



## LONDON COLNEY PARISH COUNCIL

To: Councillor H Pakenham (Chair), K Gardner, M MacMillan, and L Winstone

10 March 2023

You are hereby summoned to attend a **HUMAN RESOURCES COMMITTEE** meeting to be held on **THURSDAY 16 MARCH 2023, 7.00 PM, CALEDON COMMUNITY CENTRE, CALEDON ROAD LONDON COLNEY AL2 1PU**

**Emma Payne**  
Clerk

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### AGENDA

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|--|----------------|
| <b>1. APOLOGIES</b><br>To receive apologies for non-attendance   |                |
| <b>2. NOTIFICATION OF SUBSTITUTES</b><br>To receive notifications of substitutions made to the Clerk   |                |
| <b>3. DECLARATION OF INTERESTS</b><br>To receive members declarations of interest in items on the agenda.  |                |
| <b>4. MINUTES AND MATTERS ARISING (FOR INFORMATION ONLY)</b><br>To approve the minutes of the meeting held on 7 February 2023 and note any matters arising (for information only). | 3              |
| <b>5. REPORTS TO COMMITTEES</b>  |                |
| <b>5.1 Recruitment</b><br>To receive a verbal update on recruitment including appointment of locum clerk; Events & Community Officer and Environment & Neighbourhood Officer       | -              |
| <b>5.2 Staff Handbook</b><br>To receive an update on the staff handbook  | -              |



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| <b>5.3 Training and Development Policy</b>  | 6         |
| To review the Council's adopted policy and recommend its adoption to Council  |           |
| <b>5.4 Unreasonable Complainant Policy</b>  | 11        |
| To review the Council's adopted policy and recommend its adoption to Council  |           |
| <b>6. WORK PROGRAMME</b>  | 17        |
| To receive this committee's Work Programme  |           |
| <b>7. CONFIDENTIAL ITEMS</b>  |           |
| To resolve to exclude the Press and public from the following items in accordance with the Public Bodies (Admissions to Meetings) Act 1960. |           |
| <b>7.1 Staff Review</b>   | 18        |
| <b>7.2 Bar Manager</b>  | 22        |
| <b>7.3 Pension</b>  | To follow |
| <b>7. DATE OF NEXT MEETING</b>  |           |
| 13 June 2023  |           |

**LONDON COLNEY PARISH COUNCIL**

**MINUTES OF HUMAN RESOURCES COMMITTEE MEETING  
TUESDAY 7 FEBRUARY 2023, 6.00PM  
CALEDON COMMUNITY CENTRE, CALEDON ROAD, LONDON COLNEY AL2 1PU**

**PRESENT:** Councillors K Gardner, M MacMillan & L Winstone  
Cllr H Pakenham (virtual)

**IN ATTENDANCE:** Emma Payne, Clerk

**1. ELECTION OF CHAIRMAN**

As Cllr Pakenham was attending remotely, they were not able to chair the meeting. It was **RESOLVED** that:

*Cllr Gardner is elected as Chairman of HR Committee for this meeting.*

**2. APOLOGIES**

All present.

**3. NOTIFICATION OF SUBSTITUTES**

There were no substitutions.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest on items on this agenda.

**5. MINUTES OF THE PREVIOUS MEETING AND MATTERS ARISING (FOR INFORMATION ONLY)**

The minutes of the previous meeting held on 30 November 2022 were adopted as a true record of the meeting.

**6. REPORTS TO COMMITTEES**

**6.1 Recruitment**

Members were advised that recruitment of the Deputy Clerk had not brought forward any suitable candidates. The Clerk had liaised with the HR advisor who had advised them that recruitment at the moment is very difficult and recommended a different approach, separating the role into two separate positions – Events Officer and Environment Officer.

Members considered the proposal and received a report with costs associated with both roles. Members noted that there was a small saving achieved with this approach. Members thought that this might be more attractive, especially for parents who wanted to work around childcare and school hours. It might also appeal to an older person who didn't want to work fulltime. Members noted that this approach would not provide the additional support that had been envisaged for the Clerk.

