



Bishopstoke Parish Council

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**Members of the People Committee are summoned to attend a meeting on
Tuesday 22nd October at 7:30pm at Bishopstoke Methodist Church, Sedgwick Road.
This meeting is open to the public.**

AGENDA

PUBLIC SESSION

1. Apologies for Absence
2. To adopt and sign the minutes of the People Committee meeting held on 25th June 2024
3. Declarations of Interest and Requests for Dispensations
4. To receive the Clerk's report on People Committee matters, covering:
 - Action Log Update
 - Appraisal Update
 - Overtime Hours
 - Personnel
 - Priorities
 - Training
5. To re-adopt the Training & Development Policy
6. To adopt the following amended policies:
 - Complaints Policy
 - Discipline Policy
 - Grievance Policy
 - Complaints Flowchart
7. Date, time and place for next meeting

DL Wheal
Clerk to Bishopstoke Parish Council
16th October 2024



Minutes of a Meeting of the People Committee held at Bishopstoke Methodist Church commencing at 7:30pm on 25th June 2024

Present: Cllrs Hillier-Wheal (Chair), Harris (Vice Chair), Mignot and Winstanley

In Attendance: Mr D Wheal (Clerk to Bishopstoke Parish Council)

Public Attendance: 0 members of the public were present.

PPL_2425_M01/

Public Session

1 Apologies for Absence

1.1 All Committee Members were present.

2 Declarations of Interest and Requests for Dispensations

2.1 None declared or requested.

3 To discuss, amend if necessary, and recommend the Mission Statement and Aims of the Council

3.1 The mission statement and aims had been circulated with the papers for the meeting.

3.2 Following discussion it was agreed that the Mission Statement should be amended to “To work on behalf of the people of Bishopstoke to enhance our village as a great place to live, work and visit”.

3.3 The Aims were accepted as they are but it was felt that they really needed Objectives in place to underpin specific projects or actions the Council would like to complete to further those aims. It was also agreed that it would be useful to have proposals and reports on projects include a statement on how they impact the four aims. Finally it was agreed that bodies or individuals applying for grants should also have to say how their proposals would impact the four aims.

Action: Clerk – to amend the grant application process, grant awarding policy and other documents as necessary to reflect the greater focus on the Aims of the Council.

3.4 Proposed Cllr Winstanley, Seconded Cllr Hillier-Wheal, **RECOMMENDED** unanimously that the Council Mission be amended to become “To work on behalf of the people of Bishopstoke to enhance our village as a great place to live, work and visit”, and that the Aims remain as they are.

Action: Clerk – to add the Mission and Aims to the next Full Council agenda.

3.5 The Clerk was asked to give as much notice as possible to Councillors so that they have time to think about possible Objectives to underpin the Aims

Action: Clerk – to contact Councillors the following day regarding the Objectives of the Council.

4 To discuss the procedure for appointments to elected positions within Council and make recommendations

4.1 Following a suggestion made at Full Council by Councillor Dajani, Committee members discussed the process for electing the Chair in particular, but other senior positions more generally too.

4.2 After discussion it was felt that the current system should stay in place. However, it was thought that it would be helpful to all Councillors if, at the beginning of the first Council meeting each cycle, each Councillor in turn introduced themselves to the rest.

4.3 Proposed Cllr Harris, Seconded Cllr Mignot, **RECOMMENDED** unanimously that there be no change to how the Chair and other positions are elected.

5 To amend the Council's employee contracts so that the holiday year begins on 1st January each year

5.1 A memo covering the reasons for the change had been included with the supporting papers for this meeting.

5.2 Committee members agreed that the flexibility of Easter could cause confusion. Various alternatives were discussed.

5.3 Proposed Cllr Winstanley, Seconded Cllr Mignot, **RESOLVED** unanimously to start the Council leave year on January 1st each year, and amend contracts accordingly.

Action: Clerk – to amend the Clerk's contract and ensure new starter's contracts reflect the change.

6 To recommend an amendment to the People Committee terms of reference regarding membership of the Committee

6.1 A document detailing the proposed changes to the terms of reference had been included with the supporting papers for this meeting.

6.2 After discussion, Cllrs agreed to amend new clause 1.2.2 to read "If the Councillor is Chair of two committees then the Vice Chair of whichever of those committees comes first out of Finance, Assets and Planning will become a member of the People Committee. If they are already a member then the Vice Chair of the second Committee will become a People Committee member."

6.3 Proposed Cllr Winstanley, Seconded Cllr Harris, **RECOMMENDED** unanimously to approve the recommended changes to the Planning Committee terms of reference, including the amendments agreed in Minute 6.2.

7 To receive the overtime report

7.1 The overtime report had been included with the supporting papers for this meeting and was noted.

8 To receive the Clerk’s report on People Committee matters

8.1 The Clerk’s report had been included with the supporting papers for the meeting and was noted.

9 Date, time, place and agenda items for next meeting

9.1 The next public meeting of the People Committee will take place on Tuesday 22nd October at 7:30pm in Bishopstoke Methodist Church. Any agenda items should be with the Clerk by Tuesday 15th October.

9.2 Cllr Harris gave his apologies in advance for the meeting on October 22nd.

There being no further business, the Chair closed the meeting at 8:25pm

DRAFT

Chair's Signature: _____ Date: _____

Clerk's Signature: _____ Date: _____



People Committee – Clerk’s Report

22nd October 2024

Actions from previous meetings

PPL_2324_M02/13.3 Regarding safeguarding documents
Other documents have not yet been obtained.

PPL_2324_M02/13.5 Regarding the Safeguarding Policy
Final amendments are awaiting the completion of PPL_2324_M02/13.3 and, following that, committee approval via email.

PPL_2425_M01/3.3 Regarding grants
The grant policy and documents have been amended and approved.

