

HUMAN RESOURCE MANAGEMENT

Employment Matters!

Branksome Place, Haslemere, Surrey

Monday 29th March 2010

I, together with our Clerk and the Clerk from Marden Parish Council attended the above course which was held by the Society of Local Government Clerks. The course covered key issues such as:

- Current legislation affecting employment and the recruitment process.
- Contract and Grievance and Disciplinary Policy.
- Absence, warnings and discrimination issues.

I think that if there was just one lesson that I could take away from the session was the potential complexity of the issues and possible pitfalls lying in wait. In reality it could be a legal minefield and making sure that there was supporting evidence was vital.

Key issues for the Parish Council could be summarised as follows:

- As a Parish Council we need to ensure that contracts of employment are in place and it needs to be understood that non-contractual activities can become contractual by custom and practice. The processes for varying and amending contracts need to be set out clearly.
- Ideally there should be an Employees Handbook which contains all relevant information for employees, including matters such as health and safety, annual appraisals, disciplinary procedures, discrimination, equal opportunities and reporting policies .
- Equal opportunities must be recognised and the Council may be obliged to make changes if there are transfers of work from the District Council to the Parish.
- Employee performance in the main refers to a situation where someone “can’t” do the job. The process should be set out in the Employees Handbook. Wrong-doing covers a situation where someone “won’t” do a job and would be subject to laid down disciplinary procedures. In all cases the availability of evidence is essential.
- Discrimination can be a difficult area. Incidents of direct discrimination such as race, gender or disability are probably well known and there are a number of

others. However, discrimination can also be indirect. For example, selecting part-timers for redundancy before full-time employees.

- Absence has to be handled carefully. Short term absence can cause significant problems because it makes planning difficult. In these cases it is important to look for patterns. Long term absence needs to follow recognised processes, including the establishment of back to work meetings. It was also recognised that an employer was entitled to ask questions and if necessary could, with the patient's consent, write to their Doctor.

The presentation of these issues was informative and explained very well and this more than made up for the rather chaotic organisation! Copies of the slides are available in the Parish Office. Remember ignorance of the law is no excuse!

John Perry
April 2010