

Brantham Parish Council

Donations for the year ending 31 March 2024 using the General Power of Competence*

Recipient	Reason for request	Amount Requested	Actioned	Minute no.
Brantham Cricket Club	Purchase of new mower	£150	£150	FC 08.23.05

Subtotal of expenditure incurred to date	£150
Less Funding agreed from Horticulture fund	
Total Expenditure incurred in 2023-24	£150
Donations budget for 2023-24	£1,500
Funding carried over from 2022-23	£301
Donations over/underspend for 2023-24	£1,651

* The General Power of Competence (GPC) was introduced by the Localism Act 2011 and took effect in February 2012. At its Annual Parish Council Meeting of 10 May 2023 the Parish Council resolved that it fulfilled the eligibility criteria set by the SoS (Localism Act 2011 s8) and that it was enabled to use the General Power of Competence (GPC)



SICKNESS POLICY

Brantham Parish Council

Author: Sarah Keys

ADOPTION DATE:	TBC
MINUTE NO.	TBC
VERSION NO.	2
REVIEW DATE:	TBC

BRANTHAM PARISH COUNCIL SICKNESS ABSENCE POLICY

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What to do if you are unwell

If you are away from work because of sickness you must:

- Telephone The Chair or the Parish Clerk before your contractual (or normal start time for work) on the first day of absence providing details and how long you expect to be off. If you are unable to call personally, someone else may call for you. It is your responsibility to ensure the Council is notified. You must then telephone again each day (unless otherwise agreed with the Clerk).
- If you are away for seven days or less (including weekends and other non-working days), you must complete a self-certification form and provide it to the council when you are back at work.
- If you are away for more than seven days (including weekends and other non-working days), you must send in a 'fit to work' statement from your doctor and continue to do so as each new certificate is issued to you. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council. This gives you and the Council the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work.
- All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.

Return-to-work meetings

On the first day back at work after a period of sickness absence your manager may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include

- a welcome back to work;
- outline the purpose of the return-to-work meeting; which is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate;
- a discussion about the reasons for absence, in a supportive way and to understand whether the council can take any steps to help the employee's attendance;
- explain that the absence will be recorded;
- establish if medical advice has been sought (if appropriate);
- ensure the self-certification form has been completed or a fit note from the doctor has been provided;
- a discussion on absence over the last 52 weeks, the impact on pay and any next steps; and
- a handover of work where appropriate.

Medical appointments

The council recognises that employees will, from time to time, need to attend medical appointments. Please try to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the council. The council will allow reasonable time off work [with pay / without pay] for such appointments.

Statutory Sick Pay

If you are ill and unable to attend work, you may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax

and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP.

Council's Sick Pay

It is the Council's policy to pay you during periods of sickness absence in line with the conditions outlined in section 17 of your contract.

Payment is, however, conditional upon you complying with the council's procedure for notifying your manager of the absence, attending an interview with your manager on request to discuss the absence, and completing a self-certification form on return to work or providing a fit-note when requested. We may also ask you to attend an interview/examination with a nominated doctor at the request of the Council.

We may not pay you occupational sick pay where:

- you have failed to comply with the Council's sickness absence notification and evidence requirements;
- you unreasonably refuse to attend a sickness absence meeting with the Council on request;
- you are unable to work because you hurt yourself in dangerous sports / activities or any other occupation you have;
- you have misled the council about your fitness to work;
- you have resigned; or
- where disciplinary proceedings are pending against you.

Medical advice

The Council may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners. Examples of when the Council might refer to occupational health or a medical practitioner include the following:

- to seek a medical report on your illness or injury;
- to establish when you might be able to return to work;
- to understand when you are likely to be fully fit to resume your normal duties;
- to understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties;
- to understand when you are likely to be fit to undertake any alternative duties;
- to ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition;
- to ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work;
- to understand the likely recurrence of the illness or injury once you have returned to work; and
- to discuss any adjustments that could be made to accommodate your disability, if you are disabled.

The Council will pay the cost of the report and you will have the right to see it. The Council will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

Persistent short-term absence

Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity, and place an additional burden of work on your colleagues and councillors.

Therefore, it is essential that frequent absence is dealt with promptly and consistently and in some circumstances, the Council may begin a capability or disciplinary procedure as part of the absence management process. If we do so, we will meet with you to set attendance targets. Following a review meeting we may issue a formal warning if those targets are not met. You will be given written notice in advance of any formal meeting and you can be accompanied by a work colleague or trade union representative. You may appeal against a formal warning. If your absence remains unacceptable after a second formal warning, the council may bring your employment to an end following consultation with you.

