

MILTON PARISH COUNCIL

Parish Council Office
Coles Road
Milton
Cambridge
CB24 6BL



Clerk to the Council Jim Daniels
Tel: 01223 861447
Fax: 0871 433 9275
Email: clerk@miltonvillage.org.uk
Web: www.miltonvillage.org.uk

05 September 2011

**To Staffing Committee
For information to all members of the Parish Council**

**A meeting of the Staffing Committee will be held
on Monday 12 September 2011 at 7.30pm in the Parish Council Office**

AGENDA

- 1 Apologies for absence**
- 2 To approve the minutes of the meeting held on 02 August 2011 (page 2)**
- 3 To consider adopting “Employees’ Code of Conduct” (attached)**
- 4 Procedure for recruiting the clerk’s successor**
 - Advert: attached
 - Job description and person specification: attached
 - Application forms to be drawn up. *Action: the clerk and JEC*
 - Salary scale
- 5 Date of next meeting**

Jim Daniels

Jim Daniels
Clerk

Minutes of the Staffing Committee Meeting of Milton Parish Council held on 02 August 2011 at 7.30pm in the Parish Council Office

Present: IF May (chair) JE Coston TA Drummond RT Summerfield
The Clerk

- 1 **Election of Chairman** - IF May was elected chairman. He reminded committee that it was Council's Policy to consult with Smith May Solicitors on employment issues where necessary.
- 2 **Apologies for absence** – none.
- 3 **Minutes** – the minutes of the meeting held on 11 April 2011 were approved and signed as a true record.
- 4 **Policy on accepting gifts and 'conflict of interest'** (S3/04-11)
Council added "Community Care" to the Policy (PC16/05-11) and advised that Committee should consider whether a similar policy needs to be applied to the other staff. It was **AGREED** that in conjunction with this Policy Paragraph 8.2 of the Employees' Code of Conduct below should read "Cash and monetary gifts should always, without exception, be refused other than that covered by the approved Policy [above]."
- 5 **To consider adopting "Employees' Code of Conduct"** – RTS had found amongst his papers an unadopted Code of Conduct. JEC, IFM and the clerk to review and submit to committee by email before presenting to Council's solicitor for advice. **Action: JEC, IFM and the clerk**
- 6 **Pensions** – (min S/02-11) noted that Council was required to offer pension provision to all staff if there are more than five employees. "Council must offer employees earning above £7,000 the opportunity to join a pension scheme (S3/11-10)." This was likely to come in during 2012. **AGREED** to wait to see the regulations in 2012. In the meantime the clerk would investigate. **Action: the clerk**
- 7 **Procedure for recruiting the clerk's successor** (S/04-11)
Discussion points:
Job description and person specification: **TAD and the clerk to review – to circulate to Committee.**
Possible joint working with MCC? Important if Council employs a full-time clerk.
Clerk's post to be advertised 20 hours per week and training time to be paid in addition.
Timescale – as per previous minutes.
Application forms to be drawn up. **Action: the clerk and JEC**
- 8 **Staff updates and contracts**
AGREED [Public Bodies (Admission to Meetings) Act 1960] to exclude members of the public to this item because of the confidential nature of the business 8.30pm - 8.35pm
- 9 **Date of next meeting** – Monday 12 September 7.30pm.

The meeting ended at 8.35pm.

CONFIDENTIAL Minutes of the Staffing Committee Meeting of Milton Parish Council held on 02 August 2011 at 8.30pm in the Parish Council Office

Present: IF May (chair) JE Coston TA Drummond RT Summerfield
The Clerk

7 AGREED at 8.30pm [Public Bodies (Admission to Meetings) Act 1960] to exclude members of the public to this item because of the confidential nature of the business

Philip – after reviewing his timesheet for May the chairman of Maintenance and the clerk had agreed with Philip a slight amendment to his contract. He will clear the rubbish bins at the cemetery weekly as part of his 8 hours.