PPL_2425_M01/3.4 Regarding the Mission and Aims of Council
The suggested amendment was discussed at Full Council.

PPL_2425_M01/3.5 Regarding Council objectives
Cllrs were contacted regarding objectives which were discussed again at Full Council.

PPL_2425_M01/5.3 Regarding the Council’s holiday year
All contracts now reflect the new Council holiday year from 1st January to 31st December.

Recommendations from previous meetings

PPL_2425_M01/3.4 Regarding the Council’s mission
The recommendations of the Committee were accepted by Full Council.

PPL_2425_M01/6.3 Regarding the Committee Terms of Reference
The recommended changes were approved by Full Council.

Areas where the Committee has responsibility

Appraisal

Targets have been set for all three new officers, the first being to complete all basic training for the job. The remaining targets will be provided to the Committee with the minutes for this meeting.

The targets set for the Clerk back in March are progressing well. Training of the new officers continues well and the project logs are coming together as they are agreed for funding. Provision of office space has been delayed as the transfer of the land at Sewall Drive from the developer to the Borough Council is currently on hold.

Overtime Hours

Overtime generally is low. The Admin and Assets Officers have worked fewer than ten hours over two months, and the Allotments & Cemeteries Officer has worked around twenty in three months. The Clerk has worked just over sixty hours overtime over the past six months. On average, no member of staff has worked more than 2.5 hours per week which is well below the level which may cause health concerns.

Personnel

All new staff have settled in well and have taken on the vast majority of their intended roles at this point. The exception is that the Clerk has delayed passing over the running of the Cemeteries until the initial allotment training, and the busy allotment rent period, have passed. It is intended that Cemetery training will begin in November with the full handover being completed by the end of January 2025. Full details of settled working hours will be provided to the Council shortly, but it should be noted that all staff have indicated a willingness to be flexible if the situation requires it, especially around holiday cover, sickness or urgent meetings.

Priorities

Aside from training and taking over their new roles, the priorities we have been working on thus far include getting to grips with unworked plots that have built up at Underwood Road, preparing the Autumn newsletter including a clubs and groups pullout, organising the first "Meet and Greet" coffee morning and completing the directory of all the street furniture across the parish. We are now looking at the best way to provide that information online and shifting our attention to ongoing projects such as the play area review.

Training

The focus over the past few months has been on giving all new staff the tools they need to do their jobs and whilst this is ongoing, it is nearly completed. We are now switching to external training courses that add skills and knowledge necessary but that cannot be provided in house.



BISHOPSTOKE PARISH COUNCIL

TRAINING & DEVELOPMENT POLICY

**This Training & Development Policy was adopted
by the People Committee at its meeting on 12 Nov 2024**

D Wheal

Clerk to Bishopstoke Parish Council

BISHOPSTOKE PARISH COUNCIL
TRAINING & DEVELOPMENT POLICY

Amendment Sheet

Amendment No.	Date Incorporated	Subject
01	26 th October 2021	3.1 Updating the makeup of the Council and staff
02	26 th October 2021	5.10 Amending the name of the Committee
03	26 th October 2021	6.3 Adding a new Financial qualification
04	26 th October 2021	12.1 Amending the name of the Committee

TRAINING & DEVELOPMENT POLICY

1 Introduction

1.1 Bishopstoke Parish Council recognises that its Councillors and staff are its most valuable resource. The Council is committed to the training and development of its Councillors and staff, in order to assist the Council in achieving its aims, objectives, priorities and vision, as well as ensuring the Council is kept up to date with all new legislation. To support this, funds are allocated to a training budget annually to enable staff and Councillors to attend training and conferences relevant to their office. Prospective Councillors and applicants for the post of Clerk should be made aware of the content of this policy and the expectations placed upon them contained within.

2 Policy Statement

2.1 Bishopstoke Parish Council is committed to ensure that it continues to fulfil its duties and responsibilities to residents professionally. To that end the Council's intention is that Councillors, the Clerk and any other workers of the Council are suitably equipped with the correct knowledge and skills to carry out their roles and maintain effective working practices. The Council will procure or provide such training and development opportunities as it deems necessary and relevant for the delivery of its work.

2.2 It is essential that Councillors and staff are given equal opportunities to develop their knowledge of local government and the law relating to parish councils, and to learn new skills to promote partnership working and community engagement in order to become effective Councillors and lead a modern and progressive Parish Council of the future. Councillor and staff development should be recognised as an integral part of the Council's business.

3 The Parish Council

3.1 Bishopstoke Parish Council is made up of Councillors, Officers, and occasional volunteers from within Bishopstoke, who provide invaluable support for the parish's work. Training and development for these groups will be regularly reviewed.

4 Training for Councillors

4.1 Attendance at induction sessions explaining the role of councillors, and training in the Code of Conduct within 6 months of being elected.

4.2 Provision of a handbook containing copies of the Standing Orders, Financial Regulations, Code of Conduct, policies of the Council and other information deemed relevant.

4.3 Training on the General Power of Competence.

- 4.4 Access to relevant training courses provided by the Hampshire Association of Local Councils (HALC) and other bodies.
- 4.5 Expenses for attending briefings, consultations and other general meetings for Councillors in the Hampshire County Council area.
- 4.6 Circulation of documents such as briefings, newsletters and magazines.

