

EAST LEAKE PARISH COUNCIL

EMPLOYMENT POLICY

Foreword

East Leake Parish Council recognises it may need to deal with a wide range of employment issues and therefore needs to have a sensible employment policy and procedure which helps to handle employment issues quickly, fairly and consistently. This policy should be used alongside the Parish Council's Standing Orders and in delivering this policy the Council will seek to resolve disciplinary and grievance issues using the ACAS Statutory Code of Practice.

1 Recruitment

East Leake Parish Council is empowered to employ people under Section 112 Local Government Act 1972. It can take on employees if it helps the Council to exercise its statutory functions. The Council can realistically employ people with a range of skills. These may include:

- Clerk
- Deputy clerk
- Administrative assistants
- Responsible Financial Officer (RFO)
- Deputy RFO
- Financial assistants
- Caretakers
- Gardeners
- Grounds staff

The Council, in considering recruitment, will look at reviewing existing job descriptions to see if new or additional work can be incorporated into existing posts or whether to create a new job. The Council will manage effectively any new work and decide how it will be undertaken.

Job Description

The Council's job description will contain:

The main purpose of the job

The main responsibility of the job

The scope of the job

The person to whom the employee reports

Person specification

The Council's person specification will contain:

- Education and training
- Qualifications
- Skills and knowledge
- Aptitude directly related to the job

- Type of experience necessary
- Necessary competencies

It may include the requirement for a Driving Licence and subject to debarring checks where applicable.

Pay

The Council recognises and complies with the National Joint Council for Local Government Services National Agreement on Pay and Conditions.

Other benefits

The Council recognises that other benefits may be attractive to potential candidates, so offers pensions, sick pay and holiday entitlements (where applicable). It will recognise previous service from other local government roles.

Job Advertisement

The Council's job advertisement will state:

- The position advertised
- The job location
- The intended pay
- The qualifications and experience required
- How to apply for the job and contact details
- The closing date for receipt of the application form
- An Equal Opportunities Statement

The Council will advertise widely (and as necessary) a job vacancy with local newspapers, professional organisations, Parish newsletter, notice boards and websites.

The Council recognises that under the Immigration, Asylum and Nationality Act 2006 it is a criminal offence to employ a person who does not have permission to work in the United Kingdom. The Council will check an applicant's entitlement to work in the United Kingdom as part of the selection process before shortlisting candidates for interview and retain copies of documents.

Application Form

The Council's job application form will comply with the requirements of Being a Good Employer: A Guide for Parish and Town Councils.

Selection Process

An interest will be declared by any Councillor who knows the candidate.

Interviews

The Council will delegate interviewing to a personnel committee, a sub-committee or an employee if appropriate. There should be a minimum of two interviewees. Candidates will be asked in advance of the interview whether they need any special

facilities or arrangements to be available (e.g. wheelchair access). The candidate will be made to feel comfortable and at ease. Panel members will introduce themselves and give the candidate some explanation about the job and the Council.

Candidates will be asked a standard set of agreed questions to avoid potentially discriminatory questions. Personal questions relating to the candidate's age, sex, sexual orientation, race, marital status, nationality, religion or belief, disability, membership or non-membership of a trade union will not be asked. Interview panels will allow time for the candidate to ask questions about the Council and the job.

Interviewers will take notes during the interview to refer to when making the decision. Notes will be specific to the answers given and irrelevant subjective comments will be avoided. These notes will also be the basis of any feedback to the unsuccessful candidates if requested. Records relating to the recruitment process will be kept for a reasonable period (e.g. not less than six months) in case a candidate brings an employment tribunal claim.

All candidates will be notified as soon as possible after the decision. The successful candidate will be informed that any offer is subject to satisfactory references. References will be sought from the current or most recent employer.

Offer letter

The Council's offer letter will contain the following information:

- The job offer (and whether it is subject to references and/or a probationary period)
- The job title
- The terms of the offer (e.g. salary, hours, benefits, pension arrangements, holiday entitlement, place of employment)
- Start date
- What action the candidate needs to take

Induction

The Council will ensure that systems are in place to assess an employee's progress during any probation period. Induction training will be given which will include an introduction to the Councillors and employees, health and safety information about their workplace and work, and any other relevant information and policies.