Part of my letter to Philip:

“I refer to our conversation this morning. As you know Mark and I have recently collected and removed over 40 bags of rubbish from the bins at the cemetery. To prevent this build up of rubbish you have agreed to visit the cemetery **once a week** to collect and remove excess rubbish from the green bin and to empty the dustbins.

You will probably need to use your car and we estimate that the time taken to go to the cemetery plus use of your car each week will ensure that together with your other duties you do 8 hours work for us each week as per your contract.

I have amended your contract thus to take this into account (**amendments are in bold**):

‘6. Your hours of work are 8 hours per week **to include a weekly clearance of rubbish at the cemetery. Note that in order to do this properly you may have to use your own car.**’ ”

I recommend that when we next employ a litter picker that we use time sheets and pay the hours that (s)he does up to a maximum of ‘n’ hours per week as per MCC.

Other staff:

Community Car Warden – 20 hours per week

Community Car Deputy Warden - 5 hours per week ongoing review

Clerk – 18 hours per week

Assistant clerk – 10-15 hours per week. Additional hours needed at present for the land negotiations. It was hoped that after completion of the deal the hours would settle down to a maximum of 15 per week.

The meeting ended at 8.35pm.

SECOND Draft to be agreed by Staffing Committee
Milton Parish Council

Employees' Code of Conduct
Covering all aspects of employee conduct in the workplace

1. Aim

Employees' Code of Conduct

1.1 The public is entitled to expect the highest standard of conduct from all local government staff. The aim of this Code is to set out the minimum standards expected of Milton Parish Council Employees, to help maintain and improve those standards and to help protect Employees from unjustified criticism or misunderstanding.

2. Introduction & Interpretation

2.1 This Code applies to all the Council's Employees, including part time and agency staff, whether working under a contract of employment or a contract of service with the Council

2.2 The extent to which this Code affects individual Employees will depend to some extent upon their job. All Employees should make sure they are aware of the Council's policies and practices which are relevant to them or their job which can be found in the Staff Handbook.

All other Policies can be obtained either from the Clerk.

2.3 Officers should also be aware of legislation that may affect the way in which they do their jobs including Health and Safety legislation and the Human Rights Act 1998.

2.4 This Code is to be interpreted in accordance with Council's Standing Orders and Code of Conduct for Members.

3. Application

3.1 An Employee must observe this Code of Conduct whenever he/she:

- a. conducts the business of the Council;
- b. conducts the business of any office to which he/she has been appointed by the Council or
- c. acts as a representative of the Council,

and references to an Employee's official capacity shall be construed accordingly.

3.2 This Code of Conduct shall not, apart from Parts 4 and 7 below, have effect in relation to the activities of an Employee undertaken other than in an official capacity or in connection with his/her work.

3.3 Where an Employee acts as a representative of the Council on any other body, he/she must, when acting for that other body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. Bringing the Council into Disrepute

4.1 An Employee must not in his/her official capacity, or any other circumstance, conduct him/herself in a manner which could reasonably be regarded as bringing his/her office or the Council into disrepute.

5. Equality and Fairness

General

5.1 An Employee must:

- a. promote equality by not discriminating unlawfully against any person, and
- b. treat others with respect

5.2 This means, amongst other things, that Employees should give courteous, efficient and impartial service, treating everyone equally and in line with the Council's Equal Opportunities and relevant Policies. They should also comply with legal requirements on human rights, equality and anti discrimination issues.

The Workplace

5.3 Within the workplace, there should be mutual respect and Employees' behaviour should be conducive to a productive and harmonious work environment, with all Employees having a right to be treated with courtesy, fairness and equality. Unless there are good reasons why not, e.g. for legal reasons, Employees should always first follow internal procedures to resolve problems, reporting and taking issues through their managers or through recognised procedures, including the Grievance Procedure.

Appointment and Management of Staff

5.4 The canvassing of any Member in connection with an appointment of or the conferring of any benefit on an Employee will normally automatically disqualify the candidate or Employee from the appointment or benefit, as the case may be. *[Note this corresponds with Standing Orders 60 & 61 for Councillors]*

5.5 An Employee appointing, promoting, disciplining or otherwise involved in the terms of employment of a member of staff must make his/her decisions on merit only and in accordance with the Council's Equal Opportunities Policy. He/she should not take part in the process if he/she is a relative or partner of that person or is otherwise has a friendship or affiliation with him/her which a reasonable person might consider would prejudice his/her view of the matter.