5 Training for the Clerk

- 5.1 Induction session explaining the role of the Clerk.
- 5.2 Provision of copies of the Standing orders, Financial Regulations, Code of Conduct, policies of the Council and other information deemed relevant.
- 5.3 Attendance at a 'New Clerk's' training course or similar.
- 5.4 Support in gaining the Certificate of Local Council Administration (CiLCA) within 24 months of appointment (if not already qualified).
- 5.5 Any other training relevant to the proficient discharge of their duties such as I.T., Legal Powers, Finance and understanding the planning system, identified through regular training needs assessments or other means.
- 5.6 Attendance at relevant training courses and/or local meetings of external bodies such as the Society of Local Council Clerks (SLCC), Hampshire Association of Local Councils (HALC) and National Association of Local Councils (NALC).
- 5.7 Subscription to relevant publications and advice services.
- 5.8 Provision of Local Council Administration by Charles Arnold Baker / Paul Clayden and other relevant publications, which will remain the property of the Council.
- 5.9 Arranging mentoring opportunities with suitably qualified Clerks from neighbouring parishes or enabling the Clerk to act as a mentor to other neighbouring Clerks.
- 5.10 Regular feedback from the Chair of the Council and meetings with the People Committee.
- 5.11 Expenses for attending briefings, consultations, training and any other general meetings.

6 Training for the Responsible Finance Officer

- 6.1 Induction session explaining the role of the Responsible Finance Officer.
- 6.2 Provision of copies of the Standing orders, Financial Regulations, Code of Conduct, policies of the Council and other information deemed relevant.
- 6.3 Support, if wished, in gaining the Certificate of Local Council Administration (CiLCA) (if not already qualified), or the Financial Introduction to Local Council Administration (FILCA).

- 6.4 Any other training relevant to the proficient discharge of their duties such as I.T., Legal Powers and Finance, identified through regular training needs assessments.
- 6.5 Attendance at relevant training courses and/or local meetings of external bodies such as the Society of Local Council Clerks (SLCC), Hampshire Association of Local Councils (HALC) and National Association of Local Councils (NALC).
- 6.6 Subscription to relevant publications and advice services.
- 6.7 Provision of relevant publications, which will remain the property of the Council.
- 6.8 Regular feedback from the Clerk, including an annual appraisal.
- 6.9 Expenses for attending briefings, consultations, training and any other general meetings.

7 Training for other staff

- 7.1 Induction session explaining their role.
- 7.2 Provision of copies of relevant Council policies, documents and other information necessary to their role.
- 7.3 Any training relevant to the proficient discharge of their role.
- 7.4 Subscription to relevant publications and advice services.
- 7.5 Provision of relevant publications, which will remain the property of the Council.
- 7.6 Regular feedback from the Clerk, or other designated Officer, including an annual appraisal.
- 7.7 Expenses for attending briefings, consultations, training and any other general meetings.

8 Training for Volunteers

- 8.1 Briefings on relevant health and safety matters and the scope of their work prior to starting.
- 8.2 Assessment of their skill, knowledge and capacity to complete the task in hand including Risk Assessments.
- 8.3 Briefing on the safe use of any equipment provided by the Council.
- 8.4 Training for volunteers will not be beyond that which is necessary for their role.

9 Study Leave and Course Attendance

- 9.1** Employees who are given approval to undertake external qualifications are granted
 - 9.1.1** Study time to attend day-release courses.
 - 9.1.2** Time to sit examinations.
 - 9.1.3** Study time of one day per examination (to be discussed and agreed by their line manager in advance).
- 9.2** Provision of study time must be agreed with the council prior to the course being undertaken.
- 9.3** Where attendance is required at a short course, a full day of paid leave will be granted.
- 9.4** Councillors and staff attending approved short courses/workshops/ residential weekends can expect
 - 9.4.1** The course fee to be paid (usually invoiced before of following the event).
 - 9.4.2** Travelling expenses in accordance with the Council's current policy.
 - 9.4.3** Reasonable subsistence expenses subject to the approval of the Clerk or Chair.

10 Identification of Training Needs

- 10.1** Training requirements for Councillors will usually be identified by themselves, the Chair and / or Clerk. Opportunities to attend courses will be investigated by the Clerk and brought to the attention of Council. Councillors can bring suggested courses to the Clerk for investigation.
- 10.2** The Council will review this policy at least once per Council cycle.
- 10.3** The Clerk, Responsible Finance Officer, staff and Councillors will have their training needs reviewed annually.
- 10.4** Initial training needs for any new Clerk will be identified through the recruitment process, including application form and interview, formal and informal discussions and then subsequently through annual appraisal.
- 10.5** The Clerk is expected to keep up to date with developments in the sector and highlight to the Council any training required.

11 Training Resources

- 11.1** There will be a budget to enable reasonable training and development for both Councillors and staff. The amount will be reviewed each year during the budget process.
- 11.2** It is recognised that the Society of Local Council Clerks (SLCC), Hampshire Association of Local Councils (HALC) and National Association of Local Councils (NALC) all provide discounts on training courses and conferences to members, and this will be taken into account when the Council considers the continuation of subscriptions to those bodies.
- 11.3** There will be a budget for the purchase of relevant resources such as publications. The amount will be reviewed each year during the budget process.
- 11.4** Should the cost of any course be in excess of £1,000 and should the member of staff leave the Parish Council within three years of completing the course, then the Council reserves the right to require repayment of course fees at a rate of 75% of the fees should the employee leave within one year of completion, 50% of fees within two years and 25% of fees within three years.

12 Evaluation and Review

- 12.1** All training undertaken will be subsequently evaluated by the Clerk and People Committee to gauge its relevance, content and appropriateness. Any additional training needs highlighted as a result will be brought into the identification of training needs process (section 10). Any relevant information from the training will be disseminated to other Councillors and / or Officers.
- 12.2** Training will be reviewed in the light of changes to legislation; changes to any quality systems relevant to the Council; new qualifications; new equipment; complaints received; incidents which highlight training needs and requests from Councillors, the Clerk or volunteers.
- 12.3** The Clerk will maintain a record of training that they, other Officers and staff, councillors and volunteers attend.



