



Minutes of the Meeting of Lapley, Stretton & Wheaton Aston Parish Council held on Thursday 5th September 2024 at Lapley and Wheaton Aston village hall

In attendance:

Cllr W Millington - **Wheaton Aston (Chairman)**

Cllr J Ford - **Wheaton Aston**

Cllr D Hodgkiss- **Stretton**

Cllr J Hodgkiss- **Wheaton Aston**

Cllr V Renfrew – **Lapley**

Cllr Sue Whittingham - **Wheaton Aston**

Cllr R Nelson -**Wheaton Aston (Vice Chairman) and South Staffordshire District Council**

(part of the meeting)

Cllr M Smith - **Wheaton Aston**

Also in Attendance:

Mrs A Watson – **Parish Clerk**

PCSO Lloyd- **Staffordshire Police** (part of the meeting)

Two members of the public (part of the meeting)

Two officers from SSC (part of the meeting)

Cllr M Sutton - **Staffordshire County Council** (part of the meeting)

Apologies:

Cllr. M. Griffiths – **Lapley**

Cllr A Anderson - **Stretton**

Cllr D Weate- **Wheaton Aston**

Absent:

Acronyms:

LSWA PC: Lapley, Stretton and Wheaton Aston Parish Council

SSC: South Staffordshire council

SCC: Staffordshire County Council

Cllr: Councillor

CPD: Continuous professional development

SPCA: Staffordshire Parish Councils Association

PCSO: Police Community Support Officer

SLCC: Society of local council clerks

NALC: National association of local councils

CMDR: Commander

WACFR- Wheaton Aston Community First Responders

FOM: Forest of Mercia

VO: Village Orderly

BKV: Best Kept Village

Public forum

Winners of the PC lead Best Front Garden Competition were invited to receive their prize. The winners of Lapley (Longview) were unable to attend and their prize has been delivered to them, the winners of Stretton (Stretton House) have asked that their prize is donated to a charity of the PC (dementia as per the beer festival)

Bank House Frog Lane WA received their prize. Congratulations to all

Concerns raised about the condition of the flats at the rear of the Spar

Two members of the public left the meeting

PCSO Lloyd was invited to speak, no concerns raised

PCSO Lloyd left the meeting 7.05pm

Standing orders were imposed 7.05pm. Two members of the public left the meeting

57.To consider apologies

Apologies and reasons for absence were received and approved from Cllr R Nelson (late arrival), Cllr Griffiths, Cllr Anderson, Cllr D Weate

58.Declaration of Interests

No interests any on agenda items

59. Approval of minutes

Resolved to approve and sign the minutes of the meeting of Lapley, Stretton and Wheaton Aston Parish Council held on 11th July 2024 as a true and correct reflection

60.South Staffordshire Council Officers

Two officers attended to encourage Cllrs to raise any queries.

There is an additional street scene gangs completing additional work - members to report issues to Cllr Nelson.

SID data to be shared with SSC.

Thanks given to the officers for all the support with the allotment project

SSC 50^h anniversary celebration on 2nd October- awards for the community have been extended, members to consider any applications

Round 2 of funding for voluntary sector has opened (supporting better health)-Clerk to apply for funding for gym equipment to support ageing well

Questions:

- SCC are also offering additional clean up works, officers to work with SCC to ensure that there is no cross over of work
- Query about the bottom of Wenlock Bank being addressed, works can be considered if it does not involve traffic management
- SCC have taken a similar approach with regards to traffic management
- SCC has data to support the SID data

Officers left the meeting 7.20pm

61.To receive report from Parish Council Clerk

Clerks Report

Information

- Several posts at Lapley green are rotting. Costs for replacement are being explored.
- Toner cartridges (black, yellow, magenta and cyan) ordered for office printer at cost of £309.82. Cartridges last (on average) at least 6 to 8 months.
- Awaiting printer repair
- 12/7/2024 Graffiti and anti-social behaviour at Marston Field play area reported to the PCSO with CCTV images.
- Staffordshire County Council Climate Change Action Fund has been shared on social media
- 22.7.24 Damaged pavement at the junction of Long Street/Caspian Way report ref **4399278**
- 26/07/24 Vandalism to the trees in Marston Field, CCTV images obtained and reported to the PCSO.
- 30/07/24 Reports of crude graffiti on the skate park. No cctv images found.
- Broadholes Lane Platinum Jubilee Garden Allotments change from a play area has been registered and address amended accordingly
- 6.8.24 fire at MF reported over the weekend 3/4 Aug ref BCA-91798-24-2121-03
- 18.8.24 missing cap from playdale equipment at primrose replaced
- 28.8.24 gate latch broken at MF- Clerk has contacted the contractor who installed for advice
- NOTICE is hereby given that Staffordshire County Council on 17 September 2024 intends to make an Order the effect of which will be to prohibit any vehicle from proceeding in that length of Bell Hurst Lane in Wheaton Aston as lies between Sunny Cottage and Bellhurst Cottage unless the vehicle is being used in connection with the works; or unless the vehicle requires access to properties on the length of road or is being used for police, fire brigade or ambulance purposes. An

alternative route for traffic is available via Ivetsey Road and vice versa. For more information, visit: <https://one.network/?tm=140116044>. The order will come into operation on 26th September 2024 and the said works will commence on or as near as practical to that date. It is anticipated that the works will be completed by 27th September 2024.

- NOTICE is hereby given that Staffordshire County Council on 17 September 2024 intends to make an Order the effect of which will be to prohibit any vehicle, cyclist or pedestrian from proceeding in that length of Horsebrook Hall Lane and Cobblers Bank in Brewood for their entirety and Ivy House Lane in Brewood as lies between Cobblers Bank and Bungalow Farm unless the vehicle is being used in connection with the works, or unless the vehicle requires access to properties on the length of road. An alternative route for traffic is available as signed on site. For more information, visit: <https://one.network/?tm=140118398>. The order will come into operation on 23rd September 2024 and the said works will commence on or as near as practicable to that date. It is anticipated that the works will be completed by 18th October 2024.

Action plan item update

Lapley green fingerpost- £560

Communications board at Primrose play area has been ordered

Christmas update

Meeting to view the area took place on Aug 31st

One license has been approved

Dance school has confirmed attendance

Waiting to hear from Local Vocals and TMA

Consultations

[Let's Talk Transport](#) | [Let's Talk Staffordshire](#)

Outstanding items update

- Defib at Ivetsey Rd- Planning are waiting for the site to be handed over. Once this has been completed an officer will assess the site for installation. SSC are to be landowners and are aware LSWA PC wish to install on site.
- Lapley Green registration-. Awaiting update from Tedstone Solicitors
- Gated alley Broadholes/Pinfold-. No update on the proposal to reopen the alley from SSC.
- Post office – no premises found., this has now been taken on at district level.
- Marston Field Redevelopment – spec has been sent out for tender

Meetings/Events

9.9.2024 WMI meeting 7pm Haling Dene centre

Training/CPD/ SPCA Upcoming courses.

20.9.24 Clerk and Cllr \Millington Local transport plan

18.9.24 Code of conduct training Brewood Memorial hall 6.30pm

Items emailed to councillors.