2 Employee Rights and Obligations

Contract of Employment

The Council, whilst recognising that contracts need not be in writing to be legally valid will issue a written contract of employment.

The council will include the following details in a written statement:

- The employer's name
- The employee's name
- The job title or a brief job description

- The date employment began
- The place(s) of work and the address of the employer
- The amount of pay or the method for calculating pay
- The intervals between payments
- Hours of work
- Holiday entitlement
- Sickness arrangements (including sick pay)
- Pension arrangements, if any
- Notice period
- Where the employment is not permanent, the period it is expected to continue
- Where the employment is for a fixed term, the date when it is to end
- Grievance and disciplinary arrangements

Implied terms will include:

- To maintain trust and confidence: e.g. a term that the employer will not harass the employee
- To maintain confidentiality: the employee must not disclose confidential information
- To take reasonable care to ensure health and safety in the workplace
- For the employee to obey reasonable instructions/rules.

Collective bargaining

The Council abides by the National Agreement between NALC and SLCC.

Statutory rights and obligations

The Council recognises its statutory rights and obligations in relation to:

- Not to be discriminated against on grounds of age, race, sex, marital status, civil partnership, disability, sexual orientation or religion or belief
- To equal pay with the opposite sex if they are doing like work or work of equal value
- Not to be unfairly dismissed: provided the employee has at least 12 months' continuous employment to bring an unfair dismissal claim
- To an itemised pay statement that shows how net pay has been calculated
- To maternity benefits/rights
- To paternity leave
- To adoption leave
- To parental leave
- To time off for dependants
- To apply for flexible working
- To apply to continue working after 65
- To notice of termination of employment
- Not to have unlawful deductions from pay
- To redundancy pay (where applicable)
- To a safe system of work
- To a reasonable amount of time off:
 - for public duties
 - for jury service

- to look for work if declared redundant with at least two years' service by the date of expiry of the notice period
- for trade union activities, duties and training
- for duties as an employee representative where there are redundancies or business transfers
- for carrying out functions as a safety representative
- to study, if employees aged 16 or 17 have not attained a certain standard of education
- To apply for time to train
- To trade union membership
- To protection if a business transfer is covered by the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE")
- To written reasons for dismissal
- To a written statement of the main terms of the contract
- To a minimum hourly rate under the National Minimum Wage Act 1998 and to the Living Wage Regulations.
- To annual leave and working time limits
- To be accompanied at disciplinary and grievance meetings by a colleague, an accredited trade union representative or trade union official of their choice
- For part-timers to be treated no less favourably than comparable full-timers
- For employees on fixed-term contracts to be treated no less favourably than comparable permanent employees
- To protection when making disclosures of wrongdoing (i.e. whistleblowing) if dismissed or treated less favourably by their employer
- To access their personal data, held by their employer under the Data Protection Act 1998.

The Council will abide by the terms and conditions in respect of the above as is set down in law at that time. Where applicable, changes to a contract between the employer and the employee will require the consent of both parties.

3 Management

The Council recognises that as the body corporate it is the employer for all its employees and that decisions about employment matters cannot be delegated to individual Councillors including the Chair. They can be delegated to employees such as the Clerk. Management matters will be dealt with by a committee appointed for the purpose and reference made to Section 19 Handling Staff Matters in the Council's Standing Orders.

Appraisal

The Council will carry out a regular annual review of an employee's performance which will be open and a two-way discussion.

Sickness absence

The Management Committee may consider the following:

- Delegating the power to deal with other employees' absence to the Clerk

- Notification of a Clerk's sick leave
- Monitoring continued absence due to illness
- Making arrangements for Clerk's work to be completed in their absence
- Investigating sensitively any long-term absence due to illness and on return make sure the employee's work load is realistic.