BISHOPSTOKE PARISH COUNCIL

COMPLAINTS POLICY

**This Complaints Policy was last adopted
by the Parish Council at its meeting on dd mmm yyyy**

D Wheal

Clerk to Bishopstoke Parish Council

BISHOPSTOKE PARISH COUNCIL
COMPLAINTS POLICY

Amendment Sheet

Amendment No.	Date Incorporated	Subject
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COMPLAINTS POLICY

1 General

- 1.1 The Complaints Policy, Discipline Policy and Grievance Policy work alongside each other to ensure that all issues relating to the business and operations of Bishopstoke Parish Council can be dealt with in a fair and consistent way.
- 1.2 For complaints against Council or Officer decisions, or for complaints related to the policies, procedures or general business of the Council, the Complaints Policy will be used.
- 1.3 For allegations of misconduct or sub-standard performance by officers and other employees of the Council, the Discipline Policy will be used.
- 1.4 Where an employee of the Council has a work-related grievance regarding a Councillor or Councillors, or other member of staff, the Grievance Policy will be used.
- 1.5 Anyone wishing to complain about the conduct of a Bishopstoke Parish Councillor should contact the Clerk in the first instance, and will usually be advised to provide details of the complaint to the Eastleigh Borough Council monitoring officer.
- 1.6 In all cases there will first be an attempt to resolve the complaint informally. Where this fails to achieve a satisfactory resolution the relevant policy or procedure will then be followed.
- 1.7 Where a panel is necessary as part of a policy or procedure it will consist of three councillors, including the Chair of Bishopstoke Parish Council, and will be led by the Chair. When an appeals panel is required it will also consist of three councillors and will be led by the Vice Chair. No councillor will sit on both panels. The conclusions of any panels will be reported to the next Full Council meeting.
- 1.8 All parties will be treated fairly and the process will be reasonable, accessible and transparent.

2 Policy

- 2.1 The Council aims to ensure that any complaints are dealt with promptly and fairly. This procedure sets out the steps taken to assess the complaint and, if necessary, change the original decision or policy that caused the complaint.
- 2.2 This procedure can only be used for complaints about the decisions, policies and general business of the Council and Officers. Complaints about the behaviour of Councillors or Officers will be dealt with using the Discipline Policy, Grievance Policy or via the Borough Council Monitoring Officer.
- 2.3 Any panels mentioned in this procedure will be appointed at the time they are needed.

3 Related policies and procedures

- 3.1** This policy is to be read in conjunction with the Council's grievance policy, code of conduct, discipline policy and standing orders.

4 Procedure

- 4.1** The Clerk and / or Chair will attempt to resolve the complaint informally.
- 4.2** The complainant shall be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
- 4.3** If the complainant does not wish to put the complaint to the Clerk, they shall be advised to put it to the Chair.
- 4.4** The Clerk / Chair shall acknowledge the receipt of the complaint in writing, including a copy of the Complaints Procedure.
- 4.5** The complainant shall be advised that the matter will be considered by a panel of three councillors led by the Chair. Once the panel has been selected a date will be agreed for the complaint to be heard not sooner than three weeks' time. This is to allow time for both parties to collect evidence or other documentation they deem relevant.
- 4.6** The complainant shall be invited to attend the relevant meeting and bring up to three representatives if they wish.
- 4.7** At least five clear working days before the meeting, the complainant shall provide the panel with copies of any documentation or other evidence which they wish to be considered at the meeting. The panel shall similarly provide the complainant with copies of any non-confidential documentation, or confidential documentation which has been deemed disclosable, upon which it wishes to rely at the meeting.

5 Complaint investigation

- 5.1** The Clerk, or Chair (if the complaint is regarding the Clerk's work), will make an initial assessment of the complaint. This may include communication with the complainant and with the person being complained about.
- 5.2** Any policies, procedures or other Council documentation relied upon for the original decision or used in the assessment of the complaint will be provided to both the complaint panel and the complainant. Where a document is considered confidential an assessment will be made as to what, if anything, can be included.
- 5.3** A date will be set for the hearing and the complaint will be invited to attend.

6 The complaint hearing

- 6.1** The initial hearing will be held in private. However, any decision on a complaint shall be announced at the next Full Council meeting.
- 6.2** The Chair shall introduce everyone and explain the procedure.
- 6.3** If attending, the complainant or their representative(s) shall be asked to outline the grounds for the complaint. If no one is attending on behalf of the complainant, the Clerk or other officer of the Council will outline the complaint on their behalf.
- 6.4** The panel members may ask any questions of the complainant or their representative(s).
- 6.5** The Clerk or other officer(s) shall explain the position of the Council.
- 6.6** The panel members may ask any questions of the Clerk or other officer(s).
- 6.7** Both parties shall be offered the opportunity of making a final statement, beginning with the Clerk or other officer and ending with the complainant or their representative.
- 6.8** All those not on the panel shall be asked to leave the room while the panel decides whether or not the grounds for the complaint have been justified. Both parties shall be invited back if a point of clarification is necessary.
- 6.9** All parties shall return to hear the decision or to be advised when a decision will be made if it is to be deferred. The panel will advise the complainant of the reason for any deferral and will offer the complainant the choice whether to receive the decision in person or in writing.

7 Appeals

- 7.1** If a decision was made at the hearing it will be confirmed in writing to the complainant within five working days of the hearing, along with details of any action to be taken.
- 7.2** If a decision was deferred then the panel will take whatever action they agreed was necessary in order to allow them to come to a decision by the agreed date. Only in exceptional circumstances should a decision be deferred more than once.
- 7.3** If the complainant asked to hear the decision in person then another meeting will be arranged at which the decision can be announced. Otherwise the complainant will be informed of the decision in writing on the agreed date.
- 7.4** If the complainant is not satisfied then they will have five working days from the date of the decision to request the complaint be received by an appeals panel. This should be done in writing and include the grounds the appeal is based upon. Following such a request the Clerk will make arrangements for all panel members to be provided with the statements and documents from both parties and a hearing date will be arranged
- 7.5** The appeals hearing will be normally held within ten working days of receipt of the letter. The decision of the Appeals Panel shall be final with no further appeals permitted.