9.7.24 SPCA Council news July 24

9.7.24 Amendment to bill for the disposal of lithium batteries

10.7.24 WMI minutes

24.7.24 Better Health Staffordshire monthly focus

24.7.24 SSC update on Wombourne recycling centre

24.7.24 National Allotments Association request for treasurer role

24.7.24 24/00504/FULHH Conservatory to rear elevations Park Farm Park Lane Lapley STAFFORD ST19 9JT

29.7.24 SPCA newsletter

29.7.24 SPCA info on NALC star council awards /

30.07.24 Emergency Road closures for Claypole Road.

1.8.24 SCC planning application 24/00277/FULHH

6.8.24 Staffordshire Police report 5/8/23-5/8/24

6.8.24 Staffordshire Police local info

6.8.24 SPCA HR newsletter

6.8.24 Planning app 4/00680/TREE

13.8.24 SSC Code of conduct training Brewood Memorial hall 6.30pm

LSWA PC Minutes 5th September 2024

13.8.24 SSC Tree works 24/00651/TREE
29.8.24 ssc planning app 24/00737/TREE

Use of devolved powers

Planning app_24/00277/FULHH due 14.8.24

Due to more space than was apparent on the plans there will be an extra two half plots at the allotments. The cost of this is to be countered by a reduction in the tarmac area- this area will now be soil, ready for planting to a wildflower area

Vired £123.35 from stationery to equals card, £171.70 from VO materials to equals card

£69.99 from general funds to equals card, £60 from BKV to equals card(quarter 1 card expenditure from budget heading)

£16,223.55 received for 1st rural enterprise funding

14.8.24 £7769.97 trans from Broadholes lane renovation working reserves to main account to cover phase 2

Response to planning comments:

none

SSC Planning Decision

Annual Play Area Inspections:

All work designated to VO is complete

All other work is in hand

Round 2 of funding for voluntary sector has opened (supporting better health) Clerk to apply towards the Martson Field project towards the cost of gym equipment aimed for ageing well

Bleed kits are now in each defib and registered except for the box at the garage. Clerk to purchase another kit

The communication board at Primrose play area is being fitted next week

SSC have asked the parish to be involved in a Better Health scheme focused around the allotments, PC happy to take part

Clerk attended manual handling and working at height course, there are several suggestions to rise from this course. All staff and volunteers who work with ladders are to complete individual training, clerk to arrange

62. To receive report from Staffordshire County Council

- Holiday activity and food programme- has been successful over the summer holidays, 50,000 different sessions were offered
- Still no provider for Wheaton Aston, closest is Brewood, allocation is dependent on providers coming forward
- Household waste and recycling centres, new scheme where donations of working items are now accepted for charities, 12 charities registered so far that can collect the items. 1% of what is given to household recycling centres goes to landfill. There are still issues at the Wombourne site.
- Children's centres have been extended to cover 0-19 yrs as per government guidelines

Links for further info:

[Thousands of children enjoy summer thanks to holiday activity programme - Staffordshire County Council Newsroom](#)

[Recycling centres offer helping hand for local charities - Staffordshire County Council Newsroom](#)

[Staffordshire Family Hub launches with family fun day celebrations - Staffordshire County Council Newsroom](#)

Question

- A5 traffic lights (gas work) concerns that the work isn't being completed in a timely fashion. For further information on this work would need to be directed to the utility company
- Resident has been in touch regarding block road closures in the area, understanding is that only one road in the block would be closed at any one time

Resolved to bring agenda item 67 forward

The bus service has been changed with no direct route to Brewood, Wolverhampton or Penkridge for connecting links.

This service is essential to non-drivers. The WA Dr surgery does not conduct certain tests and patients need to travel to Brewood for them.

Query why the service has been stopped when the buses are still in the area and regularly used.

From complaints received the largest issue is not having a service to Penkridge

This is a county council subsidised route; Cllr Sutton has questioned why there wasn't a consultation regarding this.

There are issues with the reliability of the service, without subsidy there wouldn't be a service as there isn't enough users.

The bus company considered how to make the service more reliable, reports showed that on average 4 people used the service from WA to Penkridge per week but travelled to Stafford and this service is still available.

Cllr Sutton has asked the service to be looked at again with reinstating the route to Penkridge

Concern raised about the future of rural bus usage. Since Covid the usage levels haven't returned.

Resolved to write to Cllr Sutton formally and Gavin Williamson MP for support on this matter to reinstate the WA – Penkridge and WA Brewwood routes

63. To receive report from South Staffordshire Council

Warmer homes scheme is open, details to be shared

Government has changed the sentencing guidelines. 10th September and 22nd October is planned early release dates, there are 3 prisons in the South Staffs area.

Ward walk in October- Cllr Nelson will show the allotments, verge that over grows on the A5 exit from Ivestsey Rd needs addressing, village green clean up, grass at the Cobbles needs cutting, Lapley Green

64. Planning recommendations

To consider planning matters including

- a) planning applications received
- b) applications received after the paperwork was sent out: 24/00741/FULHH Part two storey, part single storey rear extension and porch Location: 12A Badgers End Wheaton Aston STAFFORD ST19 9NS 'No objections'

65. Christmas Event

Update given.

Resolved :

- to enquire if the fair can provide an extra ride,
- move the alpacas to create space
- PC will be running the stalls and refreshments inside as the church un unable to
- Close the full length of Hawthorne Rd off
- Use Hawthorne Rd to create a connection from the VH to the stage area
- Clerk to write to local businesses for donations of cakes, mice pies and refreshments
- £10 stall charge

Cllr Nelson arrived 8.20pm

66. Village Centre Improvement Fund – UKSPF Project

Resolved to apply for funding to complete the repair on the finger post at Lapley Green and to replace the edging posts with composite posts

67 Changes to the bus timetables

Agenda item moved forward

The bus service has been changed with no direct route to Brewwood, Wolverhampton or Penkridge for connecting links.

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68. Policy review

Resolved to accept the following policies

Civility and respect pledge resolved to add in that third party bullying will not be tolerated

Councillor officer protocol

Absence management policy

Christmas Event risk assessment

GDPR Audit

Confidential- Marking the death of a senior national figure. Request if WA can facilitate a condolence book in the future

Allotments Update

- Update - all plots have now been taken and the majority have been turned over and planted. There is a waiting list. Plot holders are keen to sit on the committee.
- Resolved to devolve powers to Clerk to manage allotments as per the rule book
- Shed purchase- resolved to purchase **8' x 6' Forest Beckwood Shiplap Pent Wooden Shedwith** 25-Year Anti-Rot Guarantee. **£549.99**. To be installed in the hard standing area by plot 7 and to be erected by a group of volunteer's plot holders Clerk to apply to SCC climate change funding for the cost
- **Resolved** to hand over the function and delegated powers as per the terms of reference to the allotment committee. PC members to sit on this committee: Cllr W Millington, Cllr D Weate plus 7 other members formed of plot holders

70.Lapley Green

Resolved to replace finger post £560 plus vat plus installation, initially to apply to UK prosperity funding (village centre improvement)

Resolved to replace wooden edging posts with wooden effect composite posts, initially to seek funding from UK prosperity funding (village centre improvement)

71. Marston field redevelopment

- Due to contractors needing more time to create plans the closing date for tenders has been moved to 4th October 2024 with the consultation period with residents to follow. This project will be showcased at the community meeting in October

Resolved return to agenda item 63

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72. Items for future - Councillors are respectfully reminded that this is not an opportunity for debate or decision making.

Concerns about the Bradford Arms being closed- Clerk to make planning at SSC aware

Parked cars along High Street- previously looked at installing double yellow lines. SSC are aware of the issue, Cllr Nelson to further. There is a significant issue with parking near the Doctors, By the Coach and Horses and at Fentonhouse lane that are historical. Agenda item for October.

