

# West Ilsley Parish Council

Correspondence Address: Wilkins Centre, Burrell Road, Compton, Newbury, RG20 6NP

Meeting address: West Ilsley Village Hall, Main Street, West Ilsley, RG20 7AJ

[Clerk@WestIlsley.org](mailto:Clerk@WestIlsley.org)

To: All Members of West Ilsley Parish Council

All Councillors are hereby summoned to attend the following meeting.

Please inform the Clerk if you are unable to attend.

## Notice of Meeting

MEETING: Full Council

DATE & TIME: Monday 14<sup>th</sup> November 2022 at 7:30pm

PLACE: West Ilsley Village Hall, Main Street, West Ilsley, RG20 7AJ

*S. Marshman*

Dr. S. Marshman, PSLCC, Clerk to the Council

8<sup>th</sup> November 2022

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## Agenda

1. To receive, and consider for acceptance, apologies for absence from Members of the Council
2. To receive any declarations of [Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests](#) and to consider any Requests for Dispensation from Members declaring a [Disclosable Pecuniary Interest](#)  
*N.B. Councillors should confirm the category of interest that is being declared.*
3. To receive:
  - 3.1 Questions or comments from members of the public regarding items on the agenda<sup>1</sup>
  - 3.2 Representations from any member who has declared a [Disclosable Pecuniary Interest, Other Registerable Interest or Non-Registerable Interest](#)
4. To approve the [Minutes of the Parish Council Meeting held on 10<sup>th</sup> October 2022](#)
5. To discuss any matters arising from the Minutes of the previous meeting
6. To receive a report from the District Councillor
7. To consider the following planning application and to receive an [update on planning application responses and decisions](#)

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<sup>1</sup> Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in this agenda. The designated time will be 12 minutes, with no longer than 3 minutes per person. This time may be extended at the discretion of the Chairman. A question shall not require a response at the meeting nor start a debate. The Chairman of the meeting may direct that a written or oral response be given after the meeting. (Standing Orders 3e-h) Comments or questions not related to an item on this agenda should be notified to the Clerk for consideration by Council for possible inclusion on a future agenda.

- [22/02571/FULMAJ Folly Farm, Bury Lane, West Ilsley, RG20 7AZ](#) - Proposed steel portal framed building to be used as an on-floor grain store with hardstanding perimeter and 4 no. gas tanks.
8. Finance:
    - 8.1 To consider approving the payments listed on the [Finance Report](#)
    - 8.2 To note the most recent [bank reconciliation](#)
    - 8.3 To receive any reports from the Internal Controller
    - 8.4 To receive the most recent [Quarterly Budget Report](#) (*where applicable*)
  9. To receive an update on the Village Hall
  10. To consider which councillor will act as the liaison for the Village Hall codification project
  11. To review the external audit report for 2021/2022 – *see page 6 of the* [AGAR](#)
  12. To review whether to make the budgeted donation to the Library Service – *item 6f on the* [2022/23 budget](#)
  13. To consider quotes for refuse disposal
  14. To ratify an increase in the cost of the new fencing in the play area
  15. To review the [draft budget for 2023/2024](#)
  16. To consider adopting the following policies:
    - 13.1 [Equality Policy](#)
    - 13.2 [Dignity at Work Policy](#)
    - 13.3 [Disciplinary and Grievance Policy](#)
    - 13.4 [Training and Development Policy](#)
  17. To consider adopting the [Staffing Committee Terms of Reference](#)
  18. To consider the membership of the following committees for 2022/23
    - 15.1 Staffing Committee
    - 15.2 Disciplinary/Grievance Committee
  19. To pass a resolution to sign up to the [Civility and Respect Pledge](#)
  20. To discuss matters for future consideration or for information

Date of next Meeting:

Full Council: Monday 16<sup>th</sup> January 2023 in the Village Hall

# Supporting Documents

## Agenda Item 2: Declarations of Interests

DPI = Disclosable Pecuniary Interest

ORI = Other Registerable Interest

NRI = Non-Registerable Interest

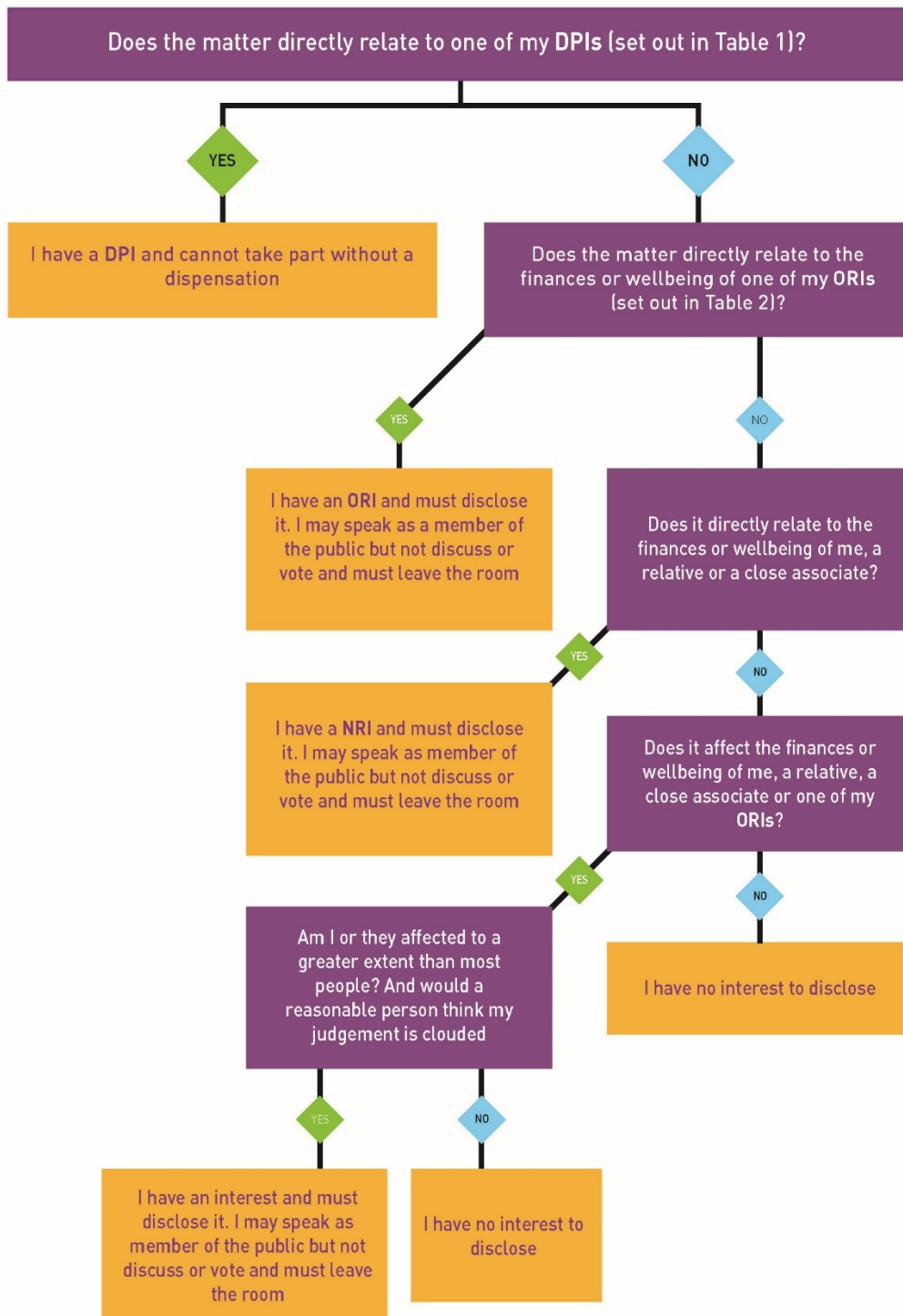


Table 1: Disclosable Pecuniary Interests

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	<p>Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and* property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the

	councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interest

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
  - (i) exercising functions of a public nature
  - (ii) directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

Agenda item 7: To receive an update on planning application responses and decisions

West Ilsley Parish Council has responded to the following planning applications using delegated powers since the previous meeting:

<b>Application Reference</b>	<b>Location</b>	<b>Proposed Work</b>	<b>Parish Council Response</b>
None			

West Berkshire District Council has confirmed the following decisions since the previous meeting:

<b>Application Reference</b>	<b>Location</b>	<b>Proposed Work</b>	<b>Decision</b>
None			

Agenda Item 8: Finance

Finance Report

<b>Status at last bank reconciliation 31st October 2022</b>	<b>£46,494.09</b>
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<b>Income</b>	<b>Amount</b>
Precept	£5,350.00
Grant from Greenham Trust via The Good Exchange	£1,750.00
Grant from Englefield Charitable Trust via The Good Exchange	£497.11
<b>Total</b>	<b>£7,597.11</b>

**Payments to be approved**

<b>Payment Date</b>	<b>Payee</b>	<b>Payment Detail</b>	<b>Amount</b>
13-Oct-22	Just Host Me	Web hosting	£143.86
13-Oct-22	PKF Littlejohn	External audit 21/22	£360.00
21-Oct-22	Staff Costs	Staff Costs Oct	£309.46
14-Nov-22	A Councillor	Zoom subscription	£14.37
14-Nov-22	SLCC Enterprises Ltd	SLCC National Conference	£31.25
14-Nov-22	Valley Fencing	Install new fencing for play area	£4,560.00
14-Nov-22	West Ilsley Village Hall	Donation for Wi-Fi costs	£300.00
21-Nov-22	Staff Costs	Staff Costs Nov	£311.26
<b>Total</b>			<b>£6,030.20</b>