8 Appeals hearing

- 8.1** At the appeals hearing, the person making the complaint will be given opportunity to state the ground(s) on which the appeal is made. The Complaints Panel who took the original decision will then have the opportunity to explain their decision to impose the given penalty. The members of the Appeals Panel conducting the appeal may exercise discretion as to whether or not the two parties will be present together during the proceedings. The hearing will be adjourned when all the evidence has been heard. The members of the Appeals Panel conducting the appeal will consider the merits of the appeal, in private, before reaching a decision.
- 8.2** The members of the Appeals Panel will, whenever possible, verbally inform the complainant of the decision reached and confirm this in writing no later than five working days after the hearing.
- 8.3** The members of the Appeals Panel have the authority to reverse the original decision, amend it, or leave it unchanged, as they consider appropriate.
- 8.4** An appeal hearing is intended to focus on specific factors that the complainant feels have received insufficient consideration, or have been considered incorrectly. It is not intended to be a rerun of the original Complaints hearing.

9 Abuse of this policy

- 9.1** Any abuse in the application of this policy, e.g. if a complaint about an employee is found to be malicious or in bad faith that employee will have the right to raise a grievance in accordance with the Council's Grievance Policy, or other appropriate way, and this may possibly result in disciplinary action being taken against the original complainant.

10 Alterations and amendments to this policy

- 10.1** This policy does not form part of an employee's contract of employment. The Council reserves the right to amend or withdraw this Policy at its absolute discretion, in accordance with the needs of the council.

11 Additional information

- 11.1** For further information, please contact the Clerk.



BISHOPSTOKE PARISH COUNCIL

DISCIPLINE POLICY

**This Discipline Policy was last adopted
by the Parish Council at its meeting on dd mmm yyyy**

**D Wheal
Clerk to Bishopstoke Parish Council**

BISHOPSTOKE PARISH COUNCIL
DISCIPLINE POLICY

Amendment Sheet

Amendment No.	Date Incorporated	Subject
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DISCIPLINE POLICY

1 General

- 1.1 The Complaints Policy, Discipline Policy and Grievance Policy work alongside each other to ensure that all issues relating to the business and operations of Bishopstoke Parish Council can be dealt with in a fair and consistent way.
- 1.2 For complaints against Council or Officer decisions, or for complaints related to the policies, procedures or general business of the Council, the Complaints Policy will be used.
- 1.3 For allegations of misconduct or sub-standard performance by officers and other employees of the Council, the Discipline Policy will be used.
- 1.4 Where an employee of the Council has a work-related grievance regarding a Councillor or Councillors, or other member of staff, the Grievance Policy will be used.
- 1.5 Anyone wishing to complain about the conduct of a Bishopstoke Parish Councillor should contact the Clerk in the first instance, and will usually be advised to provide details of the complaint to the Eastleigh Borough Council monitoring officer.
- 1.6 In all cases there will first be an attempt to resolve the complaint informally. Where this fails to achieve a satisfactory resolution the relevant policy or procedure will then be followed.
- 1.7 Where a panel is necessary as part of a policy or procedure it will consist of three councillors, including the Chair of Bishopstoke Parish Council, and will be led by the Chair. When an appeals panel is required it will also consist of three councillors and will be led by the Vice Chair. No councillor will sit on both panels. The conclusions of any panels will be reported to the next Full Council meeting.
- 1.8 All parties will be treated fairly and the process will be reasonable, accessible and transparent.

2 Policy

- 2.1 The Council aims to ensure that there will be a fair and consistent approach to the enforcement of standards of conduct and performance in the Council. This policy is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. It also sets out the action that will be taken when disciplinary rules are breached.
- 2.2 Matters which may be dealt with under this policy include discipline and dismissal for the following reasons (please note that this list is not exhaustive):
 - 2.2.1 Misconduct
 - 2.2.2 Sub-standard performance
 - 2.2.3 Harassment or victimisation

- 2.2.4** Misuse of council facilities, including computer facilities (e.g. email and internet)
- 2.2.5** Poor timekeeping
- 2.2.6** Unauthorised absence
- 2.3** Any panels mentioned in this policy will be appointed at the time they are needed.
- 2.4** The following principles will apply:
 - 2.4.1** Informal action will be offered, where appropriate, to resolve problems.
 - 2.4.2** No disciplinary action will be taken against an employee until the case has been fully investigated and a disciplinary hearing has taken place.
 - 2.4.3** For formal action the employee will be advised in writing of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.
 - 2.4.4** Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of meetings.
 - 2.4.5** At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
 - 2.4.6** Any mitigating circumstances will be taken into account when reaching decisions on appropriate disciplinary penalties.
 - 2.4.7** No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.
 - 2.4.8** An employee will have the right to appeal against any discipline imposed.
 - 2.4.9** The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.
- 2.5** Employees will receive a written invitation to all disciplinary meetings.
- 2.6** Outcomes of formal meetings will be confirmed to the employee in writing.
- 2.7** The timescales listed above will be adhered to wherever possible. Each party can request an extension of the permitted timescale, however, where there are good reasons.
- 2.8** The Council reserves the right to seek assistance from external facilitators at any stage in the disciplinary procedure, in the interests of seeking a satisfactory outcome for all those concerned.
- 2.9** For employees during their first year of employment, the Council reserves the right to speed up the decision-making process and may choose to follow a shortened version of the above procedure.

