

**MINUTES of the Staffing & Resources Committee of Melksham Without Parish Council held on Monday 30<sup>th</sup> January 2017 at Crown Chambers, Melksham at 8.20 p.m.**

**Present:** Cllrs Richard Wood (Council Chair), Jan Chivers (Committee Chair), John Glover, Mike Sankey, Alan Baines, Terry Chivers and Pat Nicol.  
Officers: Teresa Strange (Clerk)

**Apologies:** There were no apologies.

- 335/16 **Declarations of Interest:** The Clerk declared an interest in agenda item 4 as it related to staffing matters.
- 336/16 **Items to be held in Committee: *Resolved:*** *Agenda items 6c, 7a, 10, 11a & b 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;
- 337/16 **Public Participation:** There were no members of the public present.
- 338/16 **Review of Pay Scale Points:**
- a) **NJC (National Joint Council) Review of Pay Spines:** The Clerk advised that as part of the Local Government pay agreement for 2016-18 it was proposed that a joint review of the national pay spine would be carried out. The main reason for this was the introduction in April 2016 of the new National Living Wage (NLW), which impacted on the lower points in the pay spine. This is still ongoing, with a conclusion hoped for by the end of June 2017.
- b) **Previous Scale Point Review:** Members noted the set of Minutes from the last Staffing Committee meeting held on Monday 27<sup>th</sup> June 2016 when adjustments were made to the salary scale points of the Parish Officer, Finance Assistant and Parish Caretaker to reflect the loss of differential between those scale points and that of the office cleaner position at the NLW. (*Min 085/16C*). At that point the Clerk's salary review was scheduled to take place following the Clerk's appraisal due in October but had not yet taken place. The members noted the staff that were currently on National Minimum Wage and the National Living Wage.
- It was agreed to move to the next Agenda Item, Staff Appraisals, before making recommendations on any Salary Scale Point changes.
- 339/16 **Staff Appraisals:** The Clerk reported on the Staff's Appraisals that had recently taken place. The Staffing Chair also suggested that the Council think about holding Councillor appraisals in the future, and the Clerk expanded on that to emphasise that training was also very useful to have, not just for new councillors. Councillors need to be aware of what responsibility and duties they have and not just be informed by the Clerk of these tasks/roles as this can be when cases of fraud occur. It was noted

that all employees had raised in their appraisals that time management was an issue; it was recognised that this was mainly attributed to the increase in workload generated from the Neighbourhood Plan and the taking on of additional duties and devolved service of roles and services previously carried out by Wiltshire Council.

- a) **Parish Caretaker:** It was noted that the Caretaker's Job Description needs updating to include the responsibility for the Wiltshire Council play areas that the Parish Council now has taken devolved service for. The only more unpleasant tasks that the Caretaker does (when asked) is the amount of dog mess and nappies removed from bins in the play areas and this has been included in the specification for the new grasscutting and maintenance contract. He does use gloves when emptying bins and uses tongs, and in the almost 10 years that he has been working for the Council has only seen a used needle once. The Caretaker and Clerk discuss bigger tasks or tasks that are not suitable for someone on their own, and as an example a couple of these items have recently been quoted for such as cutting down overhead branches at the allotments and removing tree saplings at a Play area.
- b) **Office Cleaner:** The Cleaner had found difficulties in cleaning the offices on a Wednesday morning. In the past, the office would be empty at that time, now 3 staff work in the office on Wednesdays and often meetings are held as it's a day the office is not open to the public. Not only was the Cleaner finding it difficult as she stopped hoovering when staff were using the phone etc, but it also meant that desks couldn't be cleaned as they were occupied. A trial is starting with the cleaner now coming on a Friday, to see if that worked better although this too is another day when meetings are held or no one is in the office and then the cleaner bears the responsibility of checking that the office is left secure for the weekend. At the moment, it has been agreed between the Parish Council and the Office Cleaner, that a trial period of flexible working is being undertaken with the cleaner coming in on a Friday, or alternatively on a Wednesday dependent upon the office activities and meeting schedules.
- c) **Parish Apprentice:** It was noticed that the Apprentice had grown with confidence and had recently attended Assertiveness Training, was answering the 'phone confidently and advising residents directly where appropriate. She had also recently met with the Apprentice from a neighbouring business undertaking the same course to "buddy" and find out more about their Learning Provider as the Parish Council are currently sourcing a new one.
- d) **Finance Assistant:** The Finance Assistant had now been with the Council for almost a year and was personally moving through her AAT accounting qualifications. She was undertaking the tasks outlined in the Job Description.
- e) **Parish Officer:** It was noted that the Parish Officer had really grown into the role over the last 6 months and was taking the responsibility of deputising for the Clerk in her absence, and was really thinking about what else needed to be done in the office rather than just concentrating on the task in hand. She had deputised very well at the Neighbourhood Plan Steering Group meetings and was the Council's representative for the Shaw Playing Field project. She had indicated that she was interested in undertaking further training with the ILCA course (Introduction to Local Council Administration) and taken on the additional responsibility for training and supporting the Parish Apprentice with enthusiasm and job satisfaction.