Body cam purchase from community speed watch due to members receiving abuse

Write letter of support to the village hall committee

Container update

73. Date of next meeting: 17th October 2024 at 7pm at Lapley and Wheaton Aston Village Hall. There will be a Community Meeting from 6pm

Signed..... Chairman.....

Meeting closed at 8.50pm

Council Attendance

Date	RN	JH	MS	WM	DW	DH	Sue W	JF	AA	VR	MG	Total Attendance
23/5/24	X	X	X	X	X	X	X	X	X	X	X	11
18/7/24	Ap	X	Ab	X	X	X	X	X	Ap	Ap	Ap	6
5/9/24	X	X	X	X	Ap	X	X	X	Ap	X	Ap	8

17/10/24													
5/12/24													

Crime and Disorder Implications

Section 17 of the Crime and Disorder Act 1998 places a duty on local authorities to consider the crime and disorder implications when exercising its functions with due regard to the likely effect of the exercise of those functions and to do all that is reasonably can to prevent crime and disorder in its area. Where relevant any decisions made at the Parish Council meeting have taken this duty of Care into consideration

Civility and Respect Pledge

Implemented September 2022

Reviewed: September 2024

Review: September 2026

Lapley, Stretton and Wheaton Aston Parish Council (LSWA PC hereafter) believes that civility and respect are important in the working environment, and expect all councillors, officers and the public to be polite and courteous when working for, and with the council.

Purpose

LSWA PC is committed to creating a working environment where all council employees, councillors, contractors and others who come into contact with us in the course of our work, are treated with dignity, respect and courtesy. We aim to create a workplace where there is zero tolerance for harassment and bullying In support of this objective, LSWA PC has signed up to the Civility Pledge, as a commitment to civility and respect in our work, and politeness and courtesy in behaviour, speech, and in the written word. Further information about the Civility and Respect Pledge is available NALC & SLCC We recognise that there is a continuum where unaddressed issues have the potential to escalate and become larger, more complex issues and this policy sets out how concerns will be managed however the emphasis of this policy is on resolution and mediation where appropriate, rather than an adversarial process.

This document: • explains how we will respond to complaints of bullying or harassment;

- ensures that we respond sensitively and promptly;
- supports our employees in ensuring their behaviour does not amount to bullying and/or harassment by giving examples.

Scope This policy covers bullying and harassment of and by clerks/chief officers and all employees engaged to work at LSWA PC. Should agency staff, or contractors have a complaint connected to their engagement with LSWA PC this should be raised to their nominated contact, manager, or the Chair of the Council, in the first instance. Should the complaint be about the chair of the council the complaint should be raised to the deputy chair / council’s personnel / staffing committee.

Agency staff, or contractors are equally expected to treat council colleagues, and other representatives and stakeholders with dignity and respect, and the council may terminate the contract, without notice, where there are suspicions of harassment or bullying.

Complaints about other employment matters will be managed under the council’s grievance policy. It is noted that the management of a situation may differ depending on who the allegations relate to (e.g. employees, contractor, councillor), however, the council will take appropriate action if any of its employees are bullied or harassed by employees, councillors, members of the public, suppliers or contractors.

The position on bullying and harassment All staff and council representatives are entitled to dignity, respect and courtesy within the workplace and to not experience any form of discrimination. LSWA PC will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether harm is intended or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying.

You should also be aware that, if you have bullied or harassed someone (e.g. physical violence, harassment), in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment. We expect all representatives of the council to treat each other with respect and uphold the values of the code of conduct, civility and respect pledge, equality

opportunities policy, and all other policies and procedures set by the Council. We expect you to demonstrate respect 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. Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. See the grievance policy for further details regarding the process. Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a

responsibility not to make false allegations. While we will assume that all complaints of bullying and harassment are made in good faith, in the event that allegations are found to be malicious or vexatious the person raising the complaint may be subject to action under the council's disciplinary procedure.

Where a person is subject to uninvited conduct that violates their dignity, in connection with a protected characteristic

• Behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic: Harassment

• Behaviour that leaves the victim feeling threatened, intimidated, humiliated, vulnerable or otherwise upset. It does not need to be connected to a protected characteristic.

Bullying What Type of Treatment amounts to Bullying or Harassment?

'Bullying' or 'harassment' are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person. Examples of bullying and harassment include:

- Physical conduct ranging from unwelcome touching to serious assault
 - Unwelcome sexual advances
 - The offer of rewards for going along with sexual advances e.g. promotion, access to training
 - Threats for rejecting sexual advances
 - Demeaning comments about a person's appearance
 - Verbal abuse or offensive comments, including jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
 - Unwanted nicknames, especially related to a person's age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
 - Spreading malicious rumours or insulting someone
 - Lewd or suggestive comments or gestures
 - Deliberate exclusion from conversations, work activities or social activities.
 - Withholding information a person needs in order to do their job
 - Practical jokes, initiation ceremonies or inappropriate birthday rituals
 - Physical abuse such as hitting, pushing or jostling
 - Rifling through, hiding or damaging personal property
 - Display of pictures or objects with sexual or racial overtones, even if not directed at any particular person
 - Isolation or non-cooperation at work
 - Subjecting a person to humiliation or ridicule, belittling their efforts, whether directly and / or in front of others
 - The use of obscene gestures
 - Abusing a position of power
- Bullying and harassment can occur through verbal and face to face interactions, but can also take place through sharing inappropriate or offensive content in writing or via email and other electronic communications and social media.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable and behaviour could be harassment when the person had no intention to offend. We all have the right to determine what offends us. Some behaviour will be clear to any reasonable person that it is likely to offend – for example sexual touching. Other examples may be less clear, however, you should be aware that harassment will occur if behaviour continues after the recipient has advised you that the behaviour is unacceptable to them. Harassment can also occur where the unwanted behaviour relates to a perceived characteristic (such as offensive jokes or comments based on the assumption someone is gay, even if they are not)

It is important to recognise that bullying does not include appropriate criticism of an employee's behaviour or effective, robust performance management. Constructive and fair feedback about your behaviour or performance from your manager or colleagues/Councillors is not bullying. It is part of normal employment and management routines, and should not be interpreted as anything different. to their association with someone else (such as harassment related to their partner having a disability for example). See the council's equality and diversity Policy. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity and should feel able to challenge behaviour that they find offensive even if it is not directed at them.

Victimisation Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload. Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the council will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone found to have victimised you. Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you. Reporting Concerns What you should do if you feel you are being bullied or harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your nominated manager in the first instance or, with the clerk/or a councillor. Any such report will be taken seriously, and we will decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being bullied or harassed by a councillor: If you are being bullied or harassed by a councillor, please raise this with the clerk/chief officer or the chair of the council in the first instance. They will then decide how best to deal with the situation, in consultation with you.

There are two possible avenues for you, informal or formal.

The Informal Resolution is described below. Formal concerns regarding potential breaches of the Councillors Code of Conduct must be investigated by the Monitoring Officer.

The council will consider reasonable measures to protect your health and safety. Such measures may include a temporary change in duties or change of work location, not attending meetings with the person about whom the complaint has been made etc.

