

Stone

Town Council



Staffing Guidelines

January 2021

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1 GENERAL

- 1.1 These guidelines set out the procedures that the Council will follow when dealing with staffing matters. They may only be amended or varied by resolution of the Council or the General Purposes (GP) Committee¹.
- 1.2 Should there be a clash between the provisions of this document and those within other documents which prescribe the activities of the Council, the order of precedence shall be:
 - a. National Legislation
 - b. The Council's Standing Orders
 - c. Financial Regulations
 - d. Staffing Guidelines (this document)
 - e. All other documents
- 1.3 These guidelines do not form part of any employee's contract of employment and may be amended at any time by the Council.

2 WHO IS COVERED BY THE GUIDELINES?

- 2.1 The guidelines relate to all paid employees of the Council, any volunteers, and anyone engaged on a contract for service. For ease of reference, all of these groups are collectively referred to as employees throughout the document.
- 2.2 The guidelines follow the usual principle that the Town Clerk reports to the Council, and all employees report to the Town Clerk.

3 WHAT IS COVERED BY THE GUIDELINES?

- 3.1 These guidelines are intended to cover all aspects of the Council's employment relationship with its employees. In some cases, however, it is more appropriate to have detailed policies or procedures for specific areas, such as staff discipline. Where this is the case, this will be referred to within this document.
- 3.2 The guidelines will therefore cover recruitment, terms and conditions of employment, day to day management, dispute resolution and termination of employment.

¹ All further references to "the Council" in this document shall also be considered to refer to the General Purposes Committee for functions which have been delegated to that Committee.

4 RECRUITMENT - GENERAL

- 4.1 Whenever a post becomes vacant, the work of that post should be reviewed. A formal recorded decision should be taken whether the post should be filled and, if so, whether there should be any changes to the hours, salary or duties of the post, or other posts, as a result.
- 4.2 If the vacancy relates to the post of Town Clerk, the review should be undertaken by a Panel specifically appointed by the Council, who should report their findings back to the Council for approval to proceed with the recruitment and any other proposed changes.
- 4.3 If the vacancy relates to any other post, the review should be undertaken by the Town Clerk, who should report back to the General Purposes Committee for approval.
- 4.4 All interview panels will consist only of persons who have received training in proper interview practices and procedures. Such training will be provided by the Council where necessary.

5 RECRUITMENT – TOWN CLERK

- 5.1 Once the Council has made the decision to recruit to the post of Town Clerk it will appoint a Panel to carry out the process. The Panel should be supported by an appropriately experienced advisor, who will assist the Panel throughout the process, but will have no “vote” in the Panel’s final decision. Such an advisor could be, for example, the outgoing Clerk, a Clerk from another Council or an appropriate person from the Borough/County Council or Staffordshire Parish Council’s Association (SPCA).
- 5.2 The Panel will arrange to advertise the post in the local press, on the Council’s website, in the SPCA newsletter, in the County and Borough Council’s internal vacancy systems (where possible) and anywhere else considered appropriate by the Panel.
- 5.3 Following receipt of applications, the Panel will shortlist and interview candidates in order to formulate a recommendation to the Council.
- 5.4 On receipt of the Panel’s report, the Council will determine appointment to the post.

6 RECRUITMENT – OTHER EMPLOYEES

- 6.1 Once the GP Committee has made the decision to recruit to a post, the Town Clerk will be given the authority to make the appointment.
- 6.2 The Clerk will arrange to advertise the post in the local press, on the Council’s website, and (where possible and appropriate) in the SPCA newsletter, the County and Borough Council’s internal vacancy systems and any other suitable places.

- 6.3 Following receipt of applications, the Town Clerk will produce a final shortlist of candidates, having undertaken any preliminary interviews and/or exercises considered appropriate.
- 6.4 For posts at deputy or assistant town clerk level, where significant contact with Members would be expected, the final interview panel would be made up of the Town Clerk, the Chairman of the GP Committee, and one or more other Members appointed by the GP Committee.
- 6.5 For posts at lower levels, or those that would not be expected to have significant contact with Members, the interview panel would be made up of the Town Clerk and at least one other member of staff. If considered appropriate, the Town Clerk could invite one or more Councillors to be part of the panel either instead of or as well as other members of staff.

