

Local Council Training Session

Clerk as the Employee and HR Advisor

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DISCLAIMER : Always take professional advice before acting
on HR matters set out on these slides



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1. Policies – What should the Council have?

- As the “HR advisor” of the Council, it is the Clerks responsibility to have all relevant policies in place
- “Relevant” is key here as there is no fixed rule as to what must have, with few exceptions
- Should / must have H&S, Disciplinary, Grievance, leave for trade union activities, holidays, parental or caring duties (such as maternity or paternity leave), harassment and bullying, sexual harassment, redundancy or retirement, flexible work, performance management and more.
- Equality, inclusion and diversity should run through all aspects of a Council’s policies’ protected characteristics EA 2010, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation
- Set up a programme to review policies on a regular basis this may mean three years for some, annually for others
- Within Standing Orders require Councillors on Staffing Committee to have undergone HR training



2. Policies –

Common mistakes in key policies

- The Disciplinary and Grievance Policies often do not cater well if the Clerk is the subject of the Disciplinary or the Grievance on two counts - the reliance on a “amateur” Mayor / Chair to manage the process and the set up of committees to deal with that situation
- In both policies it should require the mayor to seek support from a preferably named HR / Local Council specialist to support the mayor through the process
- The mechanism for dealing with the process should be fully established and set up as part of the Annual Meeting
- Matters should be dealt with in the first instance by either a delegated officer or an empowered committee (Disciplinary & Grievance Committee or Personnel Committee). The appeal to the hearing should be to a separate committee with no Councillors that were in the first instance committee, this could be an appeals committee. All committee and officers must be given the relevant delegated power to deal with the matter via the scheme of delegation and the policies before the issue arises at the annual meeting.



3. The two hatted position of the Clerk

- The Clerk is the proper officer advising the Council on the law, in this instance in relation to HR
- Most Clerks will have no more than a basic understanding of HR
- It is important to get everything in place correctly whilst relations are good
- Trying to get policies and systems in place when they have broken down is virtually impossible
- It is the Clerk's responsibility to ensure the Council has all the correct systems in place including policies to deal with Clerk , Performance Management of the Clerk and clear guidance for Councillors as to what to do
- Ideally a retained HR advisor / HR Department will be able to do this who understand the Council and its policies
- Clerk needs to ensure the Council is made aware of its duty of care to the Clerk (and other officers)
- It's often the Clerk who suffers if systems are not in place



4. What if Clerk in conflict with the Council?

- First thing, make sure policies cater for this before anything gets into conflict
- Example - Clerk being bullied at work, does not want to return to office, looking at long term sick, some Councillors do not want clerk back
- Clerk should secure professional support and advice for the Councillors, point them in direction of for example pre-arranged HR Support
- In such a scenario, still responsibility of the Clerk to run a risk assessment and look at ways to ameliorate risk



5. Performance Management

- CIPD Definition
 - “Establish objectives through which individuals and teams can see their part in the organisations mission and strategy
 - Improve performance among employees, teams and ultimately, organisations
 - Hold people to account for their performance by linking it to reward, career progression and termination of contracts”
- Essential therefore, that the Council has a clear strategy to align employee’s performance around the Councils adopted strategic plan



6. Performance Management in practical terms

- Research and experience shows that Clerks generally are particularly bad at performance management
- Often excuse is too busy to do it !
- Sometimes just lack the confidence to do it, get trained
- Sometimes, Clerk fearful of being appraised, get support for Councillors
- False economy not to do it ?
- Done well, Performance Management improves the overall operation, effectiveness and efficiency of the Council and the employee's job satisfaction, performance and psychological contract



7. Performance Management Practicalities – what does it look like?

- Annual appraisals , align employee's objectives with strategic objectives, ensure employees trained to deliver
- Regular one to ones with line managers and employees monitor progress on objectives provide support but do not micro-manage, demotivates and creates reliance rather than innovation and execution
- Regular Clerk liaison meetings with Council / lead Councillors to monitor progress towards delivery of objectives
- Annual review of Strategic Delivery program
- Where there is poor performance, deal with this promptly, leaving it makes it more difficult to resolve and presents difficulties at a tribunal
- Determine why there is poor performance, offer training , support, review post
- If necessary, performance manage employee out of organisation as a very last resort



8. Performance Management – Common mistakes

- The only form of performance management undertaken being the annual appraisal is often the cause of tribunals
- Classic is the Chairman will email round all Councillors just before appraisal of clerk and ask if got anything to bring up. Appraisal ends up being a disciplinary hearing of everything the Clerk has done wrong going back 12 months
- Performance issues must be addressed immediately and not left, if they are it makes a subsequent tribunal difficult to defend if appraisal results in (constructive) dismissal
- Ideally regular liaison meetings of Clerk and Chairs will review performance in a friendly fashion on a regular basis
- Appraisal policy should include professional support for the Councillors to conduct the appraisal (£300 invested in, arguably Councils most important asset is often baulked at) (See Seaford TC policy used ESCC HR dept.)



9. Route to success

- Ensure have all HR policies in place and system to review
- Ensure Policies and procedures are appropriate to deal with Clerk
- Align appraisals, training and performance management with the Council strategy
- Ensure professional support is built into policies
- Require Councillors on the staffing committee to be trained in HR
- Get trained to do appraisals if fearful of them
- Have a good Performance Management policy in place
- Use the strategy every day / week to determine work priorities and to manage performance
- Ensure everyone within the Council is aligned around the strategy (cascading goals)
- Maximise everyone's motivation to succeed, Intrinsic motivators
- Celebrate successes !



10 A little bit about Council HR & Governance support

HR Support & Recruitment Services

- Unlimited ongoing HR & governance subscribed support
- Dispute resolution & investigations
- Settlement agreements
- Staff structure & efficiency review
- Job evaluation
- Recruitment

Training

- Mentoring
- HR for Councillors
- Tailored training to meet your Council's needs

Council support & development

- Strategic Planning
- Organisational, efficiency and job evaluation reviews
- Project management
- Governance reviews



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10 What our clients say

- ***"Always helpful and quick with advice and support"*** – Lucy White
Woodham Ferrers and Bicknacre Parish Council
- ***"HR is a potential minefield since we do not have the expertise in house
The expertise and advice, we have received from the CHRGS team has
therefore been invaluable."*** – Nisha Vesuwala, Deputy Clerk Lewes Town
Council.
- ***"Excellent support I can trust"*** – Helen Carrier, Town Clerk Swaffham Town
Council
- ***"At last, there's light at the end of the tunnel - thanks to CHRGS"***
Councillor John Rees, Royston Town Council
- ***"I highly recommend CHRGS as a HR Service which understands our
sector and is reliable with quick responses when needed"*** - Carrie Lloyd,
Town Clerk, Ventnor Town Council



Any Questions ?

And Thank You For Your Time

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