- 2.9** The grievance procedure should not be used for appeals against disciplinary decisions. That is the purpose of the disciplinary appeals procedure. If, however, the employee has a complaint against the behaviour of a manager during the course of a disciplinary case, they may raise it as a grievance with a senior manager. If necessary, the disciplinary procedure may be suspended for a short period until the grievance can be considered. Another manager may be brought in to deal with the disciplinary case.

3 Related policies and procedures

- 3.1** This policy is to be read in conjunction with the Council's grievance policy, code of conduct, complaints policy and standing orders.

4 Procedure

4.1 Informal stage

Minor faults will be dealt with informally. Where the matter is more serious the following procedure will be used.

4.2 Stage 1

This will normally be either:

- 4.2.1** an improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The employee will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for six months, but will then be considered spent – subject to achieving and sustaining satisfactory performance.

Or

- 4.2.2** a first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after six months.

4.3 Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance to the prescribed standard during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will advise of the right of appeal. A copy of this written warning will be kept but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance. In exceptional cases the period may be longer.

4.4 Dismissal or other sanction

If there is still further misconduct or failure to improve performance to the prescribed standards the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). The employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which their employment will terminate (in accordance with the employee's notice entitlement) and will be notified of their right of appeal. If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept but will be disregarded for disciplinary purposes after twelve months subject to achievement and sustainment of satisfactory conduct or performance.

5 Disciplinary investigations

- 5.1** The Council is committed to ensuring that all potential infringements of disciplinary rules are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. It may also involve a search of the employee's person and/or property. The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.
- 5.2** Where an employee is called to attend an investigatory interview, it will be made clear that this is not a disciplinary hearing.

6 Disciplinary hearing

- 6.1** An employee will be invited, in writing, to a disciplinary hearing once the investigations are complete. Prior to the meeting the employee will be informed of the nature of the allegations that are to be addressed. The disciplinary hearing will be conducted by members of the Council's Disciplinary Panel.
- 6.2** The Chair shall introduce everyone and explain the procedure.
- 6.3** If attending, the complainant or their representative(s) shall be asked to outline the grounds for the complaint. If no one is attending on behalf of the complainant, the Clerk, or the Chair if the complaint is regarding the Clerk, will outline the complaint on their behalf.
- 6.4** The panel members may ask any questions of that person or their representatives.
- 6.5** The person being investigated will have an opportunity to respond.
- 6.6** The panel members may ask any questions of that person.
- 6.7** Both parties shall be offered the opportunity of making a final statement.

- 6.8** All those not on the panel shall be asked to leave the room while the panel decides whether or not the allegation is upheld. Both parties shall be invited back if a point of clarification is necessary.
- 6.9** All parties shall return to hear the decision or to be advised when a decision will be made if it is to be deferred. The panel will advise the complainant of the reason for any deferral and will offer the complainant the choice whether to receive the decision in person or in writing.

7 Appeals

- 7.1** An employee who wishes to appeal against a disciplinary decision must do so within five working days of receipt of the letter. An appeals panel will be appointed to hear the appeal and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.
- 7.2** If the employee wishes to appeal against a disciplinary decision, they must do so by contacting the Vice Chair within five working days of the receipt of the disciplinary letter. The appeal should be made in writing, stating the ground(s) on which the disciplinary penalty should be reviewed.
- 7.3** The appeals hearing will be normally held within ten working days of receipt of the letter. The decision of the Appeals Panel shall be final with no further appeals permitted.

8 Appeals hearing

- 8.1** At the appeals hearing, the employee will be given opportunity to state the ground(s) on which the appeal is made. The Disciplinary Panel who took the original decision will then have the opportunity to explain their decision to impose the given penalty. The members of the Appeals Panel conducting the appeal may exercise discretion as to whether or not the two parties will be present together during the proceedings. The hearing will be adjourned when all the evidence has been heard. The members of the Appeals Panel conducting the appeal will consider the merits of the appeal, in private, before reaching a decision.
- 8.2** The members of the Appeals Panel will, whenever possible, verbally inform the employee of the decision reached and confirm this in writing no later than five working days after the hearing.
- 8.3** The members of the Appeals Panel have the authority to quash or reduce a disciplinary penalty or, in exceptional and appropriate circumstances, to increase it, in accordance with the penalties specified in the Council's disciplinary procedure.
- 8.4** An appeal hearing is intended to focus on specific factors that the employee feels have received insufficient consideration, such as:

8.4.1 an inconsistent/inappropriate harsh penalty

8.4.2 extenuating circumstances

8.4.3 bias of the disciplining manager

8.4.4 unfairness of the hearing

8.4.5 new evidence subsequently coming to light.

8.5 Where an appeal against dismissal fails, the effective date of termination shall be the date on which the employee was originally dismissed.

9 Abuse of this policy

9.1 Any abuse in the application of this policy, e.g. if a complaint about an employee is found to be malicious or in bad faith that employee will have the right to raise a grievance in accordance with the Council's Grievance Policy, or other appropriate way, and this may possibly result in disciplinary action being taken against the original complainant.

10 Alterations and amendments to this policy

10.1 This policy does not form part of an employee's contract of employment. The Council reserves the right to amend or withdraw this Policy at its absolute discretion, in accordance with the needs of the council.

11 Additional information

11.1 For further information, please contact the Clerk.

11.2 The following list provides some examples of offences which are normally regarded as gross misconduct:

11.2.1 theft or fraud

11.2.2 physical violence or bullying

11.2.3 deliberate and serious damage to property

11.2.4 serious misuse of an organisation's property or name

11.2.5 deliberately accessing internet sites containing pornographic, offensive or obscene material

11.2.6 serious insubordination

11.2.7 unlawful discrimination or harassment

11.2.8 bringing the organisation into serious disrepute

11.2.9 serious incapability at work brought on by alcohol or illegal drugs

11.2.10 causing loss, damage or injury through serious negligence

11.2.11 a serious breach of health and safety rules

11.2.12 a serious breach of confidence.