Bank Reconciliation – October

<b>West Ilsley Parish Council - Bank Reconciliation</b>	
<b>Oct-22</b>	
<b>Lloyds Current</b>	
<b>Opening Cash Account Balance - 1st October 2022</b>	<b>£39,710.30</b>
Add: Receipts in the month	£7,597.11
Less: Payments in the month	(£813.32)
<b>Closing Cash Account Balance - 31st October 2022</b>	<b>£46,494.09</b>
<b>Closing Balance of Bank Account - 31st October 2022</b>	<b>£46,494.09</b>
Add: Receipts not banked	£0.00
Less: Payments not Completed	£0.00
<b>Net Balances as at 31st October 2022</b>	<b>£46,494.09</b>
<b><u>List of Receipts not Banked as at 31st October 2022</u></b>	
<b>Item</b>	<b>Amount</b>
	_____
Total	£0.00
<b><u>List of Payments not Completed as at 31st October 2022</u></b>	
<b>Item</b>	<b>Amount</b>
	_____
Total	£0.00



## Quarterly Budget Report to 30<sup>th</sup> September 2022

	Q1	Q2	2022/23 Total	Budget	%
<b>Income</b>					
Precept	£5,350.00	£0.00	£5,350.00	£10,700.00	50.0%
Grants & Donations	£0.00	£0.00	£0.00	£0.00	
<b>Total Income</b>	<b>£5,350.00</b>	<b>£0.00</b>	<b>£5,350.00</b>	<b>£10,700.00</b>	<b>50.0%</b>
<b>Expenditure</b>					
<b>Administration</b>					
Subscriptions/Fees	£73.52	£0.00	£73.52	£165.00	44.6%
Insurance	£451.75	£0.00	£451.75	£420.00	107.6%
Audit fees	£242.50	£0.00	£242.50	£535.00	45.3%
Office Equipment	£2.94	£0.00	£2.94	£25.00	11.8%
Training	£0.00	£0.00	£0.00	£100.00	0.0%
Staffing Costs/Expenses	£95.40	£109.46	£204.86	£400.00	51.2%
Meeting Rental	£0.00	£0.00	£0.00	£120.00	0.0%
Software Fees	£47.96	£0.00	£47.96	£204.00	23.5%
Election Fees	£0.00	£0.00	£0.00	£0.00	
WiFi	£0.00	£0.00	£0.00	£300.00	0.0%
<b>Total Administration</b>	<b>£914.07</b>	<b>£109.46</b>	<b>£1,023.53</b>	<b>£2,269.00</b>	<b>45.1%</b>
<b>Website</b>					
Maintenance	£0.00	£0.00	£0.00	£100.00	0.0%
Hosting	£10.00	£0.00	£10.00	£140.00	7.1%
<b>Website Total</b>	<b>£10.00</b>	<b>£0.00</b>	<b>£10.00</b>	<b>£240.00</b>	<b>4.2%</b>
<b>Playground</b>					
Annual Inspection	£70.00	£0.00	£70.00	£120.00	58.3%
Maintenance	£0.00	£0.00	£0.00	£1,000.00	0.0%
<b>Playground Total</b>	<b>£70.00</b>	<b>£0.00</b>	<b>£70.00</b>	<b>£1,120.00</b>	<b>6.3%</b>
<b>Village Maintenance</b>					
Defibrillator	£0.00	£0.00	£0.00	£250.00	0.0%
Mower Service	£0.00	£0.00	£0.00	£150.00	0.0%
Flood Mitigation Works	£0.00	£10,150.00	£10,150.00	£1,000.00	1015.0%
Tree Works	£0.00	£0.00	£0.00	£300.00	0.0%
War Memorial Repairs	£263.00	£0.00			
Other	£0.00	£29.17			
<b>Village Maintenance Total</b>	<b>£263.00</b>	<b>£10,179.17</b>	<b>£10,442.17</b>	<b>£1,700.00</b>	<b>614.2%</b>
<b>Staff Employment Costs</b>	<b>£990.26</b>	<b>£991.56</b>	<b>£1,981.82</b>	<b>£4,000.00</b>	<b>49.5%</b>
<b>Other</b>					
Village Hall Window Works	£0.00	£0.00	£0.00	£5,620.00	0.0%

Donation to Library Service	£0.00	£0.00	£0.00	£130.00	0.0%
<b>Other Total</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£5,750.00</b>	<b>0.0%</b>
<b>Total Expenditure</b>	<b>£2,247.33</b>	<b>£11,280.19</b>	<b>£13,527.52</b>	<b>£15,079.00</b>	<b>89.7%</b>
<b>Surplus/Deficit</b>	<b>£3,102.67</b>	<b>-£11,280.19</b>	<b>-£8,177.52</b>		
<b>Cash Account Balance at End of Quarter</b>	<b>£53,026.32</b>	<b>£39,710.30</b>			