If frequent absence is due to an underlying long-term health condition then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the council can support your attendance.

When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence. The council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.

The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

Where it appears that there is no acceptable reason for an absence or if you have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

Long-term absence

As a guide, long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council to maintain contact with you. In cases where the return date is less certain this will take the form of consultation and will include:

- Discussions at the start of the absence and periodically throughout
- Obtaining better information on your health and likely prognosis, ideally through an Occupational Health Physician
- Where appropriate alerting you to the fact that your absence is becoming a problem, and
- Allowing you the opportunity to state your opinion of your condition and giving consideration to that opinion

Where ill-health means that you are unlikely to return to work for a long period of time, the council may need to consider bringing your employment to an end. In these circumstances, the council will:

- Review your absence record to assess whether or not it is sufficient to justify dismissal
- Consult with you
- Obtain up-to-date medical advice
- Advise you in writing as soon as it is established that termination of employment has become a possibility
- Meet with you to discuss the options and consider your views on continuing employment before any decisions are made, allowing you to be accompanied by a work colleague or trade union representative
- Review if there are any alternative jobs that you could do prior to taking any decision on whether or not to dismiss
- Allow a right of appeal against any decision to dismiss you on grounds of long-term ill health
- Following this meeting, inform you of the final decision

Absence as a result of disability

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

Data protection

The Council will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice. When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.

This is a non-contractual procedure which will be reviewed from time to time.

— policy ends here —

Notes

1. Green Book terms

If the council adopts Green Book terms and conditions of employment, employees are entitled to receive sick pay for the following periods: -

During 1st year of service

1 month's full pay and (after completing 4 months service)

2 months half pay

During 2nd year of service

2 months full pay and

2 months half pay

During 3rd year of service

4 months full pay and

4 months half pay

During 4th and 5th year of service

5 months full pay and

5 months half pay

After 5 years' service

6 months full pay and

6 months half pay

The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

Periods of full pay will include SSP. In periods of half pay, employees receive half pay in addition to SSP provided the total does not exceed normal pay.

If an employee abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer sick pay may be suspended.

2. Council's Sick Pay

The legal requirement is to pay Statutory Sick Pay (subject to eligibility) and anything additional is for the council to decide. Any additional sick pay is known as 'occupational sick pay' (OSP). The council will need to commit to paying any OSP it decides to offer and take into account the cost of National Insurance and the cost of any temporary staff required to cover the absence.

It would be unusual to bring an employment contract to an end before the occupational sick pay expires.

If a member of staff already has a paid sick leave entitlement, you cannot unilaterally change their entitlement. Councils can change the policy for all new staff joining after a defined date provided this is consistently applied.

3. Return-to-work meetings

Return to work meetings should ideally take place following every absence, with notes taken, agreed and stored on file. They are especially important if the absence has been caused by, or related to incidents at work. Having a written record of a return to work meeting may help the council defend later claims or allegations.

Sometimes it is not practical to have return to work interviews after every absence so councils may decide to do so only after 2 absences in a 2-month period, or where the absence is work-related.

4. Medical appointments

There is no legal requirement to pay time off for medical appointments, except antenatal appointments. Please see the Maternity and Parental leave policies for details.

A council may decide that staff should make up the time (if possible) or take it without pay. If a council decides to offer payment for medical appointments, it is sensible to put some limit on this.

5. Medical advice

Health information is considered to be personal sensitive information under Data Protection legislation and particular care must be taken when processing medical information. The Information Commissioner website (<https://ico.org.uk>) contains guidance.

An Occupational Health report can comment on an individual's health in relation to the employee's role. It will be important to provide the OH physician or nurse a referral form with full details of the employee's job, the concerns you have about their health in relation to their work and be specific about the questions you need answering. Any report should then be discussed with the employee before the council decides on any follow up actions. If the report makes recommendations, these must be carefully considered and discussed with the employee.

6. Health and wellbeing

All employers have duty to provide a safe place of work which includes the physical environment as well as mental health. There are a range of initiatives that can promote health and wellbeing (see Fit for Work: <https://fitforwork.org>). Also, the Health and Safety Executive has useful information on their website including a stress risk assessment (www.hse.gov.uk/stress/risk-assessment.htm).

Guidance

Where there is text in [square brackets] this part may be updated or be deleted if not relevant. An alternative option may have been provided.