Contractors

5.6 An Employee awarding or taking part in the awarding or making of any contract on behalf of the Council shall make his/her decisions only on merit and in accordance with the Council's Contract and Finance Rules. He/she should not take part in the process if he/she/she is a relative or partner of a contractor or potential contractor (including an employee or officer of the contractor) or otherwise has a friendship or affiliation with him/her/her which a reasonable person might consider would prejudice his/her/her view of the matter.

First line 5.6 above – the clerk/assistant clerk takes part in awarding a contract only in that he is following instructions of Council and does not make decisions on his own

6. Political Neutrality

(this should be read in conjunction with the Code and Protocol on Member/Employee Relations – Paragraph 7 : Political Groups)

6.1 Employees must not do anything which compromises or which is likely to compromise their own political impartiality or that of those who work for, or on behalf of, the Council.

6.2 Amongst other things this means that all Employees will:

1. provide appropriate advice to all Members with impartiality;
2. without fear of recrimination bring to the attention of management any deficiency in the provision of service or any impropriety or breach of procedure;
3. serve the Council as a whole
4. ensure that the individual rights of all Members are protected;
5. in advising Political Groups, or their representatives, not compromise political neutrality;
6. must when using or authorising the use by others of the resources of the Council act in accordance with the Council's lawful requirements and not allow his/her own political or personal opinions to interfere with his/her work.

6.3 Nothing in this Part is intended to limit the trade union activity of any Employee nor his/her right to be a member of a political party.

7. Private or Personal Interests

General

7.1 An Employee:

- a. must not in his/her official capacity, or any other circumstance, use his/her position as an Employee improperly to confer on or secure for him/herself or any other person, an advantage or disadvantage nor place him/herself in a position which might reasonably lead a member of the public to believe that he/she is acting in such a manner;

- b. if he/she has private business with the Council, (whether on his/her own behalf or otherwise), must first inform the Clerk. This would not apply to routine business with the Council of the sort normally carried out by local residents or taxpayers including, eg:
- o the payment of Council Tax or business rates;
 - o enquiries about Council services;
 - o minor complaints about poor or non-delivery of Council services.

7.2 An Employee must, if he/she is aware of it, declare in writing to the clerk (the clerk to the chairman) any financial interest or dealings which they or a relative or partner may have in any business or contract which may have a business relationship with the Council.

Membership of Other Bodies

7.3 An Employee may inform in writing to the Clerk his/her membership of any formal or informal organisation or network that has secrecy about its rules, membership or conduct.

Use of facilities

7.4 The Council's time, property and facilities, including the use, stationery, offices etc, may be used only for official Council business unless the approval of the Clerk/Chairman has first been obtained.

Post

~~7.5 Employees are asked not to have personal mail delivered to the Council's offices.~~ *Do we need?*

7.6 Whilst the Council recognises the need to respect the reasonable privacy of its Employees/ Members in the workplace, the Clerk may at his/her absolute discretion open or arrange to have opened any post received in the Council's offices and addressed to an Employee/ Member.

Outside Work

7.7 Some employees have conditions of service which require them to obtain written consent to take any outside employment. All Employees should make themselves clear as to their contractual obligations in this respect. In particular, no Employee should take outside employment which conflicts with the Council's interests including:

- a. employment which impacts upon or conflicts with their work for the Council or functions that the Council performs; and
- b. any work of any kind in connection with the making of any planning, building regulation or other application for a decision from the Council.

7.8 All Employees who undertake additional work outside the Council's employ must notify the Clerk in order to comply with the Working Time Regulations 1998.

7.9 Employees shall not undertake any private trading, including the posting and distribution of promotional material, on Council premises or whilst on Council duties.

8. Gifts

8.1 It can be a serious criminal offence for Local government employees to accept any fee, reward or gift, other than their proper remuneration for doing their job (Local government Act 1972).