Agenda Item 15: To review the draft budget for 2023/2024

Budget Heading	2021/22 Actual Spend	Agreed 2022/23 Budget	Total to End Sep 2022	Forecast Year-End Total	2023/24 Budget	Comments
<b><u>Income</u></b>						
1 Precept	£10,700	£10,700	£5,350	£10,700	£10,700	If keeping precept the same
2 Grants & donations	£59,445	£0	£0	£1,750	£0	
3 Other income	£0	£0	£0	£0	£0	
<b>A Total Income</b>	<b>£70,145</b>	<b>£10,700</b>	<b>£5,350</b>	<b>£12,450</b>	<b>£10,700</b>	
<b><u>Expenditure</u></b>						
<b>1 Administration</b>						
1a Subscriptions/fees	£148	£165	£74	£149	£160	BALC/ICO/SLCC
1b Insurance	£393	£420	£452	£452	£500	
1c Audit fees	£98	£535	£243	£603	£580	Assuming expenditure exceeds £25k as per forecast
1d Office Equipment	£23	£25	£3	£15	£20	
1e Training	£40	£100	£0	£100	£150	
1f Staffing costs/expenses	£472	£400	£205	£410	£430	
1g Meeting Rental	£30	£120	£0	£120	£120	
1h Software fees	£144	£204	£48	£84	£100	
1i Website hosting	£120	£140	£10	£154	£180	
1j Election Fees	£0	£0	£0	£0	£150	Assuming uncontested election
1k Wi-fi (at Village Hall)	£0	£300	£0	£300	£0	
<b>1 Total Administration</b>	<b>£1,468</b>	<b>£2,409</b>	<b>£1,034</b>	<b>£2,386</b>	<b>£2,390</b>	
<b>2 Playground</b>						

2a	Annual Inspection	£99	£120	£70	£70	£100	
2b	Maintenance	£1,143	£1,000	£0	£0	£500	
<b>2</b>	<b>Playground</b>	<b>£1,242</b>	<b>£1,120</b>	<b>£70</b>	<b>£70</b>	<b>£600</b>	To be earmarked if unused
<b>3</b>	<b>Village Maintenance</b>						
3a	Defibrillator	£258	£250	£0	£0	£100	
3b	Mower service	£0	£150	£0	£0	£150	
3c	Flood mitigation works	£13,664	£1,000	£10,150	£10,150	£1,100	£1,100 to be earmarked for 10-12 years in preparation for the next silt clearance. This amount is to be increased by 10% each year.
3d	Tree works	£120	£300	£0	£0	£200	To be earmarked if unused
3e	War Memorial repairs	£0	£0	£263	£263	£0	
3f	Refuse disposal	£0	£0	£0	£165	£494	If agreed at Nov meeting
3g	Other	£0	£0	£29	£29	£0	
<b>3</b>	<b>Village Maintenance</b>	<b>£14,042</b>	<b>£1,700</b>	<b>£10,442</b>	<b>£10,607</b>	<b>£2,044</b>	
<b>4</b>	<b>Staff Employment Costs</b>	<b>£4,976</b>	<b>£4,000</b>	<b>£1,982</b>	<b>£4,124</b>	<b>£4,400</b>	
<b>5</b>	<b>Other</b>						
5a	Cricket nets project	£33,333	£0	£0	£0	£0	Complete
5b	VAS/road safety measures	£2,690	£0	£0	£0	£5,000	VAS at top of hill entering east end of village - to be obtained through grants/reserves
5c	Village Hall roof repairs	£5,300	£0	£0	£0	£0	Complete
5d	Village Hall window works	£0	£5,620	£0	£5,620	£0	
5e	Donation to fireworks	£300	£0	£0	£0	£0	
5f	Donation to Library Service	£0	£130	£0	£130	£130	To be reviewed by Council during financial year
5g	Play Area Fence Replacement	£0	£0	£0	£3,370	£0	From CIL/grant funding
5h	Other	£251	£0	£0	£0	£0	
<b>5</b>	<b>Total Other</b>	<b>£41,874</b>	<b>£5,750</b>	<b>£0</b>	<b>£9,120</b>	<b>£5,130</b>	

B	<b>Total Expenditure</b>	<b>£63,601</b>	<b>£14,979</b>	<b>£13,528</b>	<b>£26,306</b>	<b>£14,564</b>
A-B	<b>Income minus Expenditure</b>	<b>£6,544</b>	<b>-£4,279</b>	<b>-£8,178</b>	<b>-£13,856</b>	<b>-£3,864</b>

Cash Account Balances	2021/22 Actual	Forecast Year-End	2023/24 Budget
Start of year	£43,129	£39,681	£25,825
End of year	£39,681	£25,825	£21,961

	2021/22	2022/23	2023/24 Budget
<b>Cost to a Band D Household for the year</b>		<b>£68.96</b>	<b>£68.96</b>

2023/24 Band D cost based on 2022/23 tax base while awaiting figures from WBDC

<b>Earmarked Reserves forecast at end 2022/23</b>		
Village Hall	£14,380	This will require review at the January meeting if the forecast is correct as the value is currently greater than the predicted end-of-year balance
Play Area	£5,700	
War Memorial	£4,737	
Gazebo	£5,000	
Pond	£1,000	
<b>Total</b>	<b>£30,817</b>	

Agenda Item 16: To consider adopting the following policies: Equality Policy, Dignity at Work Policy, Disciplinary and Grievance Policy, Training and Development Policy

## Equality Policy

Version Number	1.0	Minute Reference	
Date Adopted		Review Due	Annually (Nov)

### 1. *Legal Position*

1.1 It is unlawful to discriminate against an individual on the following grounds:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Under the Equality Act 2010 these are known as “protected characteristics”.