What you should do if you witness an incident you believe to be harassment or bullying: If you witness such behaviour you should report the incident in confidence to the clerk/chief officer or a councillor. Such reports will be taken seriously and will be

treated in strict confidence as far as it is possible to do so. What you should do if you are being bullied or harassed by another member of staff: If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

Informal resolution If you are being bullied or harassed, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to the council's policy and must stop. Alternatively, you may wish to ask the clerk/chief officer, your nominated manager or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s). If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own nominated manager, you should raise the issue with the chair of the council. (If your concern relates to the chair, you should raise it with the chair of the personnel/staffing committee). The chair (or another appropriate person) will discuss with you the option of trying to resolve the situation informally by telling the alleged perpetrator, without prejudicing the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a member of the council staff
- such behaviour is contrary to our policy
- for employees, the continuation of such behaviour could amount to a serious disciplinary offence It may be possible for this conversation to take place with the alleged perpetrator without revealing your name, if this is what you want. The person dealing with it will also stress that the conversation is confidential. In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The chair (or another appropriate person) will discuss this with you if it is appropriate. If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as extremely serious allegation or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a formal complaint If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about bullying and harassment through the council's grievance procedure. You should raise your complaint to the clerk/chief officer or the chair of the council. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The clerk/chief officer or the chair of the council will appoint someone to investigate your complaint in line with the grievance policy. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses
- Any action taken by you to resolve the matter informally. The alleged perpetrator(s) would normally need to be told your name and the details of your grievance in order for the issue to be investigated properly. However, we will carry out the investigation as

confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to make temporary adjustments to working arrangements whilst the matter is being investigated.

Where your complaint relates to potential breaches of the Councillors Code of Conduct, these will need to be investigated by the Monitoring Officer. The council will consider any adjustments to support you in your work and to manage the relationship with the councillor the allegations relate to, while the investigation proceeds. Investigations will be carried out promptly (without unreasonable delay), sensitively and, as far as possible, confidentially.

When carrying out any investigations, we will ensure that individuals' personal data is handled in accordance with the data protection policy. The council will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to understand better your complaint (see the grievance policy for further information, and details of your right to be accompanied). After the investigation, a panel will meet with you to consider the complaint and the findings of the investigation in accordance with the grievance procedure. At the meeting you may be accompanied by a fellow worker or a trade union official. Following the conclusion of the hearing the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome.

You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the grievance procedure.

The use of the Disciplinary Procedure If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome. This is a non-contractual policy and procedure which will be reviewed from time to time.

GUIDANCE FOR USING THE

DIGNITY AT WORK POLICY This is an example of an employment policy designed for a council adhering to statutory minimum requirements and does not constitute legal advice. As with all policies it should be consistent with your terms and conditions of

employment. This guidance is provided to support understanding of the policy, and its application, as well as where local adaptations may be required. The guidance is not part of the policy and should be removed from the policy adopted and shared with council employees. The Dignity at Work Policy will replace a previous 'Bullying and Harassment' Policy, to create a policy

that is focussed on encompassing behaviours beyond simply bullying and harassment, and zero tolerance with the aim of dealing with concerns before they escalate. It is important that any commitment made in the policy is applied in practice. Wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the NALC, SLCC and OVW Civility and Respect Pledge. Councils that have not signed up to this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times. If your council has not agreed to the pledge this wording should be removed. The policy is drafted with consideration of employment language and terminology that is reflective of a modern working environment, setting a tone that is engaging, collaborative and inclusive. A council may want to update references where relevant to reflect local terminology and structure, however should be considerate of equality, diversity and inclusion. The examples of bullying and harassment are just that – examples. This should not be considered an exhaustive list. Notes: Protected Characteristics A 'protected characteristic' is defined in the Equality Act 2010 as age, disability, sex, gender reassignment, pregnancy and maternity, race, sexual orientation, religion or belief, and marriage and civil partnership. It is unlawful to discriminate against an individual because of any of the protected characteristics.

Discrimination includes treating people differently because of a protected characteristic. Employees can complain of harassment even if the behaviour in question is not directed at them. This is because the complainant does not actually need to possess the relevant protected characteristic. An employee can complain of unlawful harassment if they are related someone with a protected characteristic, or because a colleague believes they have a protected characteristic. Examples of harassment related to a protected characteristic could include;

- Making assumptions about someone's ability due to their age, or denying development opportunities to someone based on their age. This could also include assumptions about their lifestyle or making inappropriate jokes related to age.
- Making fun or mimicking impairments related to a health condition, or using inappropriate language about disabilities. Constantly selecting social activities that make it impossible for a colleague with a disability to participate in.
- Refusing to treat a person as their new gender, or disclosing information about their gender identity could be harassment on the grounds of gender reassignment.
- Pregnancy/Maternity harassment could include refusing opportunities due to pregnancy or maternity leave, or inappropriate touching and invasion of personal space such as unwanted touching of a pregnant person's stomach.

- Harassment based on race could include derogatory nicknames, or stereotyping based on ethnicity. It could include racist comments or jokes, or assumptions about someone's lifestyle based on their ethnicity.
- Gender harassment could include not considering people for a job based on gender stereotyping roles, or implementing practices that disadvantage one gender over another. Rude, explicit jokes, even if not directed at an individual, or comments on individuals dress or appearance.
- Regularly arranging team meals over periods of fasting or religious occasions or failing to adjust a dress code to accommodate religious dress could be examples of harassment based on religion/belief.
- Excluding same sex partners from social events could be both sexual orientation and marriage/civil partnership discrimination, as could not offering the same work-related benefits. A person does not need to be employed or have 2 years qualifying service to make a discrimination claim at a tribunal. • Job applicants who believe they have not been appointed because of a 'protected characteristic' can make a claim. • New or established employees who are dismissed, or treated unreasonably because of a health condition can make a discrimination claim.
- An employee subjected to harassment can make a discrimination claim at a tribunal.
- An employee asked to retire can make a discrimination claim at a tribunal

Legal risks Successful unfair dismissal claims are limited to a compensation cap, whereas those for unlawful discrimination have no cap. A positive employment culture, and swift action if conduct falls beneath acceptable standards will help mitigate the risks. An unhealthy culture will make it difficult to defend claims. The time to defend and the cost of defending tribunal claims can be significant, irrespective of the outcome. Culture and behaviour We work in eclectic communities and working environments, and a positive culture within the council enables employees with different backgrounds and beliefs to share ideas and shape how the council achieves its objectives for their community. It is important to recognise that different individuals may find different behaviours bullying or harassing so while there is not always intent to offend or cause harm, that does not mean that the effect of the behaviour has not caused harm or offence. It can take people a period of time to decide to raise their concerns, as they worry about consequences (perhaps from peers by complaining about a colleague who is popular, or they fear victimisation from the perpetrator or others). The council should consider whether there are opportunities (such as 121s to offer opportunity to reflect on relationships/morale) to identify issues earlier and address negative behaviours. Individuals can often mention concerns they are experiencing but not want to take it further. The council should remind the complainant that it has a zero tolerance to bullying and harassment and remind them of the policy in place to address concerns. If the allegations mentioned are significant, the council may want to suggest that it will need to investigate further, even if a 'grievance' is not raised, so as to ensure that any concerns and risks are managed, and the council is meeting its responsibilities and duty of care as an employer. Whilst both staff and councillors jointly determine the working culture, councillors are key in demonstrating what is and isn't acceptable behaviour. This is apparent from how councillors behave with each other in council meetings and also in how standards of behaviour are applied through the use of informal discussion and formal policies. Scope All council representatives are expected to uphold the values of the Dignity at Work Policy, however this policy sets out how allegations from employees will be managed. As indicated in the policy, concerns from a contractor, agency worker etc. should be raised to

the identified person, and an appropriate approach will be considered based on the situation and relationship of the complainant with the council. Likewise, concerns raised about the behaviour of a contractor or agency worker would not generally be managed via the full process (such as the disciplinary process) but appropriate action would be considered based on the situation.