8.2 Cash and monetary gifts should always, without exception, be refused other than that covered by the Policy agreed Min PC16/05-11.

8.3 Other gifts should normally be refused, particularly when offered from someone who

- a. provides, might provide or has recently provided goods or services to the Council; or
- b. who needs or has recently received a decision from the Council.

8.4 The only occasions upon which an Employee may accept a gift are:

- a. small scale promotional gifts and tokens such as calendars and diaries which are used in the workplace; and
- b. exceptionally, gifts offered, eg in the context of a civic, ceremonial or other significant community event where the circumstances set out in paragraph 8.3 do not apply and Council has agreed to the Employee keeping the gift.

8.5 An Employee declining a gift should politely do so and where practical return it to the donor with an explanation as to why it cannot be accepted. Where returning the gift is likely to be expensive or inconvenient, it should be donated to a suitable charity and the donor advised of what has happened and politely requested not to make similar gifts in the future.

8.6 Whether a gift (including a gift offered to a relative or partner) is accepted or refused, the Clerk should, unless it comes within paragraph 8.4 (a) above, be informed and the circumstances should be entered in the register of gifts and hospitality maintained by the Clerk.

9. Hospitality

9.1 It is recognised that it is reasonable for the Council, through its Employees, to maintain a good relationship with other agencies, local businesses and the community. A reasonable amount of entertainment is an accepted part of public life and can help good working arrangements. However, it is vital to dispel the impression of improper influence being exerted on the Council.

9.2 Common sense should be applied. Employees should consider the nature and scale of the hospitality, the circumstances in which it is offered and the relationship between the donor and the Council (including the criteria for the refusal of gifts set out in paragraph 8.3 above). An Employee particularly needs to consider whether the decision to accept the hospitality can be justified to the Council and the media.

9.3 It is not possible to cover every situation, but the following guidelines apply:

- a. Hospitality should only be accepted if there is a genuine need to impart or receive information in relation to Council business, or to represent the Council in the community;
- b. Free invitations or free tickets to attend social function or sporting events should only be accepted where the occasion is a part of civic or Milton community life or the Council should be seen to be represented;
- c. Employees may accept hospitality as part of attendance at conferences or courses provided that this would not compromise a purchasing decision;
- d. Modest refreshments offered in the normal course of business, eg coffee, sandwiches over a lunchtime meeting, etc may be accepted;
- e. To avoid prejudicing the integrity of subsequent purchasing decisions, the costs of visits to inspect equipment, systems, programmes etc. should be met by the Council Tax or business rates.

9.4 When hospitality is refused, the person offering should politely be informed why.

9.5 Whether hospitality (including hospitality offered to a relative or partner) is refused or accepted, it should, unless it comes within 9.3 (d) above, be entered in the Register of Gifts and Hospitality maintained by the relevant Chief Officer.

10. Confidentiality and Access to Information

10.1 An Employee must not:

- a. disclose outside the workplace information given to him/her in confidence by anyone, or information acquired which he/she believes is of a confidential nature, without the consent of a person authorised to give it or unless he/she is required by law to do so; nor
- b. prevent another person from gaining access to information to which that person is entitled by law.

10.2 Paragraph 10.1(a) applies to:

- a. personal data about an individual, including a fellow Employee;
- b. commercially sensitive matters, eg as part of a tendering process
- c. confidential proceedings in meetings and any reports or other documents connected with them; and
- d. information protected by the Data Protection Act and similar legislation.

~~10.3 Paragraph 10.1 is not intended to limit the rights of any Employee under the Council's Whistleblowing Policy. Do we need?~~

10.4 Telephone requests for confidential information should be asked to be put in writing **as per the Freedom of Information Act**. If it is urgent, the caller must be asked to leave his/her name, position, department and telephone number. Reasonable checks should be (including the telephone number) before parting with information.

11. Fidelity

11.1 All Employees have a general duty to obey lawful and reasonable instructions, to serve the Council, as their employer, personally and faithfully, to exercise reasonable care and skill in carrying out their work, to abide by the law and not to disclose confidential information after the employment ends.