### 2. *Purpose*

2.1 The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimization or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

### 3. *Scope*

3.1 All employees whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the council.

### 4. *Our Commitment*

4.1 Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. This is further defined in the Dignity at Work policy adopted by the council.

- 4.2 The commitment to equal opportunities in the workplace is good management practice and makes sound business sense as it seeks to utilise the talents available from the local community, representing Society as a whole.
- 4.3 Breaches of our equal opportunities policy will be regarded as serious misconduct and could lead to disciplinary proceedings. Employees are entitled to complain about discrimination or harassment or victimization through the council's Grievance procedure.
- 4.4 This policy is fully supported by all Members of the council and adopts the model contract as devised by the employee professional body in the local government sector (the Society of Local Council Clerks).
- 4.5 The policy will be monitored and reviewed annually/bi-annually. Other Personnel policies will be reviewed against the values stated in this main Equal Opportunities policy to ensure that the council strives to remain an Equal Opportunities employer.

Uses of Policy – Staff Handbook, Induction of staff and Members, decisions relating to Recruitment and Selection, Training and Development, Promotion, Remuneration, Retirement, cross-referenced to Grievance, Disciplinary and Dignity at Work Policies.

## Dignity at Work / Bullying and Harassment Policy

Version Number	1.0	Minute Reference	
Date Adopted		Review Due	Annually

### 1 Purpose and Scope

1.1 Statement: In support of our value to respect others West Ilsley Parish Council will not tolerate bullying or harassment by, or of, any of its employees, officials, members, contractors, visitors to the council or members of the public from the community which we serve. The Council is committed to the elimination of any form of intimidation in the workplace.

This policy reflects the spirit in which the council intends to undertake all of its business and outlines the specific procedures available to all employees in order to protect them from bullying and harassment. It should be read in conjunction with the council's policies on Grievance and Disciplinary handling and the Elected Members Code of Conduct.

The Council will issue this policy to all employees as part of their induction and to all members as part of their Welcome Pack. The Council may also wish to share this policy with contractors, visitors and members of the public.

#### 1.2 Definitions

##### **Bullying**

"Bullying may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress."

##### **Harassment is**

"Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment." This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age.

These definitions are derived from the ACAS guidance on the topic.

Bullying and Harassment are behaviours which are unwanted by the recipient. They are generally evidenced by a pattern of conduct, rather than being related to one-off incidents.

Bullying and harassment in the workplace can lead to poor morale, low productivity and poor performance, sickness absence, mental health issues, lack of respect for others, turnover, damage to the Council's reputation and ultimately, legal proceedings against the council.



## Disciplinary and Grievance Policy

Version Number	1.0	Minute Reference	
Date Adopted		Review Due	Annually (Nov)

This procedure is designed to help and encourage all council employees to achieve and maintain high standards of conduct whilst at work or representing the council. The aim is to ensure consistent and fair treatment for all. This procedure is prepared in accordance with the dismissal and dispute resolution procedures as set out in the Employment Act 2008 and the ACAS Code of Practice APR 2009

### *1 Principles*

- a) No disciplinary action will be taken against an employee until the case has been fully investigated.
- b) At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
- c) At all formal stages the employee will have the right to be accompanied by a trade union representative or work colleague during the disciplinary interview.
- d) No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty of dismissal without notice or payment in lieu of notice may be applied.
- e) An employee will have the right to appeal against any disciplinary penalty imposed.
- f) The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

### *2 The Procedure for Misconduct and Gross Misconduct*

#### **2.1 The definitions of misconduct and gross misconduct**

2.1.1 The following list provides examples of misconduct which will normally give rise to formal disciplinary action:

- Unauthorised absence from work
- Persistent short-term and/or frequent absences from work without a medical reason
- Lateness for work or poor time keeping
- Inappropriate standard of dress
- Minor breaches of Health and Safety or other Society rules or procedures
- Failure to perform your job to the standard expected or in line with your job description/objectives
- Time wasting
- Disruptive behaviour
- Misuse of the council's facilities (e.g. telephones, computers, email or the internet)
- Refusal to carry out reasonable requests or instructions
- Failure to follow an agreed council Procedure

This list is not exhaustive and offences of a similar nature will result in disciplinary action being instigated. N.B. persistent or frequent absence on medical grounds and long term sickness absence will be dealt with using a procedure for Incapacity.

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

- Theft, fraud, deliberate falsification of records, or other acts of dishonesty
- Fighting, assault on another person
- Deliberate damage to property of the council, its workers or members
- Gross incompetence in the conduct of work
- Gross negligence which results in the council or employees being put at risk.
- Being under the influence of illegal drugs or excessive alcohol
- Acts of incitement towards or actual acts of discrimination, harassment or victimisation including on the grounds of sex, race, colour, ethnic origin, disability, sexual orientation, age, religion or belief
- Serious acts of insubordination
- Serious breach of duty to keep information of the council, its service providers and its clients confidential
- Unauthorised entry to computer records
- Serious breach of the council's Security Policy, Health & Safety Policy, Confidentiality or e-mail and Internet Policy
- Any action, whether committed on or off the premises, that is likely to or does bring the council into disrepute
- Serious negligence which causes or might causes significant loss, damage or injury
- Accepting bribes or incentive payments from suppliers
- Unauthorised use of Society funds or credit
- Working with an external agency to provide information which would be detrimental to and cause commercial risk to the council.