11.3 This list is not intended to be an exhaustive one and only gives an indication of the types of offence that may be considered gross misconduct.

11.4 If the employee is accused of gross misconduct, the Council may suspend them from work with pay while it investigates the alleged offence. This will be as brief as possible, normally for no more than five working days, and the Council will explain its reasons in writing. The employee shall not attend his or her place of work during suspension, other than for the purpose of attending disciplinary proceedings, including investigatory interviews. The employee shall not contact any other employees or contacts of the Council, except the employee's companion, without the Council's consent.

11.5 If, on completion of the investigation and the full disciplinary procedure, the Council is satisfied that gross misconduct has occurred, the result will normally be summary dismissal, i.e. dismissal without notice or pay in lieu of notice.



BISHOPSTOKE PARISH COUNCIL

GRIEVANCE POLICY

**This Grievance Policy was last adopted
by the Parish Council at its meeting on dd mmm yyyy**

D Wheal

Clerk to Bishopstoke Parish Council

BISHOPSTOKE PARISH COUNCIL
GRIEVANCE POLICY

Amendment Sheet

Amendment No.	Date Incorporated	Subject
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GRIEVANCE POLICY

1 General

- 1.1 The Complaints Policy, Discipline Policy and Grievance Policy work alongside each other to ensure that all issues relating to the business and operations of Bishopstoke Parish Council can be dealt with in a fair and consistent way.
- 1.2 For complaints against Council or Officer decisions, or for complaints related to the policies, procedures or general business of the Council, the Complaints Policy will be used.
- 1.3 For allegations of misconduct or sub-standard performance by officers and other employees of the Council, the Discipline Policy will be used.
- 1.4 Where an employee of the Council has a work-related grievance regarding a Councillor or Councillors, or other member of staff, the Grievance Policy will be used.
- 1.5 Anyone wishing to complain about the conduct of a Bishopstoke Parish Councillor should contact the Clerk in the first instance, and will usually be advised to provide details of the complaint to the Eastleigh Borough Council monitoring officer.
- 1.6 In all cases there will first be an attempt to resolve the complaint informally. Where this fails to achieve a satisfactory resolution the relevant policy or procedure will then be followed.
- 1.7 Where a panel is necessary as part of a policy or procedure it will consist of three councillors, including the Chair of Bishopstoke Parish Council, and will be led by the Chair. When an appeals panel is required it will also consist of three councillors and will be led by the Vice Chair. No councillor will sit on both panels. The conclusions of any panels will be reported to the next Full Council meeting.
- 1.8 All parties will be treated fairly and the process will be reasonable, accessible and transparent.

2 Policy

- 2.1 It is the Council's policy to encourage employees with grievances relating to their employment to use the procedure below to seek satisfactory solutions. The Council will try to resolve grievances as quickly as possible to the satisfaction of the individual(s) concerned. Where this is not possible, every effort will be made to explain the reasons for the decision.
- 2.2 If employees are not satisfied with the outcome, they have the right to pursue their grievance to the next stage. It is hoped that most grievances will be resolved during the informal discussion. Employees who have raised grievances will be treated fairly at all times before, during and after the grievance hearing(s).

- 2.3** Certain kinds of grievance cannot be dealt with under this procedure either because it is inappropriate or because there are already established agreements for the settlement of disputes in relation to them. Examples of these are: -
- 2.3.1** Matters not relating to employment or matters over which the Council has no control
 - 2.3.2** Disciplinary matters
 - 2.3.3** Queries relating to statutory deductions from pay or rates of pay collectively agreed at the national or local level
 - 2.3.4** Matters relating to the pension scheme(s)
- 2.4** The grievance procedure should not be used for appeals against disciplinary decisions, as that is the purpose of the disciplinary appeals procedure. If, however, you have a complaint against the behaviour of a manager during the course of a disciplinary case, you may raise it as a grievance with a senior manager. The disciplinary procedure may be suspended for a short period if necessary until the grievance can be considered.
- 2.5** Employees are encouraged to raise grievances and will not suffer any detriment from doing so.
- 2.6** The timescales listed in this Policy will be adhered to wherever possible. Where there are good reasons, e.g. the need for further investigation or the lack of availability of witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.
- 2.7** The Council reserves the right to seek assistance from external facilitators at any stage in the grievance procedure.
- 2.8** For employees during their first year of employment, the Council reserves the right to speed up the decision-making process and may choose to follow a shortened version of the above procedure.
- 2.9** A copy of the written grievance and written decisions made will be placed on the employee's/ex-employee's personnel file, together with any notes or evidence taken or compiled during the course of the procedure.
- 2.10** Any panels mentioned in this policy will be appointed at the time they are needed.

3 Related policies and procedures

- 3.1** This policy is to be read in conjunction with the Council's discipline policy, code of conduct, complaints policy and standing orders.

4 Procedure

4.1 Informal stage

If you have a grievance about your employment you should discuss it informally with your line manager. The line manager will give a response within five working days. (See Notes 5.1 – 5.3 below for exceptions to this procedure.)

4.2 Stage 1

If you feel that the matter has not been resolved satisfactorily through informal discussions, you must put your grievance in writing to the Chair of the Council. The Chair shall report your written grievance to a Grievance Panel meeting, held in the absence of the public and the press. You will receive a reply within five working days follow this, and a meeting will be arranged. You must take all reasonable steps to attend the meeting. You, any relevant witnesses and members of the Grievance Panel will attend the meeting. You may choose to be accompanied by a colleague, lay or trade union official. The meeting may be adjourned to allow matters raised during the course of the meeting to be investigated or to give the members of the Grievance Panel time to consider the decision. The members of the Grievance Panel will give a response in writing within five working days of the meeting and will inform you of the appeals procedure.