- f) **Clerk:** It was noted that the Clerk's Appraisal was overdue. The Staffing Chair was unable to attend during the day and suggested that the Staffing Vice Chair Cllr Baines undertook the Clerk's Appraisal with the Council Chair. This was set for Friday 3<sup>rd</sup> February at 2pm. It was noted that the Clerk was working many additional hours and the figure indicated for the anticipated 2016/17 year end for the Clerk's salary reflected the FTE (Full Time Equivalent) salary. It was agreed that this would be discussed at the Clerk's Appraisal and be an Agenda item at a following meeting.

340/16 **Scale Point Review Proposals:** The members noted a paper detailing some cost options for increasing scale points for individual staff members and the budget provision for 2016/17 and 2017/18.

The Clerk advised what the impact of the automatic changes to the Apprentice's pay scales would be as she completes her first year and becomes older. The Parish Apprentice is currently on £3.40 per hour which is the National Minimum Wage (NMW) for an apprentice in their first year on under 19 (an increase from £3.30 on 1<sup>st</sup> October 2016 in line with legislation). This would then move to £5.55 per hour from 5<sup>th</sup> September 2017 as the NMW for an apprentice 18-20 years old (no longer in their first year). On turning 21 on 10<sup>th</sup> March 2018, the rate would be £6.95 per hour for an apprentice 21-24 years old, until 31<sup>st</sup> March 2018 which is the contract end date. There is a nationally agreed 1% pay increase from 1<sup>st</sup> April 2017 and it had previously been agreed that the Parish Apprentice fell under the NJC agreements as per all the other Council staff which would mean an increase to £3.43 per hour from £3.40 (only a 60p increase per week).

**Recommendations:**

- 1) *The Parish Apprentice's hourly rate increases to £4 per hour from 1<sup>st</sup> February 2017.*
- 2) *The Parish Officer move from Scale Point 17 to 18 from 1<sup>st</sup> February 2017 with an additional move to Scale Point 19 on the successful completion of the ILCA course.*

341/16 **Staff Training:**

- a) The members considered the request for training for the Parish Officer to undertake an ILCA course and noted that there was provision made in the 2017/18 Budget for this course. **Recommendation:** *The Council authorise the Parish Officer to undertake the SLCC's ILCA (Introduction to Local Council Administration) course at the cost of £99 excluding VAT.*
- b) The members noted the Staff Training Log and that it covered a wide breadth of subject matter and different staff members.

342/16 **Staff Pension:**

- a) **Statutory Obligations:** The members noted that The Pensions Regulator had acknowledged the Council's Declaration of Compliance under the Pensions Act 2008 dated 17/10/16. Since that declaration, the scheme membership had changed with the current staff members in the scheme of the Clerk, Parish Officer, Finance Assistant and Parish Apprentice with the Parish Caretaker and Office Cleaner opting out.
- b) **Potential refund of contributions (Min. 087/16):** The Parish Council's understanding of the rules of the Wiltshire Council Pension Fund was that any

contributions made would be refunded if the employee left within 2 years of commencement. It was noted that Lucy Key had now been refunded her employee contributions but the Council had been trying to reclaim its employer contributions. Wiltshire Pension Fund had now stated that they had never been requested to do this before and that their Technical & Compliance Manager had looked at the Regulations and stated that they do not set out any specific provisions in this scenario. He felt that employer contributions were not to be refunded but were factored in the valuation results to determine the contributions of employers for the next 3 years. **Recommendation:** *The Council ask Wiltshire Councillor Roy While to investigate this further as he sits on the Wiltshire Council Pension Fund Committee.*