This list is not exhaustive and other offences of a similar gravity will result in disciplinary action being instigated at Gross Misconduct level which carries a potential penalty of dismissal. Gross Misconduct is generally any conduct which places extreme pressure on the mutual trust which exists in an employment relationship.

## **2.2 Informal Action**

2.2.1 Minor misconduct will be dealt with informally usually in a confidential one-to-one meeting between the employee and line manager. In the case of the Clerk being the individual against whom there is a complaint or allegation the matter should be handled discreetly by members of the Staffing (or similar) committee and involve an informal meeting initially. However, where the matter is more serious or informal action has not brought about the necessary improvement the following procedure will be used:

## **2.3 Formal Action**

2.3.1 The level of warning you may receive for misconduct/gross misconduct will depend on how serious the council considers the alleged actions to be and your previous conduct in all the

circumstances. In the event of alleged gross misconduct the formal process may commence at Stage 4 –see 3.4 below.

**2.3.2 Disciplinary Letters:** If there is a concern about an employee’s conduct or behaviour then a letter will be given to the employee advising him/her of the allegation(s) and reasons why this is unacceptable. The letter should invite the employee to attend a meeting at which the alleged misconduct will be discussed and will inform the employee of their right to be accompanied to the meeting. The letter will specify at which stage the disciplinary procedure is being invoked (see 4 stages below) and if invoked at Stage 4 for Gross Misconduct the letter will warn that a potential outcome could be dismissal. The time, date and venue of the meeting will also be advised. Any documents to be produced at the meeting will also be provided.

**2.3.3 Disciplinary Meetings:** The time and location of a disciplinary meeting should be agreed with the employee and it should be held in a private location with no interruptions. This will normally be without undue delay but allowing the employee to prepare their case e.g. within 5 days of the letter being sent, where practically possible. At the meeting the manager (or in the case of the Clerk being disciplined, the Chair of the hearing panel) will state the complaint against the employee and go through the evidence which has been gathered. The employee will also be allowed to ask questions, present evidence and call witnesses if advance notice has been given that they will do so.

If the employee is unable to attend the meeting due to unforeseeable reasons out of their control (e.g. illness) then the council will reasonably rearrange the meeting. However, if the employee fails to attend the meeting without good reason the meeting can be held in the employee’s absence.

## **2.4 Outcomes and Penalties**

### **Stage 1 - Oral Warning**

In the instance of a first complaint that conduct does not meet acceptable standards, the employee will normally be given a formal ORAL WARNING. He or she will be advised of;

- the reason for the warning,
- that it is the first stage of the disciplinary procedure,
- the improvement that is required and the timescales for achieving this improvement,
- together with a review date and any support available (where applicable) and
- his or her right of appeal.

A brief note of the oral warning will be kept but it will be spent after 6 months, subject to satisfactory conduct.

### **Stage 2 - Written Warning**

If the offence is a serious one, or if further to previous formal disciplinary action, a WRITTEN WARNING will be given to the employee by the Line Manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on file but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct.

### **Stage 3 – Final Written Warning**

If there is still a failure to improve and conduct or performance is still unsatisfactory, or the misconduct is sufficiently serious, a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept by the Line Manager (or in the case of the Clerk being disciplined by the Chair of the Hearing Panel) but it will be spent after 12 months (in exceptional cases the period may be longer) subject to satisfactory conduct.

### **Stage 4 – Dismissal or other sanctions**

If conduct is still unsatisfactory and the employee still fails to reach the prescribed standards, or where the Society reasonably believes Gross Misconduct has occurred, DISMISSAL may result. Only the appropriately convened hearing panel can take the decision to dismiss an employee. The employee will be given a written statement of allegations against him/her, invited to a meeting and then be notified in writing of the reasons for the decision taken at the hearing. Penalties at this stage may include dismissal with notice or summary dismissal (i.e. without any notice), Final Written Warning with/without demotion, loss of pay or loss of seniority. If dismissal is the outcome, the employee will be advised of the date on which employment will terminate. In all cases the employee has a right of appeal.

Very exceptionally, if an offence of Gross Misconduct is extremely serious an employee can be dismissed immediately without a meeting. In this situation a letter setting out reasons for dismissal would be sent to the employee offering the opportunity for an appeal hearing.

## **2.5 Suspension**

If you are accused of an act of gross misconduct, you may be suspended from work on full pay while the council investigates the alleged offence. Only the appropriately convened committee has the power to suspend. This enables a swift and thorough investigation to occur. Whilst suspended pending disciplinary investigation regular contact with a nominated person at the council will be maintained although access to premises, equipment or systems may be denied. The Investigator who compiles evidence for the disciplinary hearing must play no part in the subsequent decision-making to ensure impartiality. Councils need to consider the implications of such arrangements on its hearing and appeal panel plans early on in the disciplinary process.