7 TERMS AND CONDITIONS OF EMPLOYMENT

- 7.1 All staff will be employed on local government “Green Book” terms and conditions unless specifically resolved otherwise by the Council and included within these guidelines.
- 7.2 Travel allowances will be paid to employees at the current inland revenue mileage rate, or the actual cost if public transport was used. Reimbursement for the use of employees own vehicles will only be made for approved journeys on receipt of a signed and duly authorised claim.
- 7.3 All eligible employees will be given access to the Local Government Pension Scheme.
- 7.4 Rates of pay for employees will be determined from time to time by the Council, having regard to the recommendations of NALC and SLCC and the nationally negotiated local government payscales.
- 7.5 All new appointments will be subject to a six-month probationary period (see paragraph 10.7 below). At the end of this period, the Clerk (the Council in the case of the Clerk’s post) is authorised to confirm the employee in post, dismiss them, or extend their probationary period as appropriate.
- 7.6 Contracts of employment for employees will reflect the conditions above, having regard to the recommendations of both the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC).

8 DAY TO DAY MANAGEMENT

- 8.1 The Town Clerk is responsible for all aspects of day to day employee management including sickness, annual leave, supervision, training and discipline.

- 8.2 Whilst the Clerk will be largely required to self-manage on a day to day basis, where a line management function is required for legal or other reasons, the Chairman of the General Purposes Committee shall be authorised to perform that function.

9 DISPUTE RESOLUTION

- 9.1 Disputes may arise between employees, an employee and their manager, an employee and a Member of the Council or an employee and a member of the public. In most cases, such disputes are quickly and amicably resolved between the parties themselves.
- 9.2 Where it is necessary to escalate the resolution of a dispute, such escalation shall be to the Town Clerk or, if the Town Clerk is a party to the dispute, to the Town Mayor.
- 9.3 Where appropriate, the Council's disciplinary procedures or grievance procedures should be followed.

10 TERMINATION OF EMPLOYMENT

- 10.1 An employee's employment may be terminated by way of resignation, retirement, redundancy, dismissal or mutual agreement. Each of these circumstances is set out below. Should the termination relate to the Town Clerk, references to the Clerk should be replaced by the Council.
- 10.2 When an employee determines that they wish to resign, they shall inform the Clerk in writing of their intention and of their proposed date of termination in accordance with their contract of employment. The Clerk is authorised to vary this termination date, in agreement with the employee, if it is considered to be beneficial to the Council.
- 10.3 The Clerk shall instigate a review, as outlined in Section 4 above (Section 5 in respect of the Clerk's resignation), prior to making a recommendation to the Council related to the replacement of the resigned employee.
- 10.4 A decision to make a post redundant can only be made by the Council, following receipt of a report from the Town Clerk setting out the legal position and the potential impact on the organisation.
- 10.5 Redundancy payment would normally be made based on the standard legal requirements for the number of weeks' pay, but based on actual salary rather than the statutory rate in accordance with typical local government practice. The Council would be free to enhance this where appropriate.
- 10.6 Dismissal of an employee can only be made by following the due process of the Council's disciplinary policy, except during an employee's probationary period or in other exceptional circumstances as determined by the Council.

- 10.7 During a probationary period, the Town Clerk may dismiss an employee whose capability was not considered sufficient for the job, and it was not considered that that capability could be developed sufficiently within a reasonable period.
- 10.8 A situation may exist where the Council and an employee mutually agree to terminate the employee's contract. This would usually be accompanied by the Council making a legally binding settlement agreement with the employee, including an agreed settlement payment and a set of terms and conditions under which that payment is made.
- 10.9 A decision to enter into a settlement agreement can only be made by the Council, following receipt of a report from the Town Clerk setting out the legal position and the potential impact on the organisation. In the case of the settlement agreement being between the Council and the Clerk, the report should be commissioned from the Borough Council's Monitoring Officer or another appropriately qualified legal professional.
- 10.10 All payments made by the Council due to termination for whatever reason will be subject to the regulations relating to public sector exit payment caps.