Members asked what the employer's pension contribution would be for the roles. It was explained that this would depend on which pension the employee wanted to join, if any. This figures are to provided to Members outside of the meeting.

Members were asked to consider additional support for the Clerk with a locum Clerk for 10 hours per week. This would cost from £25 per hour and could be undertaken remotely. They would not be employed by the parish council, but directly or through a company.

Members considered the costs relating to these roles and wanted to know what savings had been achieved to date by not employing an Events & Community Officer. This should include pension and NI contributions. Members were advised that the National Insurance employer's figure was hard to calculate and would be an estimate.

It was **RESOLVED** to:

- a) Advertise two positions: Events & Community Officer and Environment & Neighbourhood Officer at the salary scales in the report.**
- b) Ask the HR advisor to undertake recruitment for the roles at a cost not exceeding £600.00.**
- c) Provide information on savings achieved to date through not employing an Events Officer**
- d) Seek additional support for the Clerk through a locum Clerk for 10 hours per week. This decision is to be delegated to the Chair of HR and the Clerk**

## **6.2 Staff Handbook**

Members were advised that the HR consultant's advisor on the staff handbook had to be changed and the new advisor was in the process of producing the handbook.

## **7. WORK PROGRAMME**

Members noted the work programme for this committee.

## **8. CONFIDENTIAL ITEMS**

To resolve to exclude the Press and public from the following items in accordance with the Public Bodies (Admissions to Meetings) Act 1960.

### **8.1 Grounds Maintenance Staff**

Members received a verbal report regarding a health condition affecting a member of staff and how this was will affect the delivery of the ground's maintenance function. The Grounds Maintenance Manager had advised the Clerk that he had a plan in place to cover the absence and Members asked to see this plan.

Members were advised that this would be an additional cost, and this needed to be agreed by Finance & General Purposes Committee.

Members also considered that as this was a business continuity issue, that the Grounds Maintenance Manager should produce a specification for the grounds maintenance at all sites so that it could be outsourced in the event of staff absence. It was **RESOLVED** that:

- a) The Grounds Maintenance Manager to provide a summary to HR committee of how they will cover grounds staff absence.**

- b) The Grounds Maintenance Manager will provide a Grounds Maintenance specification for all sites for the Finance & General Purposes Committee.***
- c) The costs relating to cover grounds staff absence will be referred to the Finance & General Purposes Committee.***

**9. DATE OF NEXT MEETING**

14 March 2023.

The meeting closed at 1845.

Signed: ..... Date: .....

**LONDON COLNEY PARISH COUNCIL**

**COMMITTEE: HUMAN RESOURCES**

**DATE: 16 MARCH 2023**

**REPORT BY: EMMA PAYNE, CLERK**

**SUBJECT: TRAINING AND DEVELOPMENT POLICY**

**1. SUMMARY**

1.1 This report is to review the Council's adopted Training and Development Policy, and to recommend its adoption to Council.

**2. RECOMMENDATION**

2.1 Members are asked to:

- a) Review the policy.
- b) Recommend its adoption to Council.

**3. BACKGROUND**

3.1 Having a Training and Development Policy enables the Council to achieve its strategic aims and objectives; improves the quality of service and facilities that the Council provides, improves the skill base of the employee(s), producing confident, highly qualified staff working as part of an effective and efficient team; and demonstrates that the employee(s) are valued.