To treat people (such as contractors, or a casual worker) engaged by the council the same as an employee could blur the status of the employment relationship, so consider seeking professional advice if needed. Managers Recognising that councils are of varying sizes, where the term manager/nominated manager is used it is recognised this could be the clerk/chief officer, another employee of the council, or a councillor depending on the situation. It is good practice to have a clearly identified person who is the responsible 'line manager' or equivalent contact for an employee so that there is clarity on how the employee should report concerns to, who they notify if they are sick or to request leave etc. More often for council employees this may be the clerk/chief officer, and for the clerk/chief officer this could be the chair/deputy Chair, or possibly chair of a staffing/personnel committee. Bullying and harassment & performance management The policy sets out that bullying and harassment does not include appropriate criticism of an employee's behaviour or effective, robust performance management. It is not uncommon for an employee, when receiving critical feedback, to claim that this is bullying and/or harassing. It is the role of the nominated manager to provide effective and constructive feedback to encourage performance at the required standard. Even when the feedback is not positive it should be fair, communicated in a professional and reasonable manner and shared with the objective of aiding understanding and achieving an improvement to overcome the shortfalls. There is no absolute definition of when the feedback may not be appropriate. Often it will be for the person/panel hearing the dignity at work complaint/grievance to determine whether the performance management has upheld the standards expected in terms of respect and civility and any

feedback has been shared in a fair and professional way. Responsibilities All staff and representatives of the council are responsible for their own behaviour in the workplace and for taking steps to revise unacceptable behaviour and appropriately challenge that of others. Leaders – councillors, clerks, chief officers, managers - are responsible for ensuring that these standards of treating people with civility, respect and courtesy are upheld, both through their own example, and by communicating and promoting these expectations to all employees. They are also responsible for ensuring that concerns raised are treated seriously and addressed in line with this policy in a timely manner. During the investigation Employers have a duty of care to provide a safe place of work. If a complaint is made, discuss how to manage working relationships whilst the allegation is being investigated and until the outcome is disclosed. This is as much for the protection of the alleged perpetrator as for the aggrieved. Consider whether a neutral person should be offered as a 'listening ear' for both parties in the investigation. This could be a councillor or nominated manager who is not involved in the investigation or allegations and can be a point of check in as raising, or being subject to allegations can be stressful.

Offer other support that may be appropriate to the situation such as signposting to support groups, time off for counselling etc. If you have suspended a staff member, your duty of care continues and it is important to consider their wellbeing and mental health. Ensure that you communicate regularly with both parties. The investigation and any subsequent hearing should be completed in accordance with the grievance policy which sets out a process for dealing with concerns. You should ensure that the grievance policy adopted adheres to any local policies and procedures, with consideration of any timescales and escalation routes in your locally adopted policy.

Confidentiality It may be possible for concerns to be raised with the perpetrator without disclosing the name of the complainant however in a small council it is likely that it will be clear that the accused will know where the accusation has come from.

The council representative (clerk/chief officer/councillor) speaking to the alleged perpetrator must be clear that the discussion is confidential and the individual would be at risk of formal disciplinary action if there is any sort of victimisation or retaliation for the individual raising their concern. During any formal investigation it may be necessary to disclose the nature of the allegations and where they came from to ensure a fair and balanced investigation and process. This should be discussed with the person raising the concerns to understand any issues and how they may be mitigated. In some situations it may be appropriate to provide anonymised witness statements however this would be a last resort, and could compromise the fairness of the process. Where there is a genuine fear of consequences and this may need to be considered, it is recommended that professional advice is sought. For the same reason it can be difficult for a council to consider an anonymous complaint, however if the concerns are significant and compromise the council in their duty of care to employees, then consideration of how the deal with the matter may be required. Victimisation All employees have the right to raise genuine concerns without the fear of reprisals. If the aggrieved (or a witness) is treated differently / less favourably because they have raised a complaint, then this is victimisation.

This would include isolating someone because they have made a complaint, cancelling a planned training event, or giving them a heavier or more difficult workload. Victimisation can lead to a claim to an employment tribunal. False allegations If an employee makes an allegation that they know to be untrue, or gives evidence that they know to be untrue, the council should consider the matter under the disciplinary procedure. Such an allegation would be potentially be gross misconduct.

Complaints against Councillors Following the Ledbury case, the law is clear that any formal complaint about a councillor regarding a breach of the code of conduct must be referred to the Monitoring Officer for investigation (either by the complainant, or the Council with agreement of the complainant). During the investigation, it is critical to ensure that where an employee of the council has made the complaint, that the council agrees reasonable measures with the employee to protect their health and safety. Such measures may include a temporary change in duties, change of work location, not attending meetings with the person about whom the complaint has been made etc. Careful consideration is required where a grievance is raised against the council as a whole due to lack of support related to councillor behaviours. The specific allegations will need to

be considered to determine whether the allegations can be addressed by the council, or require exploration of the councillors behaviour in order to respond, in which case the Monitoring Officer may be required to investigate the alleged behaviours of a/any councillors where this may relate to the code of conduct. It is a matter of fact whether the complaint is against the council and can therefore be dealt with by the council's grievance procedure or against a councillor and can only be dealt with by the Monitoring Officer.

ABSENCE MANAGEMENT POLICY

1. OVERVIEW

All employees are covered by our policy for reporting and managing absences and sick pay.

We reserve the right to amend this policy at any time.

As documented in the staff handbook and employee contract, from your first day of absence a self-certification will need to be completed on your return, if greater than 7 days you will require a statement of Fitness for Work from your G.P. All period of prolonged absence must be covered by a Doctor's note which must be forwarded to the PCM.

The Parish Council should be kept regularly informed by a member of staff who is absent and to inform of an anticipated return to work.

Sick pay entitlement will be made on a sliding scale depending on length of continuous service and sickness period as per individual employee contracts..

2. LONG-TERM, OR PERSISTENT ABSENCE

- Formal steps may be taken if there is concern about the number of days taken off for sickness or injury.
- What action is taken will depend on reasons and pattern for absence. Informal talks may be held and medical evidence may be sought to better understand the situation.
- Review meetings may also be necessary to explore whether reasonable adjustments can be made to help either return to work or work for longer periods.
- The council shall have the right at any time to require you to submit to examination by an independent medical practitioner selected by the council, to obtain a confidential report on your condition from such practitioner and to discuss with such practitioner the findings of his/her examination and his/her prognosis of your likely recovery and or fitness to resume work and recommended treatment
- If medical evidence is required we will usually ask for examination by a doctor, an occupational health therapist or another specialist of our choice. The Parish Council will pay for this and all reports will be kept confidential. Consent from the employee will be sought to have full access to medical reports and to discuss the contents with the relevant medical practitioner. The Employee does not have to consent, but if they do not decisions will be made based on existing medical and other information. Reasonable adjustments to the role and/or work space will be made if the employee is found to have a disability
- The Parish Council understand that this process is difficult and upsetting if the employee suffers from a serious health condition and they might feel as if the council is pressurising the employee into returning to work before they are ready. The Parish Council does not want them to feel that way, but no business can continue employing people indefinitely if they are not able to work. It is better that all employees are fully aware of the thought process and intentions than the alternative, which is lack of communication and eventually deciding to dismiss without advance notice of what the consequences of continued absence would be.