**343/16 Staff Holiday:**

- a) **Carry over of holiday entitlement:** It was noted that staff were allowed to carry over a maximum of 2 day's holiday entitlement until the next financial year. The Parish Officer currently had 4 days to take before the end of March 2017 and had requested carrying over her holiday entitlement until the year commencing 1<sup>st</sup> April 2018 to add to her planned extended leave (Min. 088/16). It was noted that the Parish Apprentice also had 8 days to take before the end of March. Councillors felt strongly that from a welfare issue point of view, that staff should take their holiday in the year that it applies to and no exceptions should be made unless there were really extenuating circumstances; it was to be made clear that this was from the Council's concern over staff welfare.
- b) **Looked after children: Recommendation:** *For any staff members who are taking responsibility for Looked After children (fostering) the Parish Council's flexible working hours apply on the same basis as it does for staff members with dependent children ie: within the constraints of it meeting the business requirements of the Council and it not having a negative impact on the effectiveness and efficiency of the Council; rather than leave (paid or unpaid).*

**344/16 Staff Sickness:**

- a) The members noted the planned hospital admission of the Office Cleaner, but noted the operation had already been postponed once and so the date could change again. **Recommendation:** *The office staff to carry out the cleaning tasks in the office if the period of absence is under two weeks, but if the period of absence is longer then the Council to request their Pavilion cleaning contractor to clean the office on the same basis as the last period of long absence.*
- b) Several members of staff were due to attend forthcoming hospital appointments over the coming weeks and the Clerk sought guidance on whether sick pay was to be paid to cover the time off taken. Although all staff were part time it was noted that it was sometimes very difficult to arrange even routine appointments for outside normal working hours. It was noted that a "not fit for work" note would need to be provided for any time off for treatment undertaken. **Recommendation:** *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.*

**345/16 New training provider for Parish Apprentice:** The Clerk reported that she had undertaken some investigations into alternative providers (Min. 322/16a). Wiltshire

College were still confusing the Parish Council's Apprentice with those of Wiltshire Council who were now also looking for alternative provision. Lifetime Training had been recommended by a local employer who had an Apprentice on the same course. They had used them several times before and both the employer and the apprentice had recommended them. They understood the Parish Council's current situation and were happy to arrange a transfer. They had a good Ofsted report for their last and interim visit and seemed to specialise on Apprenticeship Training. The Clerk had spoken at length with the potential Assessor. It was agreed that there was no need to wait until the end of March to arrange the transfer, although useful to wait until the Parish Apprentice had undergone the ICT functional skills crash course and exam over the next couple of weeks as already booked to do at County Hall. The Council noted that excellent results had been achieved by the Parish Apprentice in her test results the week before. **Recommendation:** *The Council appoint Lifetime Training as their training provider for the NVQ Level 2 in Business & Administration for their Parish Apprentice as soon as possible after the ICT Function Skills Training & Test booked for mid February.*

346/16 **Policies:** The Clerk reminded members that the SLCC had a suite of policies that they recommended were in place, and that these were gradually being introduced as agenda items for appropriate committees to review. The members considered a couple of example policies to cover Habitual or Vexatious Complaints. It was noted that this issue had been raised by a parish council at the recent information sharing session for Melksham Community Area clerks that had been started up and was exactly the sort of thing that the Clerk had in mind when it was set up; that a Clerk can air an issue that they are having and another Clerk has a policy or experience that can help. **Recommendation:** *The Council adopt the Habitual or Vexatious Complaints Policy of Atworth Parish Council.*

347/16 **SLCC/ALCC & NALC working together:** It was noted that following the SLCC (Society of Local Council Clerks) decision to amend its constitution to transfer its trades union activities to a new separate Trade Union, known as ALCC (Association of Local Council Clerks) that the SLCC and NALC (National Association of Local Councils) were now working closely together to define each organisation's respective and complementary roles in supporting councils, clerks and councillors. The primary objective of this review is to ensure that councils receive value for money, professional and timely support to support their communities.

The SLCC has now ceased to meet the definition of a trade union when the ALCC's new constitution came into force on 17<sup>th</sup> August 2016. The Clerk expanded that the Council paid the annual membership to the SLCC this year and the Clerk paid the annual membership to the ALCC. This fundamental separation is important in the future for any cases when a Clerk is looking for support in any disagreement with its Council. The Clerk was looking into whether the ALCC was open to membership for all Council staff or just Clerks to inform the rest of the Council staff of their options.

Meeting closed at 9.15pm

Chairman, 6<sup>th</sup> March, 2017