3.2 This policy has been updated with the addition of what training new Officers and Councillors will undertake.

**4. FINANCE**

4.1 There are training budgets for Officers and Members. In 2023/24 it is:

|          |                     |        |
|----------|---------------------|--------|
| 100/4030 | Staff Training      | £1,500 |
| 100/4045 | Councillor Training | £500   |

**5. IMPACT ASSESSMENT**

|                                 |   |
|---------------------------------|---|
| Strategic Plan                  | Objective Five  |
| Equalities                      | N/A   |
| Environmental/Sustainability    | N/A   |
| Crime & Disorder                | N/A   |
| Financial                       | Budget in place   |
| Resources (including workforce) | Essential resource for staff.   |
| Risk Management                 | Keeping up to date with some training (first aid, fire etc), reduces risk to the Council. |



## **LONDON COLNEY PARISH COUNCIL**

### **TRAINING & DEVELOPMENT POLICY 2023**

London Colney Parish Council is committed to the ongoing training and development of all Members and employees. The Council wants to ensure that staff and Members are provided with the means to develop and enhance their skills and abilities to deliver high quality services, along with management skills to manage and plan those services and to be kept informed of new legalisation.

The purpose of this policy is to encourage Members and staff to undertake appropriate training, ensure necessary training is undertaken, allocate training in a fair manner and to ensure that all training is evaluated to assess its value.

The Council will commit to:

- Develop employees and Members to achieve the objectives of the Council.
- Regularly review the needs of, and to plan training and development for employees and Members.
- Regularly evaluate the investment in training and training budgets

#### **Identification of Training Needs**

There are various circumstances in which training needs may arise such as:

- Induction training
- Legislative requirements i.e., first aid, fire safety, manual handling
- Changes in legalisation
- Changes in internal systems
- New or reviewed qualifications become available.
- Accidents
- Professional error
- Introduction of new equipment
- New working methods or practices
- Complaints to the Council
- A request from a member of staff or Councillor
- Devolved services/delivery of new services

#### **Officers**

An employee who feels they have a training need should in the first instance, discuss this with their line manager. Similarly, if it is felt that an employee needs training, the line manager will discuss this with the employee. Training needs should not be left to be identified during the annual appraisal process they may arise at any point of the year and should be addressed as soon as possible. That said, training needs will be considered at each appraisal meeting.

The training need will be reviewed and assessed against the objectives of the Council, the responsibilities of the role and the development of the employee.

The current or any new Clerk to hold CiLCA or equivalent. The Clerk to be a Member of the Society of Local Council Clerks with training provided no less than the minimum requirement of Continuous Professional Development (12 points).

### **New Councillors and Employees**

All new Councillors and employees will receive basic induction training on the workings of the Council, Council policies and governance. For staff this will include manual handling, cyber security and health and safety. For Councillors this will include Council finance, assets, health, safety and welfare and Code of Conduct Training.

### **Members**

A Members folder will be provided for all newly elected Members setting out the Council's policies and procedures including Standing Orders and Financial Regulations.

If a Councillor feels they have a training needs, they should discuss this in the first instance with the Clerk. They will be able to assess the request and ascertain whether this is something that all Councillors may be interested in/benefit from undertaking.

The Council will undertake a training needs analysis with Councillors soon after each Annual Meeting of the Council in May. This will encourage councillors to look at any personal development areas or knowledge gaps as a councillor that they wish to address and importantly, consider any training needs they feel they may have with regards to Committees they are member of following the Annual Meeting. This is particularly important with regards to the Human Resources, Finance and Planning Committees. On completing the training needs analysis, the results will be collated and reviewed by the Clerk, with training courses being identified by the Clerk. Any Member training is to be authorised by the Chairman.

Training should be prioritised to those Members who had not attended training previously. Consideration should be taken to ensure that not too many Members attend the same training course. Any post training handouts passed to Members should be disseminated to other Members who had not attended the training. A post training evaluation form should be completed by the Member.

