger computer screens for the office staff.

#### 122/17 Staff Pension:

- a) **Wiltshire Pension Fund Employer Update:** The Committee noted the Wiltshire Pension Fund Employers Newsletters for March 2017 and June 2017.
- b) **Wiltshire Pension Fund on “Ill Health Retirement”:** The committee noted correspondence which informed that the Wiltshire Pension Fund had changed its approach to ill health early retirement benefit and the strain that this puts the Fund under. They have insured this additional strain cost for a group of employers which include Town and Parish Councils. There will be no additional cash cost for Fund employers, the cost of the insurance will be met within the current employer contribution rate.
- c) **Wiltshire Pension Fund Internal Pension Dispute Resolution Procedure (IDRP):** Correspondence had been received from Wiltshire Pension Fund requesting that the Parish Council supply the fund with a named adjudicator should employees have a pension dispute. It was noted that this was a legal requirement. The correspondence informed that Wiltshire Council use Barry Mack at Muse Advisory as their adjudicator. The Committee considered that they should use the same adjudicator as Wiltshire Council. **Recommended:** *The Parish Council reply to Wiltshire Pension Fund stating that they wish to use Barry Mack at Muse Advisory as their nominated adjudicator.*
- d) **Wiltshire Pension fund “Investment Strategy Statement”:** The Committee noted this document.

123/17 **Resources:**

- a) Bowerhill Villager Printer:** The members noted that as the Bowerhill Villager had produced its last publication it was now looking for a home for its printer/photocopier as it had to be moved from its current location. The parish Council had been asked whether it would store this printer in case anyone came forward wishing to take over the Villager. It was noted that only one person had come forward offering to do some typing, no one had come forward who was prepared to take on the role of editor. The Committee did not want to take on the responsibility of this printer as it had nowhere to store it. ***Recommendation:*** *The Council do not store the Bowerhill Villager printer/photocopier.*
- b) Correspondence from Knorr-Bremse:** The Committee noted a letter of thanks from Knorr-Bremse for the Parish Council allowing them to use the Bowerhill sports pavilion car park during a week of their company's celebrations. They had stated that the Parish Council could contact them if they required any assistance in the future, and it was considered that the favour could be returned if additional parking was ever required for an event being held at the Sports Field.

Meeting closed at 9.55pm

Chairman, 17<sup>th</sup> July, 2017