

## **LEDBURY TOWN COUNCIL**

### **RECRUITMENT AND SELECTION POLICY**

#### **Purpose**

This document sets out Ledbury Town Council's policy on recruitment and selection. The Council is committed to a policy of treating all its employees and job applicants equally and to recruit the best person for each vacancy.

No employee or potential employee shall receive less favourable treatment or consideration during recruitment and selection on the ground of race, colour, religion or belief, nationality, ethnic origin, sexual orientation, gender, age, disability, marital status or part-time status or will be disadvantaged by any conditions of employment that cannot be justified as necessary on operational grounds.

#### **Related Policies and Procedures**

This policy should be read in conjunction with the Council's Equal Opportunities and Data Protection Policies. No decisions regarding recruitment or selection should be made by a person who has not read and understood this and related policies.

#### **Scope**

This policy is applicable to the recruitment and selection of all employees engaged to provide services for Ledbury Town Council, irrespective of whether the contract is for a temporary, fixed term, or permanent period. The policy will be made available to all employees and applies to both internal and external recruitment.

#### **Policy Statement**

This policy seeks to ensure that the best candidate is chosen for each job vacancy regardless of their personal characteristics. Existing employees will be invited to apply for promotion opportunities wherever possible.

#### **Principles**

The following principles will apply whenever recruitment or selection for positions takes place:

- Individuals will be shortlisted against the job requirements as laid out in the job descriptions and person specifications;
- Any qualifications or requirements applied to a job that have or may have the effect of inhibiting applications from certain groups of the population should only be retained if they can be justified in terms of the job to be done;
- Information on ethnic origin, sex, disability, and nationality will be collected in order to monitor the numbers of applications from different groups. This information will not be used in the selection process or for any other use other than this purpose.

- Selection tests may be used which are specifically related to job requirements and should measure the person's actual or inherent ability to do or train for work.
- If selection tests are used, these should be reviewed regularly to ensure they remain relevant and free from bias, either in content or in scoring mechanism
- All recruiting managers and Councillors taking part in recruitment and selection will have been trained in interviewing skills and equal opportunities;
- Written records of interviews, reasons for decisions made at each stage of the process and reasons for appointment or non-appointment should be kept for six-months, unless a longer period can be justified and is in compliance with GDPR and the Data Protection Act 1998. Records should then be disposed of confidentially;
- Interviews will assess candidates against job-related criteria;
- All information held about a candidate must be used only for the purpose of which the information has been collected;
- All candidates will be asked at the first interview stage to provide documentary evidence of their right to live and work in the UK, to ensure compliance with the Immigration, Asylum and Nationality Act 2006. A photocopy of the accepted documentation will be taken;
- Reasonable adjustments should be made to reduce any disadvantage faced by anyone registered as disabled in making an application in response to an advertisement;
- The recruitment and selection process for disabled candidates should take into account such adjustments to working arrangements or physical features of the work place/station/premises as are reasonable to accommodate their needs and be such that they are not placed at a substantial disadvantage compared with non-disabled candidates;
- Decisions to interview, shortlist or offer employment will take no account of an applicant's trade union membership or non-membership.

### **Recruitment and Selection Process**

The recruitment process should be followed in accordance with the following steps:

Preparation:

Formal authorisation to recruit to a post must be granted to the Town Clerk before advertising a vacancy.

If recruiting to the Town Clerk position, authority must be granted by the Mayor.

A job description should be produced with full details of the position, duties, reporting line, responsibilities of the job holder and number of direct reports, if applicable. The skills, experiences, qualifications and competencies of the job holder should be laid out in the person specification.

If necessary, for example in the case of a new post, the Resources Committee may be required to authorise the Job Description, Person Specification and advert.

#### Advertising:

Vacancies will be advertised in wherever it is deemed appropriate by the Resources Committee and/or the Town Clerk. Vacancies for the Clerk and Deputy Clerk roles will be advertised in one or more newspapers or journals circulating primarily among persons who may be expected to possess the necessary qualifications for that post, except where the Council otherwise determine, in accordance with the Council's Equal Opportunities Policy.

#### Applications:

Application forms are encouraged to be submitted via email, but hard copies of application forms are also acceptable.

The organisation will pay reasonable travel expenses for candidates travelling to interview.

Prior to the interview candidates will be provided with information about the role and responsibilities.

#### Selection and Interview:

A shortlisting form will be used to assess applicants objectively against the criteria set out in the person specification.

The interview panel should consist of two or three interviewers, including the line manager and the Town Clerk. If interviewing for the position of Deputy Clerk the interview panel will consist of the Town Clerk, The Mayor, and the Deputy Mayor. When interviewing for the position of Town Clerk the interview panel will consist of the Mayor, Deputy Mayor and one other Councillor and the out-going Clerk as an adviser, if appropriate.

An interview question sheet will be designed by the Town Clerk based on the job description and person specification and the outcome recorded on a scoring sheet.