### **Training Methods**

There are different ways in which training, and development can be achieved:

- Internally - If training can be given utilising the in-house expertise and knowledge, this possibility will be explored. This often includes general IT training, training of specific work procedures or Council specific practices and legislation.
- Partnership - The Council is often offered to attend training sessions being organised by St Albans City & District Council
- Day Workshops/Seminars - When Council officers receive information on workshops and seminars, this is shared with employees and Councillors, where relevant



- Conferences - Details of conferences are shared with employees and Councillors, again where relevant. Occasionally the Council has nominated representatives that are invited to attend, such as SADC's Parish & Town Council conference, or Community Conference.
- Professional Qualifications - Training towards a professional qualification will often be sourced from an external provider and completed at a local training establishment.
- External Training Providers - There are numerous trainers available. When sourcing training from an external provider, the Council will also seek to obtain the best price and where possible, from a nearby location. This may involve working with other local Councils to pool together to organise relevant training.

### **Financial Implications**

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

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

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

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

#### *Recouping Costs*

It is standard practice that where the Council is covering the costs of an employee's training course or qualification, (this being a course or qualification rather than a one-day course or workshop), a written agreement will be made that if the employee leaves the Council's employ during a set period during or having completed the course, the employee will be expected to reimburse the Council as per the agreement. This does not apply to employees in apprenticeship positions.

### **Time Off Work**

The Council will grant paid time off work for one off training courses lasting one day or less, providing these are approved with the line manager. Where a training course or workshops falls on an employee's non-working day, time off in lieu (TOIL) may be accrued for hours in attendance at the training.

An employee undertaking a longer training course or qualification will be required to use TOIL to cover these absences, the only exception here is with NVQ qualifications for trainees sponsored by the Council or which paid leave from work will be granted, provided this is approved in advance by the Clerk.

Where an employee requires time off work for an exam or study leave prior to an exam, the Council will be flexible to ensure this time off can be granted using either TOIL or annual leave, providing adequate notice is given by the employee.

### **Evaluation**

It is vital that any training undertaken is evaluated for effectiveness. Except for internal/on the job training, upon completing a training session/course/workshop, the employee or Councillor should complete a Training Evaluation Form and return this to the Clerk.

Report forms will be reviewed and collated annually as part of a report to the Human Resources Committee.

The completion of these forms will also help assess whether the training is suitable for another individual at a future date and helps ensure any key points taken from the training are learned and/or acted on.

### **Record Keeping**

Each employee and Councillor have a Training Log which is held securely by the Clerk. This log should be updated with any training undertaken. Copies of any attendance or qualification certificates should also be given to the Clerk to be held with these records.

These records will be kept in accordance with the Council's Document Retention policy, after which they will be disposed of as confidential waste.

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### **Revisions:**

|                 |            |              |
|-----------------|------------|--------------|
| Date Adopted    | March 2019 |              |
| Date Reviewed   | March 2021 | No revisions |
| Date for Review | March 2023 | No revisions |

## **LONDON COLNEY PARISH COUNCIL**

**COMMITTEE: HUMAN RESOURCES**

**DATE: 16 MARCH 2023**

**REPORT BY: EMMA PAYNE, CLERK**

**SUBJECT: UNREASONABLE COMPLAINANT POLICY**

### **1. SUMMARY**

1.1 This report is undertaken to review this policy, to ensure that it is fit for purpose.

### **2. RECOMMENDATION**

2.1 Members are asked to:

- a) Review the policy.
- b) Recommend to Council that it is adopted.

### **3. BACKGROUND**

3.1 The Local Government Ombudsman's (LGO) definition of "unreasonable complainant behaviour" and "unreasonable persistent complaints". The Council defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the Council, hinder our consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

3.2 The use of this policy is triggered if the Council's adopted Complaints Procedure has been exhausted. It is not designed to stifle contact by Members of the Public, but to acknowledge that Officer's time is a finite resource, especially if the complaint is not within the remit of the Council.

3.3 The aim of this Policy is to contribute to our overall aim of dealing with all complainants in ways which are demonstrably consistent, fair, and reasonable. It sets out how the Council will decide which complainants will be treated as vexatious or unreasonably persistent, and what the Council will do in those circumstances. The policy is for the information of staff and Councillors, as well as complainants.