Important notice

This is an example of an employment policy designed for a small 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 document was commissioned by the National Association of Local Councils (NALC) in 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

This document has been written by the HR Services Partnership – a company that provides HR advice and guidance to town and parish councils. Please contact them on 01403 240 205 for information about their services.



HEALTH & SAFETY POLICY

Brantham Parish Council

Author: Sarah Keys

ADOPTION DATE:	TBC
MINUTE NO.	TBC
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HEALTH AND SAFETY POLICY

1. Introduction

- 1.1. This policy sets out the general principles and approach that the Parish Council will follow in respect of Health and Safety legislation for premises and activities for which it is responsible.

2. Scope of the policy

- 2.1. The Parish Council aims to protect the health, safety and welfare of employees, contractors, residents and members of the public within its area, who may be affected by the Council's activities.
- 2.2. The Parish Council will ensure that any buildings and amenities belonging to the Council are properly managed by the Council and that the Council set up and monitor appropriate Health and Safety policies and procedures for the protection of the public.
- 2.3. Councillors are required to take reasonable care of their own Health and Safety when carrying out duties on behalf of the Parish Council.

3. The Parish Clerk

- 3.1. If the Parish Clerk works from home, he/she must ensure that he/she works in a safe working environment.
- 3.2. This includes observing the legal recommendations for safe handling, the use of computer equipment, and workstation design.

4. Contractors, Employees and Volunteer Workers.

- 4.1. The Parish Council will ensure that any contractors or Volunteer Workers employed to carry out work on behalf of the Council have adequate and appropriate Public Liability insurance.
- 4.2. Contractors and Volunteer Workers will report to the Clerk or any nominated Councillor any hazard or situation encountered during their work, which may affect members of the public.
- 4.3. Employees, Contractors and Volunteers should:
 - Seek advice on safety and health matters from the Clerk.
 - Make proper use of protective clothing and safety equipment provided.
 - Report immediately to the Clerk any defects in plant, structures, equipment or safety procedures which come to their notice.
 - Report promptly to the Clerk any incidents which have led or might lead to injury or damage and co-operate with any investigation which might be undertaken with the object of preventing accidents or re-occurrence of incidents.
- 4.4. Employees and volunteers are reminded that they have a duty to care for their own safety and that of other workers and other persons who might be affected by their activities and to co-operate with the Council to enable it to carry out its own responsibilities successfully. The final level of responsibility is, however, that of each and every individual.
- 4.5. A copy of this statement will be issued to all Council employees and Councillors. It will be revised added to or modified from time to time.

5. Roads and footpaths

- 5.1. The Parish Council is responsible for monitoring the safety of roads and footpaths in its area and will promptly report any hazards that are brought to its attention to the appropriate authorities for further action.

6. Environment

- 6.1. The Parish Council will ensure that, as far as possible, the Parish remains a safe and pleasant environment for its residents.
- 6.2. The Parish Council will obtain specialist technical and Health and Safety advice for any projects or pieces of work that could affect the general public.
- 6.3. The Council will ensure that any work activities carried out on its behalf do not unreasonably jeopardize the Health and Safety of the general public.

7. Risk assessment

- 7.1. The Parish Council will carry out a risk assessment of all its activities and review this annually.
- 7.2. The Council will set up and monitor policies and procedures to reduce any risks that are identified.

8. Council Safety Officer

- 8.1. The Clerk, as the appointed Safety Officer will:
 - Assume the day-to-day responsibility of ensuring the safety policy is reviewed, maintained, regularly reviewed and adhered to.
 - Ensure that regular risk assessments are carried out of working practices, with subsequent consideration and review of any necessary corrective/protective measures. Maintain a file of risk assessments, summarised in the Minutes.
 - Make effective arrangements to ensure those contractors or voluntary helpers working for the Council comply with all reasonable Health and Safety at Work requirements. All contractors will be given a copy of the Council's Accident Reporting Policy and Procedures.
 - Maintain a record of notified accidents.
 - When an accident or hazardous incident occurs, take immediate action to prevent a recurrence or further accident and to complete the necessary accident reporting procedure.
 - Act as the contact and liaison point for the Health and Safety
 - Inspectorate and obtain specialist technical advice and assistance on matters of Health and Safety where necessary.

9. Review of the policy

- 9.1. This policy was adopted by the Parish Council at its meeting on [REDACTED] and will be reviewed in [REDACTED] and annually thereafter



COMPLAINTS POLICY & PROCEDURE

Brantham Parish Council

Author: Sarah Keys

ADOPTION DATE:	TBC
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Procedure for Dealing with Complaints against the Council and its staff

Introduction

The Parish Council provides many services to community groups, sports teams, companies and individuals. We try to get our service delivery right every time, but there are occasions when users of our services maybe dissatisfied with our performance, for any number of reasons. This policy sets out how to raise a complaint with the Parish Council.