## **2.6 Appeals**

The Appeals stage of the disciplinary process is part of the Code of Practice to which an employee has a right. It can be exercised after any of the stages of disciplinary action for Misconduct/Poor Performance or Gross Misconduct.

An employee who wishes to appeal against a disciplinary decision should inform the Chair/Mayor (or Chair of the relevant committee) within five working days, in writing and giving reasons for the appeal. An Appeal may be raised if:

- The employee thinks the finding or penalty is unfair
- New evidence has come to light
- The employee thinks that the procedure was not applied properly

Where possible the Appeal will be heard by a separate panel of elected members who have not been involved in the original disciplinary hearing, who will view the evidence with impartiality. The employee will have the right to be accompanied by a colleague or accredited Trade Union official or lay member at the appeal hearing. The outcome of the appeal and reasons for it will be advised to the employee as soon as possible after the meeting and be confirmed in writing. At the Appeal hearing any disciplinary penalty imposed will be reviewed but it cannot be increased. The decision taken at the Appeal hearing will be final.

## **2.7 The Right to be Accompanied**

At each formal stage of the disciplinary interview an employee has the right to be accompanied and can make a reasonable request for such a person to accompany them. An employee can ask any other employee or a trade union representative or an appropriately accredited official employed by a trade union to accompany them, to give support and help them prepare for the disciplinary interview. This right is enshrined in the 1999 Employment Relations Act. As this is an internal process there is no provision to have any external person accompany or represent an employee, e.g. partner, parent, solicitor etc. The companion can address the hearing, put and sum up the employee's case, respond on behalf of the worker to any views expressed at the meeting, confer with the employee. The companion cannot however answer questions on the employee's behalf or address the hearing if the employee does not wish him/her to or prevent the employee from explaining their case.

## **2.8 Hearing Panels**

The SLCC advise that councils establish hearing panels to hear disciplinary and grievance hearings on an annual basis so that if a dispute does arise in the workplace the elected members involved are already trained and briefed on their duties as a hearing or appeal panel member. In situations where individual members are implicated in the dispute or have undertaken an investigatory role then they will need to be substituted as panel members.

## **2.9 Note-Taking**

It is highly recommended that a note-taker be provided to every meeting/hearing which arises as a result of a disciplinary process as Employment Tribunals are particularly keen to view contemporaneous notes of events which have led to an employment dispute. Councils will need to give this requirement careful consideration in order to respect employee confidentiality.

## **2.10 Grievances Raised During Disciplinaries**

In some circumstances when a disciplinary process has commenced an employee chooses to exercise his/her right to raise an internal grievance about the employment relationship with the council or individual Members. The SLCC recommends, in line with ACAS advice, that disciplinary matters are placed on hold until grievances have been aired and actions towards a resolution have

been progressed. In exceptional circumstances it is pragmatic to deal with the two disputes concurrently but SLCC would advise caution and specialist advice should be sought if this arises.

### **2.11 Criminal Charges or Convictions**

If an employee is charged with or convicted of a criminal offence this does not automatically give rise to a disciplinary situation. Consideration needs to be given to how a charge or conviction may affect an employee's ability to undertake his or her job duties and their relationships with the employer, colleagues, subordinates or customers.

#### *Getting It Wrong*

Failure to follow the ACAS Code of Practice (available at [www.acas.org.uk](http://www.acas.org.uk)) can lead to an Employment Tribunal awarding an uplift of an award against the council of up to 25%. Tribunals dealing with unfair dismissal claims are particularly interested in whether the employer followed a procedure and whether the employer acted fairly and reasonably. One way in which to avoid such a penalty is to have an agreed procedure, communicate that procedure to staff and Members, revisit and review the procedure regularly and have some training for those who are expected to operate the procedure.

## Training and Development Policy

Version Number	1.0	Minute Reference	
Date Adopted		Review Due	Annually (Nov)

### *1 Introduction*

West Ilsley Parish Council is committed to the ongoing training and development of all Councillors and employees to ensure the Council can meet its aim and objectives. The Council will ensure that Councillors and employees will be provided with the means to develop and enhance their skills and abilities to deliver high quality services, along with management skills to manage and plan those services and be kept informed of all new legislation. The Council values the time given by its members to their community and needs to maximise the rewards from that time by ensuring that its members understand and enjoy their role in the community.

Funds are allocated to a training and development budget each year to enable Councillors and employees to attend training and conferences relevant to their office. Prospective Councillors and applicants for the post of Clerk will be made aware of the content of this policy and the expectations placed upon them contained within it.

### *2 Identification of Training and Development Needs*

Training and development needs may be identified due to:

- Legislative requirements.
- Changes in legislation.
- Changes in systems.
- New or revised qualifications become available.
- New working methods and practices.
- Complaints to the Council.
- A request from a member of staff.
- Devolved services/ delivery of new services.

#### **Councillors**

Annually, the Council will formally review the training needs of Councillors at a meeting of the Parish Council. Opportunities to attend courses will be investigated by the Clerk and brought to the attention of the Full Council. The following training is provided by HALC on behalf of BALC, however similar training may be sought through other training providers.

The following training is required for new Councillors:

- Knowledge and Core Skills.