3.4 This updated policy includes examples of the type of behaviour which would be classed as vexatious.

### **4. FINANCE**

4.1 There are no financial implications.

**5. IMPACT ASSESSMENT**

|                                 |  |
|---------------------------------|--|
| Strategic Plan                  | Objective Five   |
| Equalities                      | N/A  |
| Environmental/Sustainability    | N/A  |
| Crime & Disorder                | N/A  |
| Financial                       | N/A  |
| Resources (including workforce) | Staff resources  |
| Risk Management                 | Vexatious complainants can be stressful and this may lead to staff having to take time off work. |



## LONDON COLNEY PARISH COUNCIL

### UNREASONABLE COMPLAINANT POLICY

London Colney Parish Council has a Complaints Policy to handle issues where residents are not happy with the outcome of a decision or service of the Parish Council. We are committed to dealing with all complaints fairly and impartially, to use them as a way of improving service and to providing a high quality of service to those who make them. We also have a duty to make sure that public money is spent wisely and achieves value for complainants and the wider public, and to protect the safety and welfare of our staff.

Occasionally there are complainants whose unreasonable behaviour makes this difficult to achieve and this policy has been developed to meet guidance on 'unreasonably persistent' complainants and 'unreasonable complainant behaviour.'

#### **What is unreasonable behaviour?**

Unreasonable behaviour is where the frequency or nature of a complainant's contact with us takes up an unjustifiable amount of time and/or resources, making it hard for us to handle their complaint and those of other people, or where the complainant's behaviour is offensive or abusive.

Examples of unreasonably persistent and/or Vexatious Behaviour:

This list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category

- Have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious).
- Refuse to specify the grounds of a complaint despite offers of assistance.
- Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of both.
- Refuse to accept that issues are not within the power of the Council to investigate, change or influence (for example something that is the responsibility of another organisation).
- Insist on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint).
- Make what appear to be groundless complaints about the staff dealing with the complaints and seek to have them dismissed or replaced.
- Make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints.
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (e.g. a complainant who insists on immediate responses to numerous, frequent and/or complex letters, telephone calls or emails).
- Harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language.

- Raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process.
- Introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on.
- Change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
- Deny statements he or she made at an earlier stage in the complaint process.
- Electronically record meetings and conversations without the prior knowledge and consent of the other person involved.
- Adopt an excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the council, but at the same time with a Member of Parliament, other councils, elected councillors of this and other councils, the council's independent auditor, the police, solicitors, and the Local Government Ombudsman.
- Refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- Make the same complaint repeatedly, perhaps with minor differences, after the complaint's procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaint's procedure.
- Persistently approach the council through different routes about the same issue.
- Persist in seeking an outcome which the Council have explained is unrealistic for legal or policy (or other valid) reasons.
- Refuse to accept documented evidence as factual.
- Complain about or challenge an issue based on a historic and irreversible decision or incident.
- Combine some or all of these features.

This policy does not cover the few complainants who are orally or physically abusive or threatening – these incidents will be dealt with under the Council's Dignity at Work/Harassment Policy.

**Procedure if complainant is behaving unreasonably.**

If a member of staff dealing with a complaint considers that a complainant is behaving unreasonably, they should seek the advice of Clerk. They should submit evidence to support their view which may include copies of e-mails, case notes or independent witness statements.