- The Parish Council will write to the employee before any formal meeting and explain when, where, and why it is taking place. If this date is not acceptable a mutually convenient alternative date will be arranged.
- At the meeting, the discussion will be why the employee is off work, how long they expect to remain off work, and whether they are likely to be off work for the same reason in the future. There will also be a review of any medical evidence, and explore whether further reports are needed and if there is anything the Parish Council can do to help to improve their health and/or make it easier for them to attend work. If they have been off work long term the Parish Council may suggest a return-to-work program; if there is persistently absence, they may set targets to improve the attendance against a deadline. The employee should also expect to be warned that they may face dismissal if the attendance does not improve.
- Should the employee be unable to return to work, or fails to meet the deadline set for improved attendance, they will be asked to attend another meeting. The aim at this meeting will be to find out if the situation is expected to change, and the Parish Council may have to give notice of dismissal if it becomes clear they are either unlikely to return to work or their attendance will not improve in the short term. Before issuing a notice of dismissal, options will be explored whether redeployment within the Parish Council could be made which would address the attendance issues and consideration will be given to any other issues that may want discussing.
- If the Parish Council concludes that the employee is not off work for a medical condition and they are unable to offer any other satisfactory explanation the employee may face action under the Parish Councils disciplinary procedure. This may lead dismissal for misconduct or gross misconduct.

3. RIGHT OF APPEAL

- An employee has the right to appeal if the Parish Council dismiss them on the grounds of their long-term absence. A response must be lodged within a week of being told they have been dismissed, by writing directly to the PCM. In the response to that letter, there must be an explanation of exactly what is being appealed.
- Wherever possible, the appeal hearing meeting will not be led by the PCM which took the decision to dismiss you. The Parish Council’s final decision will be sent to you in writing, where possible within two weeks of the appeal hearing. There is no further right to appeal the dismissal.

COUNCILLOR-OFFICER PROTOCOL

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INTRODUCTION

The purpose of this Protocol is to guide councillors and officers of the council in their relations with one another. The Protocol’s intention is to build and maintain good working relationships between councillors and officers as they work together. Employees who are required to give advice to councillors are referred to as “officers” throughout.

A strong, constructive, and trusting relationship between councillors and officers is essential to the effective and efficient working of the council.

This Protocol also seeks to reflect the principles underlying the Code of Conduct which applies to councillors and the employment terms and conditions of officers. The shared objective is to enhance and maintain the integrity (real and perceived) of local government.

The following extract from the Local Government Association guidance on the 2020 Model councillor Code of Conduct states that:

“Both councillors and officers are servants of the public and are indispensable to one another. Together, they bring the critical skills, experience and knowledge required to manage an effective local authority.

At the heart of this relationship, is the importance of mutual respect. Councillor officer relationships should be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe reasonable standards of courtesy, should show mutual appreciation of the importance of their respective roles and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.

councillors provide a democratic mandate to the local authority and are responsible to the electorate whom they represent. They set their local authority’s policy framework, ensure that services and policies are delivered and scrutinise local authority services.

Chairs and vice chairs of committees have additional responsibilities. These responsibilities will result in increased expectations and relationships with officers that are more complex. Such councillors must still respect the impartiality of officers and must not ask them to undertake work of a party political nature or compromise their position with other councillors or other officers.

Officers provide the professional advice and managerial expertise and information needed for decision making by councillors and to deliver the policy framework agreed by councillors. They are responsible for implementing decisions of councillors and the day-to-day administration of the local authority.

The roles are very different but need to work in a complementary way.

It is important for both sides to respect these differences and ensure that they work in harmony. Getting that relationship right is an important skill. That is why the code requires councillors to respect an officer’s impartiality and professional expertise. In turn officers should respect a councillor’s democratic mandate as the people accountable to the public for the work of the local authority. It is also important for a local authority to have a councillor-officer protocol which sets out how this relationship works and what both councillors and officers can expect in terms of mutual respect and good working relationships.” This Protocol covers:

- The respective roles and responsibilities of the councillors and the officer;

- Relationships between councillors and officers;
- Where/who a councillor or an officer should go to if they have concerns;
- Who is responsible for making decisions.

BACKGROUND

This Protocol is intended to assist councillors and officers, in approaching some of the sensitive circumstances which arise in a challenging working environment.

The reputation and integrity of the council is significantly influenced by the effectiveness of councillors and the officer working together to support each other's roles.

The aim is effective and professional working relationships characterised by mutual trust, respect and courtesy. Overly close personal familiarity between councillors and officers is not recommended as it has the potential to damage this relationship

ROLES OF COUNCILLORS AND OFFICERS

The respective roles of councillors and officers can be summarised as follows:

- Councillors and officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct.
- Councillors are responsible to the electorate and serve only for their term of office.
- Officers are responsible to the council. Their job is to give advice to councillors and to the council, and to carry out the council's work under the direction and control of the council and relevant committees.

Councillors

Councillors have four main areas of responsibility:

- To determine council policy and provide community leadership;
- To monitor and review council performance in implementing policies and delivering services;
- To represent the council externally; and
- To act as advocates for their constituents.

All councillors have the same rights and obligations in their relationship with the officer, regardless of their status and should be treated equally.

Councillors should not involve themselves in the day to day running of the council. This is the officer's responsibility, and the officer will be acting on instructions from the council or its committees, within an agreed job description.

In line with the councillors' Code of Conduct, a councillor must treat others with respect, must not bully or harass people and must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the council.

Officers can expect councillors:

- to give strategic leadership and direction and to seek to further their agreed policies and objectives with the understanding that councillors have the right to take the final decision on issues based on advice
- to act within the policies, practices, processes and conventions established by the council
- to work constructively in partnership with officers acknowledging their separate and distinct roles and responsibilities
- to understand and support the respective roles and responsibilities of officers and their associated workloads, pressures and reporting lines
- to treat them fairly and with respect, dignity and courtesy
- to act with integrity, to give support and to respect appropriate confidentiality
- to recognise that officers do not work under the instruction of individual councillors or groups

- not to subject them to bullying, intimidation, harassment, or put them under undue pressure.
- to treat all officers, partners (those external people with whom the council works) and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability or religion.
- not to request officers to exercise discretion which involves acting outside the council's policies and procedures
- not to authorise, initiate, or certify any financial transactions or to enter into any contract, agreement or undertaking on behalf of the council or in their role as a councillor without proper and lawful authority
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- not to use their position or relationship with officers to advance their personal interest or those of others or to influence decisions improperly
- to comply at all times with the councillors' Code of Conduct, the law, and such other policies, procedures, protocols and conventions agreed by the council.
- respect the impartiality of officers and do not undermine their role in carrying out their duties
- do not ask officers to undertake work, or act in a way, which seeks to support or benefit a particular political party or gives rise to an officer being criticised for operating in a party-political manner
- do not ask officers to exceed their authority where that authority is given

Chairs and vice-chairs of council and committees

Chairs and vice-chairs have additional responsibilities as delegated by the council. These responsibilities mean that they may have to have a closer working relationship with employees than other councillors do. However, they must still respect the impartiality of officers and must not ask them to undertake work or anything else which would prejudice their impartiality.

Officers

The primary role of officers is to advise, inform and support all members and to implement the agreed policies of the council.

Officers are responsible for day-to-day managerial and operational decisions within the council, including directing and overseeing the work of any more junior officers. Councillors should avoid inappropriate involvement in such matters.

In performing their role officers will act professionally, impartially and with neutrality. Whilst officers will respect a councillor's view on an issue, the officer should not be influenced or pressured to make comments, or recommendations which are contrary to their professional judgement or views.

