

**ST CLEER PARISH COUNCIL**  
**HR COMMITTEE PROTOCOL DOCUMENT**

**BACKGROUND**

St Cleer PC has, like many parishes, a history of conflict which the HR committee is charged with addressing as matters are referred to them.

**ENDORSEMENT**

The committee has no intention other than working to the spirit and the letter of the NALC policies, not least because our insurance relies on their proper use.

However, implementation of these policies simply on request is a blunt instrument and the HR group wanted to create a clear path to manage HR efficiently and effectively and to ensure action is commensurate with the issue.

**DECISION MAKING PROCESS**

1. If any form of complaint is raised a group of **three** HR committee members unrelated to the matter ought to determine if the issue is
  - a. Worthy of the complaint or
  - b. Worthy of investigation and
  - c. A symptom of another matter

**Worthy of the complaint**

The complaint may be mis informed, mis guided or wrong. As such the members have the right to dispose of the complaint by informal means and advise all parties of the reasoning applied

If it is worthy of complaint, an action must then be defined.

**Worthy of investigation**

The complaint may be so minor as possible to be dealt with in another manner – such as appraisal or coaching/ training or policy development. This may apply to the person raising the complaint as much as the individual who is the subject of the complaint. As such the members have the right to dispose of the complaint by informal means and advise all parties of the reasoning applied

If it is worthy of investigation, an action must then be defined. Investigations may be either of the following:

**Informal** This would be appropriate for a non-essential matter, a matter resolving or resolved, or as a first approach to offer a low-key resolution at an early stage; words of advice, mediation or a simple ‘quiet word’

**Formal** This would be appropriate for essential matters, for example those relating to finances, abuses of power or people or resources where immediate escalation is clearly required

**A symptom of another matter**

This relates to the context within which the matter sits:

- Defined as the ‘roughly tufty of politics’ (does not apply to staff)
- Vexatious?
- Spurious?
- Private agenda?
- Is it a part of a wider pattern for the complainer or subject?

If it is a symptom, an action to manage the wider context must then be defined; which is not to ignore the action determined related to (a) or (b) above.

## ACTIONS

Having reasonably applied a triage principle to the matter various policies and procedures can be enacted:

- Policy for persistent, abusive and vexatious complainers (Outside complainers)
- Single point of contact
- Code of Conduct (Councillors)
- Grievance Procedure (Informal all; formal Staff only)
- Discipline Procedure (Staff only)
- Anti bullying and Harassment Policy (Staff only)
- Equal Opportunities (Staff only)
- GDPR (the matter is limited to the HR Committee)

Those involved must consider:

- Timelines
- The need for minute takers at meetings
- Statutes (e.g. Employment Law, Localism Act, Criminal Law)
- Radar (Insurance protection)
- Consultation (CALC, NALC, Monitoring Officer)
- Their duty of care to employees

The employer's duty of care requires that it takes all steps which are reasonably possible to ensure employees' health, safety and wellbeing. The duty is wide-ranging and can arise throughout employment. The following list contains examples:

- clearly defining jobs and undertaking risk assessments
- ensuring a safe work environment
- providing adequate training and feedback on performance
- ensuring that staff do not work excessive hours
- providing areas for rest and relaxation
- protecting staff from bullying or harassment, either from colleagues or third parties
- protecting staff from discrimination
- providing communication channels for employees to raise concerns
- consulting employees on issues which concern them.

## Risk Management

Whilst it may not be possible to stop an aggressive elector coming to a meeting; it is possible to mitigate the risk, and for Parish to manage the impact, to the best of its ability under law, on the subject.

Accordingly, a risk assessment and action plan are both advisable

HR Committee 10.6.20