On being notified of a complainant behaving unreasonably the following stages will be followed:

|                  |   |  |
|------------------|---|--|
| <b>Stage One</b> | A verbal warning will be issued to the complainant by the Clerk advising them that they are acting unreasonably and if they continue then further steps will be taken.                                  | Stage One will be reported to the HR Committee and/or Council depending on which meets first, under Confidential Items.        |
| <b>Stage Two</b> | If the complainant persists, then they will be invited to attend a meeting with the Clerk and a Councillor, supported by an independent adjudicator. The complainant will be invited to bring a friend. | Stage two will be reported to either the HR Committee and/or Council depending on which meets first, under Confidential Items. |

|                    |  |  |
|--------------------|--|--|
| <b>Stage Three</b> | A final written warning will be issued to the complainant, sent confidentially outlining the methods of contacting the parish council set out below. | Stage three will be reported to either the HR Committee and/or Council depending on which meets first. |
|--------------------|--|--|

The options we are most likely to consider are:

- requesting contact in a particular form (for example, letters only).
- requiring contact to take place with one named officer only.
- restricting the telephone calls to specified days and times.
- asking the complainant to enter into an agreement about their future contacts with us; and/or
- refusing to respond to continued communication about a case which has been through the persistent complainant’s procedure (see below).

**Procedure for closing contact with persistent complainants.**

Most of these cases tend to make contact by letter or e-mail, but the following approach can be adapted for telephone calls.

- **First contact after having decided to close the communication:** send a polite reply, explaining that the complaint procedure has been exhausted, that the unreasonable complainant policy is being applied and saying that the complaint is not to be pursued further.
- **Second contact:** refer the person back to previous response, enclose a copy of that response with the new reply, and restate politely but firmly why the matter is not to be pursued further.
- **Third contact:** refer the person back to the previous two responses and add “Any further communication from you about this matter will be read and placed on file without acknowledgement.”

The Clerk will be responsible for reading all correspondence from that complainant. Unless there is fresh evidence which affects our decision on the complaint, we will simply place any subsequent correspondence on the complaints file.

**Informing the complainant of the decision**

In all cases where we decide to apply this policy, we will write to tell the complainant, in a confidential letter, that the decision has been made and why, what it means for his/her contact with the council and how long any restrictions will last. We will also tell them how they can challenge the decision if they disagree with it and enclose a copy of this policy.

**Challenging the Council’s decision**

Complainants may challenge the decision to apply the unreasonable complainant behaviour policy and/or the restrictions imposed by writing to the Clerk. This challenge must be made within 10 working days of the date of the letter and will be referred to a meeting of the Complaints Committee.

**Who will be aware of the decision and where will this be recorded?**

We will notify the appropriate staff, managers and/or Councillors who need to know that contact with a named complainant is to be restricted and why. A record of this decision will be held on the complaints file by the Clerk.

## Reviewing our decision

Where restrictions have been put on a complainant and the complaint is still being investigated, we will carry out a review after 6 months and decide if the restrictions will continue.

## Considering new complaints

New complaints from people who have come under the unreasonable complainant behaviour policy will be treated on the merits of the new complaint.

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### Revisions:

|                 |            |  |
|-----------------|------------|--|
| Date Adopted    | March 2019 |  |
| Date Reviewed   | March 2021 | Update on Stage 2                        |
| Date for Review | March 2023 | Examples of vexatious behaviour included |



## Human Resources Work Programme 2023-24

| Date of Meeting   | Matter for Consideration                        | Responsible Officer | Background Information   | Source Document (if applicable) |
|-------------------|---|---------------------|--|---------------------------------|
| <b>13/06/2023</b> | Strategic Plan                                  | Clerk               | To consider this committee's input to the Council's strategic plan | Strategic Plan                  |
|                   | Dignity at Work/Bullying and Harrassment Policy | Clerk               | To review this policy and recommend its adoption to Council        | Policy Review                   |
|                   |   |                     |  |                                 |
| <b>26/09/2023</b> | Equality and Diversity Policy                   |                     |  |                                 |
|                   | Health and Safety Policy                        |                     |  |                                 |
|                   |   |                     |  |                                 |
| <b>30/01/2024</b> |   |                     |  |                                 |
|                   |   |                     |  |                                 |
|                   |   |                     |  |                                 |
| <b>12/03/2024</b> |   |                     |  |                                 |
|                   |   |                     |  |                                 |
|                   |   |                     |  |                                 |

Sep-24

Equal Opportunity Policy