4.3 Stage 2

If you are not satisfied with the members of the Grievance Panel's response, you may raise the matter, in writing, with the Vice Chair within five working days. A meeting will be arranged, constituted as in Stage 1, except that members of the Appeal Panel will replace members of the Grievance Panel. The members of the Appeal Panel will give a response within five working days of the meeting. The Appeal Panel's decision is final.

4.4 Investigations

The Council is committed to ensuring that all grievances are investigated fully. This may involve carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

5 Grievance investigations

5.1 The Council is committed to ensuring that all potential grievances are fully investigated. This may entail carrying out interviews with the employee concerned and third parties such as witnesses, colleagues and managers, as well as analysing written records and information. The investigation report will be made available to all the parties concerned. The identity of witnesses will be kept confidential where necessary.

5.2 Where an employee is called to attend an investigatory interview, it will be made clear that this is not a disciplinary hearing.

6 Grievance hearing

- 6.1** An employee will be invited, in writing, to a grievance hearing once the investigations are complete. Prior to the meeting the employee will be informed of the nature of the allegations that are to be addressed. The grievance hearing will be conducted by members of the Council's Grievance Panel.
- 6.2** The Chair shall introduce everyone and explain the procedure.
- 6.3** If attending, the complainant or their representative(s) shall be asked to outline the grounds for the complaint. If no one is attending on behalf of the complainant, the Clerk, or Chair if the grievance concerns the Clerk, will outline the complaint on their behalf.
- 6.4** The panel members may ask any questions of that person or their representatives.
- 6.5** The person against whom the grievance is held will have an opportunity to respond.
- 6.6** The panel members may ask any questions of that person.
- 6.7** Both parties shall be offered the opportunity of making a final statement.
- 6.8** All those not on the panel shall be asked to leave the room while the panel decides whether or not the grounds for the grievance are justified. Both parties shall be invited back if a point of clarification is necessary.
- 6.9** All parties shall return to hear the decision or to be advised when a decision will be made if it is to be deferred. The panel will advise the complainant of the reason for any deferral and will offer the complainant the choice whether to receive the decision in person or in writing.

7 Appeals

- 7.1** If a decision was made at the hearing it will be confirmed in writing to the complainant within five working days of the hearing, along with details of any action to be taken.
- 7.2** If a decision was deferred then the panel will take whatever action they agreed was necessary in order to allow them to come to a decision by the agreed date. Only in exceptional circumstances should a decision be deferred more than once.
- 7.3** If the complainant asked to hear the decision in person then another meeting will be arranged at which the decision can be announced. Otherwise the complainant will be informed of the decision in writing on the agreed date.
- 7.4** If the complainant is not satisfied then they will have a further five working days to request the complaint be received by an appeals panel. This should be done in writing and include the grounds the appeal is based upon. Following such a request the Clerk will make arrangements for all panel members to be provided with the statements and documents from both parties and a hearing date will be arranged

- 7.5** The appeals hearing will be normally held within ten working days of receipt of the letter. The decision of the Appeals Panel shall be final with no further appeals permitted.

8 Appeals hearing

- 8.1** At the appeals hearing, the person raising the grievance will be given opportunity to state the ground(s) on which the appeal is made. The Grievance Panel who took the original decision will then have the opportunity to explain their decision. The members of the Appeals Panel conducting the appeal may exercise discretion as to whether or not the two parties will be present together during the proceedings. The hearing will be adjourned when all the evidence has been heard. The members of the Appeals Panel conducting the appeal will consider the merits of the appeal, in private, before reaching a decision.
- 8.2** The members of the Appeals Panel will, whenever possible, verbally inform the complainant of the decision reached and confirm this in writing no later than five working days after the hearing.
- 8.3** The members of the Appeals Panel have the authority to reverse the original decision, amend it, or leave it unchanged, as they consider appropriate.
- 8.4** An appeal hearing is intended to focus on specific factors that the complainant feels have received insufficient consideration, or have been considered incorrectly. It is not intended to be a rerun of the original Grievance hearing.

9 Abuse of this policy

- 9.1** Any abuse in the application of this policy e.g. if an employees' grievance is found to be malicious or to have been made in bad faith will be dealt with in accordance with the Council's Discipline Policy and may possibly result in disciplinary action being taken against the person who made the original complaint, up to and including dismissal.

10 Alterations and amendments to this policy

- 10.1** This policy does not form part of employees' contractual rights. The Council reserves the right to revise the contents of this policy from time to time or withdraw it at its absolute discretion, in accordance with the needs of the council.

11 Additional information

- 11.1** For further information, please contact the Clerk.
- 11.2** Where a grievance is found to be upheld, the Grievance Panel may decide to impose sanctions on the person(s) about whom the grievance was raised.
- 11.3** If the grievance was raised against another employee of the Council then the matter will be dealt with using the Council's Discipline Policy.
- 11.4** If the grievance was raised against a Councillor or Councillors then the panel may decide to impose one or more of a range of sanctions. These include, but are not limited to:
 - 11.4.1** A formal warning. Any further grievances being upheld would lead to more serious sanctions.
 - 11.4.2** An announcement at the next Full Council meeting that a complaint has been upheld against the Councillor(s).
 - 11.4.3** Removal from positions of authority within the Council.
 - 11.4.4** Removal from Committees or Working Groups.
 - 11.4.5** Referral to the Eastleigh Borough Council Monitoring Officer.
- 11.5** The Panel may decide to publish any sanction imposed, including the result of any referral to the Eastleigh Borough Council Monitoring Officer.

Complaints Flowchart

What is the complaint about?