Jim & Ian

17/08/11

ADVERT

VACANCY

Milton Parish Council

Clerk to the Council required starting April 1st 2012

Milton is a village of approximately 4300 inhabitants

Minimum of 20 hours per week

Salary Scale to be agreed – depending on experience and qualifications

Interview dates:

For application form and further details contact Jim Daniels Clerk to the Council tel 01223 861447

Email: clerk@miltonvillage.org.uk

Closing date for applications:

- The name of your Parish or Town Council,
- Simple details about your parish - where, size etc,
- The name of the position to be filled,
- Details of the post
- Any specific requirements,
- Financial details of the post,
- Interview dates,
- Commencement date
- What is required from applicants - CV, letter etc,
- Start and stop dates for advertising the post,
- Contact name and details,
- Contact email details - required so that applicants may respond directly (Note all email addresses are "cloaked" so that they may not be harvested by spammers.

PERSON SPECIFICATION (Clerk to Parish Council)

	Essential	Desirable	Assessment
1) Educational Qualifications	5 GCSE or equivalent, including mathematics and English Language.	Qualified or part qualified to AAT level. <i>I suggest we remove this. Jim</i> Local government administration qualification.	Application Form.
2) Working Experience.	Previous experience of accounting/pay systems (computerised). Experience of dealing with members of the public, preferably experience in difficult circumstances. Customer Care.	Minute taking experience Accounting on computer Previous local government/public body work. Supervising/leading a team.	Application Form Interview
3) Skills/knowledge/aptitude.	Report development and writing IT skills Problem solving Good communication skills-face to face, e-mail and telephone.	Using own initiative. An understanding of legal frameworks. Understanding of burial and internment law/procedures. Previous insight into Parish Council operations. Project Management.	Interview. References Aptitude Test
4) Motivation	Ability to work with a variety of personalities, both within the Council and others. Self-motivated and good at motivating others.	Willing to undertake training and remain updated.	References Interview
5) Other	Hold a current driving licence and have access to vehicle. <i>Is this essential? Jim</i> Able to be flexible with working hours, to include evenings.	Represent Council at some meetings/workshops.	Interview

JOB DESCRIPTION (Clerk to the Parish).

Job Title.	Clerk to Milton Parish Council
Responsible to	Parish Council
Hours	20 per week.

- 1) To ensure that statutory and other provisions governing or affecting the running of the Council are observed.
 - 2) To monitor and balance the accounts and prepare records for audit purposes and VAT.
 - 3) Complete and monitor all Risk Assessments.
 - 4) The preparation of Agendas for Councils and Committees in conjunction with appropriate members. Attendance of such meetings and minute taking.
 - 5) Attendance of all meetings, the exception where this is delegated to the assistant clerk.
 - 6) To receive all correspondence on behalf of Council, and to deal appropriately with documents or bring to the attention of Council in a timely fashion.
 - 7) To receive and report on invoices for goods and services to be paid for by the Council and to ensure these accounts are met. To issue invoices on behalf of the Council for goods and services and to ensure payment is received.
 - 8) To study reports and other data on the activities of Council, discussing with administrators and specialists as deemed necessary in the working of the Council. Issuing reports and supporting projects as required by the Council.
 - 9) To draw on his/her own initiative and as a result of suggestions by Councillors proposals for consideration by the Council, and to advise on practicalities of and effects of courses of action.
- 10) To supervise any other member of staff as their line manager, in line with Council's Policies and Procedures.
 - 11) To monitor all implemented Council Policies to ensure desired results are achieved.
 - 12) To act as a representative of the Council as required.
 - 13) To prepare, in conjunction with the Chairman, press releases regarding the activities, or the decisions of the Parish Council.
 - 14) To attend all relevant training courses or seminars on the work and role of the Clerk as required to maintain good practice.
 - 15) To work towards the achievement of Qualified Clerk as a minimum requirement for effectiveness in the position of Clerk to the Council.
 - 16) To continue ongoing training and development to maintain said professional knowledge.