Training on specific committee areas should be attended as required, for example:

- An Introduction to Planning for Local Councillors – all.
- Local Plans and Planning Policy - all.
- Managing Staff in Local Councils – Staffing Committee.

Further training can be attended for specific roles such as:

- Chairman/Vice-Chairman - Chairing Skills.
- Internal Controller - Local Council Finance for Councillors.

These suggestions are not exclusive, and Councillors should seek any training they believe is relevant to their roles within the Council.

## Clerk

Annually, the Staffing Committee will review the training needs of the Clerk through the annual appraisal process. Informal discussions should take place throughout the year as the need arises.

Training needs for a new Clerk will be identified through the recruitment process, including application form and interview, formal and informal discussions and annual Staff Appraisals.

The Clerk is expected to keep up-to-date with developments in the sector and highlight to the Council any training required.

The Clerk is expected to undertake and complete CiLCA training within two years of starting employment if the qualification is not already held.

### *3 Financial Implications*

Each year as part of the annual budget setting process, the Council will include a training budget for employees and Councillors. When calculating this, any training needs identified as part of the annual appraisal process and Councillors training needs review will be taken in to consideration.

All sponsored training must be appropriate to the needs of the Council and is subject to the availability of financial resources.

For approved courses the Council will cover the course fee, examination fees, associated membership fees and one payment to re-take a failed examination.

### *4 Recouping Costs*

It is standard practice of the Council that where the Council is covering the costs of an employee's training course or qualification (this being a course or qualification, rather than one day course or workshop) a written agreement will be made that if the employee leaves the Council's employ within a set period of time during or having completed the course, the employee will be expected to reimburse the Council as per the agreement.

### *5 Travel Expenses*

Employees or Councillors attending training may submit an expense claim to cover travel costs to and from the venue. Where practical and possible, if there is more than one attendee from the Council, car-pooling or shared travel arrangements should be made.



## *6 Study Leave*

Employees who are given approval to undertake external qualifications will be granted the following:

- Study time to attend day-release courses.
- Time to sit examinations.
- Study time of one day per examination (to be discussed and agreed upon by their line manager in advance).
- Provision of study time must be agreed upon with the line manager prior to the course being undertaken.

## *7 Record Keeping and Evaluation*

All attendees are asked to provide feedback on the value and effectiveness of the training and development they undertake. This information will be used to assess and improve the training process.

Each employee and Councillor has a Training Log which is held securely by the Clerk. This log will be updated with any training undertaken on receipt of the Training Report Form. A digital copy of any attendance or qualification certificates should also be given to the Clerk to be held with these records. These records will be kept in accordance with the Council's Document Retention policy.

Agenda Item 17: To consider adopting the Staffing Committee Terms of Reference

Staffing Committee Terms of Reference

Version Number	1.0	Minute Reference	
Date Adopted		Review Due	Annually (Nov)

**1 General**

1.1 Membership of the Staffing Committee will be determined by the Full Council at each Annual Meeting. The committee will contain 3 Councillors. The remaining 3 Councillors will be available for the Disciplinary/Grievance Committee.

1.2 The Committee will be mindful of:

1.1.1 The legal framework for, and good practice in, employment matters.

1.1.2 The confidential nature of employer-employee matters and that many of the items for consideration will require that the public and press be excluded by resolution of the Committee.

1.1.3 The nationally negotiated model contract, benchmarking and terms and conditions for the employment of the Clerk to the Council.

1.1.4 Relevant council protocols and policies.

**2 Matters for Recommendation to Council**

2.1 The Committee will receive reports from the Clerk and make recommendations to Council regarding:

2.1.1 Staffing & office requirements including budget allocations.

2.1.2 All policy issues relating to staff.

**3 Matters for Delegation to the Staffing Committee**

3.1 The Committee will receive reports from the Clerk and will:

3.1.1 Be responsible for staff recruitment.

3.1.2 Confirm individual Contracts of Employment and all terms and conditions.

3.1.3 Make arrangements for regular objective review of the Clerk's performance by this committee and take necessary action thereon.

- 3.1.4 Decide upon annual salary awards.
- 3.1.5 Appoint a member of the committee to seek advice for the committee in the event of a dispute between the Council and the Clerk.
- 3.1.6 Consider matters arising from the application of the Council's Disciplinary and Grievance Procedures and take all necessary action thereon.
- 3.1.7 As and when required under the Council's Disciplinary and Grievance Procedures, appoint an Appeals Panel, whose members will not be members of the Staffing Committee, and appoint the Chairman of the Appeals Panel who will initiate an Appeals Panel Meeting.
- 3.1.8 Consider recommendations from the Appeal Panel and take necessary actions thereon.

## Agenda Item 19: To pass a resolution to sign up to the Civility and Respect Pledge

### Definition of Civility and Respect

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.	
Our council has put in place a training programme for councillors and staff ( <a href="#">Training and Development Policy</a> to be adopted earlier in the meeting).	
Our council has signed up to the <a href="#">Code of Conduct</a> for councillors	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy ( <a href="#">Dignity at Work Policy</a> to be adopted earlier in the meeting).	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment if and when it happens.	
Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme	
Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	