The following procedure should be followed by anyone wishing to make a complaint against the Parish Council's procedures or administration.

The complaints procedure is not a means of redress for members or staff.

If you have a complaint against a Parish Councillor you should write to:

*The Monitoring Officer
Babergh and Mid Suffolk District Councils
Endeavour House, 8 Russell Road, Ipswich IP1 2BX*

If you have a complaint against an employee of the Parish Council, you should write to the Chair:

*Chair Mr Mal Bridgeman
c/o Brantham Parish Council, 34 Sycamore Way, Brantham, CO11 1TL*

If you have any other complaint you should write to the Proper Officer to the Council:

*Mrs Sarah Keys
Brantham Parish Council, 34 Sycamore Way, Brantham, CO11 1TL*

Informal Complaint

It is hoped that most complaints can be resolved quickly and amicably through this route.

Informal complaints can be made by telephone, email or a visit to the Council offices. The complaint will be handled and resolved by the Clerk, depending on the nature of the complaint.

Complaints should always be directed through the Council offices, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

Formal Complaint

To allow your formal complaint about the Parish Council's procedures or administration to be dealt with, the Parish Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the prevailing Chairman.

The Parish Council will not deal with anonymous complaints.

Complaints made to the Proper Officer are complaints made to the Council. The Proper Officer will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities is reserved.

Before processing a complaint

1. All formal complaints against the Council must be communicated in writing.
2. The complainant must indicate at the outset to confirm if he/she wants the complaint to be treated confidentially. It is unlikely that the complainant will waive confidentiality but, even if they do, the Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
3. Complaints should normally be sent to the Clerk to the Parish Council, by e-mail to clerk@branthamparishcouncil.co.uk. If the complaint concerns the Clerk then it should be addressed to the Chairman of the Parish Council at the same address (marked 'Confidential') or by e-mail to mal.bridgeman@branthamparishcouncil.co.uk

Receipt of the complaint

1. Receipt of a complaint will be acknowledged in writing within seven days, indicating the following information:
 - Who will be dealing with the complaint (e.g. title of member of staff, a particular committee or sub-committee)
 - The timeframe for investigating the complaint
 - Whether there will be an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur
 - The timeframe for determining the complaint
 - Whether there is an opportunity to appeal the outcome of the complaint and an explanation of the appeal process
 - Whether the complaint will be treated as confidential (most likely)
 - Confirm the next steps in the complaints procedure

Investigating the complaint

1. A Review Panel will be formed as a temporary committee of the Parish Council. The panel will be constituted of six members to ensure that three members of the committee are available, at short notice, to review a complaint. The Review Panel has delegated authority from the Parish Council to review and decide on complaints.
2. Three members will review a complaint; this will ensure the panel is quorate and that the number of members present is not excessive.
3. The panel is subject to all of the normal meeting notification, agenda and minute requirements, as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed when a Review Panel meeting is called.
4. The Review Panel will investigate the facts of the complaint and collate relevant evidence.

Meetings with the complainant (if applicable)

1. If the complainant is to be invited to make verbal representations they will be invited to a meeting with the Clerk (or other nominated officer) or to attend a meeting of the Review Panel. Before the meeting, and within a specified period, the complainant shall provide the Clerk (or nominated officer or the Review Panel as applicable) with any new information or other evidence relevant to the complaint, and the Clerk (or nominated officer), or the Chairman of the Review Panel shall provide the complainant with new information or evidence relevant to the complaint.
2. If the complainant is invited to a meeting, the Clerk, nominated officer or chairman of the meeting should explain how the meeting will proceed.
3. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk (or other nominated officer), or by members of a meeting of the Review Panel.
4. The Clerk (or other nominated officer) or the Chairman of the Review Panel will have an opportunity to explain the Council's position and questions may be asked by the complainant.

5. The Clerk (or other nominated officer), or the Chairman of the Review Panel, and then the complainant should be offered the opportunity to summarise their respective positions.
6. The complainant should be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

Parish Council Staff

A formal complaint is a serious matter. A complaint involving a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

After the complaint has been decided

Within four weeks of receipt of the complaint, the Council should write to the complainant with the outcome of the complaint, to include the following:-

- Whether it has upheld the complaint, together with reasons for the decision
- Details of any action to be taken
- That there is no right of appeal