Officers must:

- implement decisions of the council and its committees which are lawful, which have been properly approved in accordance with the requirements of the law and are duly recorded. This includes respecting the decisions made, regardless of any different advice given to the council or whether the decision differs from the officer's view.
- work in partnership with councillors in an impartial and professional manner
- treat councillors fairly and with respect, dignity and courtesy
- treat all councillors, partners and members of the public equally, and not discriminate based on any characteristic such as age, sex, race, sexual orientation, gender identity, disability or religion.
- assist and advise all parts of the council. Officers must always act to the best of their abilities in the best interests of the authority as expressed in the council's formal decisions.
- respond to enquiries and complaints in accordance with the council's standards protocol
- be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for councillors, the media or other sections of the public.
- act with honesty, respect, dignity and courtesy at all times
- provide support and learning and development opportunities for councillors to help them in performing their various roles in line with the council's training and development policy
- not seek to use their relationship with councillors to advance their personal interests or to influence decisions improperly

- comply, at all times, with the Officers' Code of Conduct, and such other policies or procedures approved by the council

Officers have the right not to support councillors in any role other than that of councillor, and not to engage in actions incompatible with this Protocol.

In giving advice to councillors, and in preparing and presenting reports, it is the responsibility of the officer to express his/her own professional views and

recommendations. An officer may report the views of individual councillors on an issue, but the recommendation should be the officer's own. If a councillor wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities. There are exceptional circumstances where a councillor can fulfil the role of officer, for example where there is a vacancy.

This can only be done if the councillor is not paid for the role and should only ever be short-term while the council seeks to fill a vacancy. There will need to be a particular clear understanding of when the councillor is acting as a councillor and when acting as the Proper Officer.

The Relationship: General

Councillors and officers are indispensable to one another. However, their responsibilities are distinct. Councillors are accountable to the public, whereas officers are accountable to the council as a whole.

At the heart of this Protocol is the importance of mutual respect and also of civility. Councillor/officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between councillors and officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position nor seek to exert undue influence on the other party.

Individual councillors should not actively seek to undermine majority decisions of the corporate body, as this could then bring them into conflict with officers who have been charged with promoting and implementing the council's collectively-determined course of action.

Councillors should not raise matters relating to the conduct or capability of an officer, or of officers collectively, in a manner that is incompatible with this Protocol at meetings held in public or on social media. This is a long-standing tradition in public service. An officer has no means of responding to criticisms like this in public.

A councillor who is unhappy about the actions taken by, or conduct of, an officer should:

- avoid personal attacks on, or abuse of, the officer at all times
- ensure that any criticism is well founded and constructive
- ensure that any criticism is made in private
- take up the concern with the chair

Neither should an officer raise with a councillor matters relating to the conduct or capability of another councillor or officer or to the internal management of the council in a manner that is incompatible with the objectives of this Protocol.

Potential breaches of this Protocol are considered below.

Expectations

All councillors can expect:

- A commitment from officers to the council as a whole, and not to any individual councillor, group of councillors or political group;
- A working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from officers to enquiries and complaints;
- Officer's professional and impartial advice, not influenced by political views or personal preferences;
- Timely, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from officers and other councillors;

- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by officers outside the council's agreed procedures;
- That officers will not use their contact with councillors to advance their personal interests or to influence decisions improperly.

Officers can expect from councillors:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;
- That councillors will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
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- That councillors will at all times comply with the council's adopted Code of Conduct.

Some general principles

Close personal relationships between councillors and officers can confuse their separate roles and get in the way of the proper conduct of council business, not least by creating a perception in others that a particular councillor or officer is getting preferential treatment.

Special relationships with particular individuals are not recommended as it can create suspicion that an employee favours that councillor above others.

The Proper Officer (usually called the Clerk) is the head of paid services and has a line management responsibility to all other staff. Communications should be made directly with the Proper Officer, unless it is agreed by the Proper Officer that such communications may take place directly with other officers over a particular matter. Councillors should not give instructions directly to the Proper Officer's staff without the express approval of the Proper Officer.

COUNCILLORS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

Councillors are free to approach officers to provide them with such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as members of the council. This can range from a request for general information about some aspect of the council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Officer.

The legal rights of councillors to inspect council documents are covered partly by statute and partly by the common law.

The common law right of councillors is based on the principle that any member has a prima facie right to inspect council documents so far as their access to the documents is reasonably necessary to enable the member properly to perform their duties as a member of the council. This principle is commonly referred to as the "need to know" principle.

The exercise of this common law right depends therefore upon the councillor's ability to demonstrate that they have the necessary "need to know". In this respect a member has no right to "a roving commission" to go and examine documents of the council. Mere curiosity is not sufficient. The crucial question is the determination of the "need to know". This question must be determined by the officer.

In some circumstances (e.g. a committee member wishing to inspect documents relating to the functions of that committee) a councillor's "need to know" will normally be presumed. In other circumstances (e.g. a councillor wishing to inspect documents which contain personal information about third parties) a councillor will normally be expected to justify the request in specific terms. Any council information provided to a councillor must only be used by the councillor for the purpose for which it was provided i.e. in connection with the proper performance of the councillor's duties as a member of the council.

For completeness, councillors do, of course, have the same right as any other member of the public to make requests for information under the Freedom of Information Act 2000.

CORRESPONDENCE

Correspondence between an individual councillor and an officer should not normally be copied (by the officer) to any other councillor. Where exceptionally it is necessary to copy the correspondence to another councillor, this should be made clear to the original councillor. In other words, a system of “silent copies” should not be employed.

Acknowledging that the “BCC” system of e-mailing is used, it should be made clear at the foot of any e-mails if another councillor has received an e-mail by adding “CC councillor X.”

Official letters or emails on behalf of the council should normally be sent out under the name of the officer, rather than under the name of a councillor. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter or email to appear over the name of the chair, but this should be the exception rather than the norm. Letters or emails which, for example, create obligations or give instructions on behalf of the council should never be sent out in the name of a councillor.

Correspondence to individual councillors from officers should not be sent or copied to complainants or other third parties if they are marked “confidential”. In doing so, the relevant officer should seek to make clear what is to be treated as being shared with the councillor in confidence only and why that is so.

PRESS AND MEDIA

Councils are accountable to their electorate. Accountability requires local understanding. This will be promoted by the council, explaining its objectives and policies to the electors and customers. Councils use publicity to keep the public informed and to encourage public participation. The council needs to tell the public about the services it provides. Good effective publicity should aim to improve public awareness of the council’s activities. Publicity is a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential to ensure that decisions on publicity are properly made in accordance with the Code of Recommended Practice on Local Authority Publicity and the council’s Media Protocol.

The officer may respond to press enquiries but should confine any comments to the facts of the subject matter and the professional aspects of the function concerned. On no account must an officer expressly or impliedly make any political opinion, comment or statement.

Any press release that may be necessary to clarify the council’s position in relation to disputes, major planning developments, court issues or individuals’ complaints should be approved by the officer.

The chair (or chair of a committee) may act as spokespersons for the council in responding to the press and media and making public statements on behalf of the council but should liaise with the officer on all forms of contact with the press and media. The council may also appoint individual councillors as spokespeople where there is an area of particular expertise but this should only be done with the agreement of the council.

The council must comply with the provisions of the Local Government Act 1986 (“the Act”) regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance and the council must have regard to it and follow its provisions when making any decision on publicity. The LGA has produced useful guidance on the Publicity Code - <https://www.local.gov.uk/publications/short-guide-publicity-during-pre-election-period>

For more detailed information and guidance regarding the role of councillors in connection with the use of social media, reference should be made to the council’s Social Media Protocol where there is one in place.