Records

The Council will ensure it keeps accurate and appropriate employee records stored safely and securely. The Council will keep:

- Personal employee and emergency contact (next of kin) details
- Banking details/National Insurance information
- The employee's employment history with the Council
- A copy of the employee's contract of employment
- Holiday records
- Absence records including sickness absence
- Details of any disciplinary action taken against the employee or grievances brought by the employee
- The original job application information with details of previous employment history, qualifications, and references obtained.

4 Staff and Councillor Training & Development

Statement

East Leake Parish Council is totally committed to the principle of training for all staff and elected members, and will commit whatever resources are needed to ensure that staff and members are equipped to maintain effective working practices in all areas of its work.

Commitment

East Leake Parish Council will provide training as necessary for the following personnel:

1. The Parish Clerk

The Parish Council will:

- Fully fund and provide time to complete the SLCC distance learning course "Working with your Council"
- Fully fund and provide time and resources to enable obtaining of the Certificate in Local Council Administration
- Provide support and encouragement to enable the Clerk to be fully involved with the Nottinghamshire Branch of SLCC to enable attendance at branch, regional and national training events
- Provide periodicals and trade journals to ensure the Clerk stays up to date with new legislation and best working practises
- Any further training that may be deemed necessary to fulfil the role.

2. The Deputy Clerk

- Provide training in Information Technology:
 - Microsoft Office
 - Desktop publishing
 - Website maintenance
- Any further training that may be deemed necessary to fulfil the role.

3. Groundsman/Handyman and Community Warden

- Provide training in use of mechanical equipment essential to carry out duties
- Provide training in correct method of handling heavy objects
- Provide training on Health and Safety issues arising from working alone
- Provide training on Health and Safety issues, with particular emphasis on working close to the highway
- Any further training that may be deemed necessary to fulfil the role
- Provide the Community Warden with the necessary training in order to carry out their duties
- Provide training in order to carry out Dog Warden duties
- To make provision for the First Aider to update training as and when necessary

4. Elected Members

- Provide every member with a copy of the Good Councillor Guide
- Provide all new Councillors with training in the Legal Powers, duties and responsibilities associated with their new role, and “refresher” courses for all Councillors as deemed necessary
- Provide Chair skills course for those taking a Chair/Vice Chair role for the first time
- Provide what training is deemed to be necessary to enable members to fulfil their Portfolio responsibilities
- Provide subject specific training as necessary; e.g. Planning guidelines and new legislation
- Enable every member to have access to NALC periodicals to enable them to keep up to date with the workings of the Parish Council tier of government
- Any further training that may be deemed necessary to fulfil the role.

Identification

Training needs will be identified through:

- Staff appraisals
- Questionnaires
- Interview
- Formal and informal discussions

Training may also be identified in the case of:

- Changes in legislation
- New equipment
- Professional error/mistake
- Complaints to the Council
- A request from a member of staff/Councillor

Resourcing

East Leake Parish Council will make annual budget provision to adequately cover the cost of the training needs identified in the following year.

Measuring Impact of Training

East Leake Parish Council will measure the success of training through monitoring staff/members performance upon completion of the training, feedback from staff, members and the public and by discussion at appraisal interviews.

The Council will undertake to ensure that its members and workers are trained in the processes required by this policy as deemed appropriate.

Useful Contacts

- ACAS www.acas.org.uk Tel: 0845 7474747
- Local Government Ombudsman for England www.lgo.org.uk Tel: 0300 061 0614
- Equalities and Human Rights Commission www.equalityhumanrights.com
- SLCC www.slcc.co.uk
- Direct Gov. website www.Gov.uk

END OF EMPLOYMENT POLICY

Reviewed: May 2020

Other Policies available separately:-

**SAFEGUARDING AND PROTECTING CHILDREN AND YOUNG PEOPLE AND
VULNERABLE ADULTS**

EQUAL OPPORTUNITIES

GRIEVANCE AND DISPUTES – COUNCIL COMPLAINTS

Disciplinary policy

Grievance policy

(NALC guidance on Discipline and Grievance arrangements – LTN 22 Nov 2019)

Dignity at Work: Anti-Bullying and Anti-Harassment Policy

HEALTH AND SAFETY POLICY STATEMENT

HEALTH AND SAFETY POLICY – SMOKING AND VAPING