IF THINGS GO WRONG

Procedure for officers:

From time to time the relationship between councillors and the officer (or other employees) may break down or become strained. Whilst it is always preferable to resolve matters informally, it is important that the council adopts a formal grievance protocol or procedure.

The principal council’s monitoring officer may be able to offer a mediation/conciliation role or it may be necessary to seek independent advice. The chair of the council should not attempt to deal with grievances or work related performance or line management issues on their own. The council should delegate authority to a small group of councillors to deal with all personnel matters.

The law requires all employers to have disciplinary and grievance procedures. Adopting a grievance procedure enables individual employees to raise concerns, problems or complaints about their employment in an open and fair way.

Where the matter relates to a formal written complaint alleging a breach of the councillors' Code of Conduct the matter must be referred to the principal council's monitoring officer in the first instance in line with the Localism Act 2011. The council may however try to resolve any concerns raised informally before they become a formal written allegation.

Procedure for councillors:

If a councillor is dissatisfied with the conduct, behaviour or performance of the officer or another employee, the matter should be reported to the chair and then raised with the officer in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke the council's disciplinary procedure.

 <p>Lapley, Stretton & Wheaton Aston Parish Council</p>	<p>Risk Assessment & Management Christmas Lights Switch On 16th November 2024</p>
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The aim of this risk assessment is to identify any potential hazards and put in place measures to remove those hazards or reduce the probability of them to an acceptable level. Risk assessment is to be conducted on the day of the event alongside the risk criteria checklist which is to be conducted hourly by the Head Steward.

Risk is assessed as the product of the consequences of an event occurring and the probability that it will occur. Various risk scenarios are described and assessed subjectively according to the following guidelines:

Consequences

	Rating	Description
1	Trivial	Minor cuts and bruises treated on site by first aid. Loss of <£10
2	Non serious	Cuts and bruises which need to be seen by a doctor/nurse. Loss of <£100
3	Serious	Minor injury which requires treatment as a hospital outpatient or Loss of £1,000
4	Very serious	Injury which requires treatment as an in patient or loss of <£10,000
5	Catastrophic	Serious, permanent disability or death or loss of <£100,000

Probability

	Rating	Probability ratio
1	Almost impossible	1/1,000,000
2	Highly unlikely	1/10,000
3	Unlikely	1/1,000
4	Possible	1/100
5	Probable	1/10

The risk is classified as follows:

1-2	Trivial, no action required
3-5	Tolerable
6-12	Moderate risk, wherever possible action should be taken to reduce the risk to a level that is as low as is reasonably practical.
15-16	Unacceptable risk, action must be taken to reduce it to a level which is as low as is reasonable practical
20-25	Intolerable risk. Activity should be discontinued unless it is possible to reduce the risk to an acceptable limit (12)

Hazard	Consequence	Probability	Risk	Control measures
Christmas Tree Lights				
Accident whilst stone circle is being removed to reveal the socket for the tree	4	2	8	Plate is removed and stored by J Whittingham and S workers who are experienced in removing the plate.
People falling into the socket for the tree	3	2	6	Socket is removed the same day (subject to condition unable to install tree then appropriate safety measures taken i.e, barriers erected) as the tree is installed. Site covered by wood and cones.
Accident whilst erecting the tree	3	2	6	J Whittingham and Son are appointed to install the tree
Accident whilst tree lights are being installed, post installation & upon removal	5	2	10	Use specialist contractors who are experienced in tree lighting. Require them to comply with Staffordshire County Council and EON code of practice
Public making contact with dangerous electrical supplies	5	1	5	Use low voltage supplies for equipment less than 2.5m off ground. Specialist contractors are to ensure safe equipment,
People walking into tree in WA village centre	1	1	1	Barrier fencing around tree Area well lit
Tree falling due to extreme weather conditions	5	2	10	Parish Council Clerk, Chairman and Chair of CLWG to monitor the weather forecasts regularly and will arrange for tree to be monitored and taken down (if required) if high (31-38mph) is predicted. A separate risk assessment undertaken
People reaching Lapley green tree	5	1	5	The tree is in the centre of Lapley green and not barrier due to low footfall accessing the area
Christmas Lights on Lighting Columns				

Accident whilst lights are being installed or post installation	5	2	10	Use specialist contractors who are experienced in this work. Require them to comply with Staffordshire County Council and EON code of practice
High vehicle hitting lights over carriageway	4	1	4	Lights are above the pavement not the road and are above the clearance height required by Staffordshire County Council Highways.
Light falling and hitting a pedestrian	5	1	5	Lights are installed by specialist contractors and are maintained by a specialist lighting company.
Switch On Event				
Injury to stewards	4	2	8	All stewards are issued with instructions, hi-vis vests and an emergency plan and a first aid point is provided and manned by Tactical Services
Injury from cooking equipment	4	3	12	Cooking equipment used at the rear of stalls away from the serving counter. Liability insurances must be provided by Stall holders, all stall holders must be competent in usage and hold a risk assessment
Overcrowding in the square	5	1	5	There are four exit paths/routes from the square. The Head Steward will monitor the number of visitors. 2023 event saw the introduction of 'clicker' count to establish the number of people attending. An Emergency Plan has been created to deal with emergencies such as overcrowding. Numbers are also monitored by handing out carol sheets
Stalls catching fire	5	2	10	There are no naked flames being used. Two stalls using electric cooking equipment are to provide sand buckets and issued with instructions not to cover electrical cables. Fire engine at location
Public making contact with dangerous electrical supplies	5	1	5	The electricity supply box for the tree and the doors to the lighting columns are locked and can access can only be gained through the use of specialist keys.
Performers slipping on stage/stage usage for grotto	4	3	12	The stage is provided by Dangerous Sheep events ltd and this has been considered by their risk assessment. An employee of Dangerous Sheep ltd will be in the presence of the stage at all times.
Injury from fire on stage	5	2	10	Electrical sound equipment is never left unattended. Stage lighting is monitored regularly. An employee of Dangerous Sheep Events Ltd will be present at all times. A multi-purpose fire extinguisher is provided at the stage. An Emergency Plan has been created to deal with emergencies such as fire.
Pedestrian hit by vehicle	5	1	5	Road closed 4 hours before event until 2 hours post event. Highways signs & cones used. Two Traffic Management Stewards in attendance throughout.
Wildwood Alpacas				
Wildwood Alpacas have provided their own risk assessment for the event. The group will be situated in The Cobbles which is closed off to vehicle access for the duration				See separate risk assessment provided by company- they manage the risks of people petting the alpacas . LSWA PC close the road where they are located to install crowd safety from vehicles
Child Protection				
Allegation from child or vulnerable adult	4	1	4	Stewards instructed not to be alone with children or vulnerable adults at any time. A Lost child point is provided at the side of the stage, where the Head Steward (who is DBS checked) is stationed. Unaccompanied children at Father Christmas' grotto will be accompanied by an appropriate leader (who is DBS checked in absence of a parent).

				Chairman and Clerk of the PC are DBS checked and will assist if required. St Marys academy PTA undertake the duty of organising the grotto and have a risk assessment in place
Coronavirus Covid-19	3	3	6	Appropriate steps must be installed to reduce the likelihood of an infectious disease circulating at the event. The event is held outdoors which has been proven to reduce transmission. All stall holders to provide and encourage the use of hand sanitiser. The stage to provide hand sanitizer and wipe (where possible) all items such as microphones that are used between people. Any events happening in conjunction with the Christmas Lights Switch on (ie stalls in the church) should have their own risk assessment and consider the transmission of Covid-19. Further guidance may result in further interventions being reintroduced,

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