All interview documentation must be returned to the Town Clerk for secure storage and only those authorised will have access to this information.

Once an offer of acceptance has been made verbally, the Town Clerk will telephone unsuccessful candidates notifying them of the outcome. If candidates request feedback, this should be dealt with courteously and sensitively and based on the scoring form used for the interview questions.

#### Making the Appointment:

Upon selection of a suitable candidate the Town Clerk will contact the successful candidate and make an offer by telephone initially.

An offer of employment letter will be sent out once the position has been accepted, subject to references.

A contract of employment containing the written statement of main terms and conditions of employment will be provided for signature within 8-weeks of commencement in post in line with employment law.

References:

All offers are subject to two satisfactory references, a check on relevant qualifications and eligibility to work in the UK where applicable.

The Town Clerk of Mayor will apply for all references, which will be requested once applicants have indicated acceptance.

References will ideally come from current and/or previous employers, if applicable. If the references are not satisfactory, the offer may be revoked.

Induction:

Induction of new employees will start as soon as a candidate accepts a position.

All new starters will receive a timetable for their successful induction into their role and the Council.

Probation:

Probation periods will be set out in contracts of employment in line with the NJC National Agreement on Pay and Conditions of Service. The standard probation is 6 months.

Date Adopted:  
Date of Review:

**LEDBURY TOWN COUNCIL**

**SICKNESS ABSENCE POLICY**

Ledbury Town Council recognises that its employees form a vital part in ensuring its commitment to the people of Ledbury is met. To this end it will encourage and develop initiatives to promote the health and wellbeing of all employees.

The aim of this policy is to minimise absence levels across the organisation, whilst providing support to those absence, with the primary aim of assisting a return to work at the earliest opportunity.

The policy will inform Ledbury Town Council employees of their own responsibilities in relation to sickness absence, and the relevant reporting mechanisms.

The Council will seek to ensure that the reasons for sickness absence are understood in each case and investigated where necessary.

Whilst there is a collective responsibility to minimise sickness absence all such absence will be monitored and dealt with fairly and effectively in accordance with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service.

Date Adopted  
Review Date



## SICKNESS ABSENCE PROCEDURES

### Reporting Sickness Absence

If you are away from work because of illness you **MUST** telephone your line manager within 30 minutes of your usual start time. If your line manager is not available, you must speak to their line manager. If you are unable to make the call, in exceptional circumstances, you may ask someone to make it on your behalf. You must however make direct contact with your line manager as soon as possible thereafter. You can expect your line manager to make enquiries with you about work matters during the telephone call. Text messages, emails or indirect methods of communication are not acceptable.

The call should include:

- Name
- Nature of illness
- Likely duration of absence
- Work commitments that need to be covered during absence

If you are employed to work outside of normal office hours and you need to contact your line manager out of hours you will have been provided with a telephone number to call. However, if you are aware that you will not be well enough to attend work prior to that date you should make every effort to contact your line manager during working hours the previous day.

This process must be repeated on the 3<sup>rd</sup> day of absence unless you have provided an "fit note".

### **Certification and Medical Certificates**

You must complete a sickness self-certification form for every period of sickness absence unless covered by a "fit note". Self-certification can only be made for periods of absence covering up to 7-calendar days.

A doctor's or hospital fit note is required if the absence is more than 7-calendar days. The certificate should be forwarded immediately after your 7<sup>th</sup> day of absence and will be required chronologically for all subsequent absences. Where there is a continuing sickness absence you must therefore, submit consecutive fit notes to cover the whole period of absence and these must be sent to your line manager within 2-days of the previous note expiring.

Failure to notify sickness absence or provide self-certificates or fit notes may lead to the absence from work being considered as unauthorised, resulting in the loss of occupational sick pay and possible disciplinary investigation.

### **Hospitalisation**

Employees who become hospitalised will need a fit note to cover their absence in hospital if exceeding 7 days. This can be provided by the hospital.

### **Accidents and Injuries**

An employee who has an accident, incident or near miss (that could have resulted in injury or ill health) that occurs whilst they are at work must report it to their line manager at the earliest convenience. The incident can then be investigated to identify any action needed to prevent further injuries and ill health and to ensure that the incident is recorded in the accident book and reported as necessary.

### **Work Related Ill Health or Injury**

If the employee or line manager believes that ill-health or injury has been caused by work the manager must complete the Council's accident report form as above. #

If the reason for absence is work related stress the line manager should complete a Stress Risk Assessment with the employee to endeavour to establish the root causes of the pressure. They must then refer the individual to Occupational Health sending the risk assessment in order to seek advice on how to support the employee and facilitate a return to work as soon as possible.

### **Contact with Infectious Diseases**

Employees prevented from attending work due to contact with a reportable infectious disease should notify the Clerk immediately.

### **Monitoring Sickness Levels**

All sickness absences must be recorded on the Council's monitoring system.

The information recorded will be used to produce sickness absence level statistics on a quarterly basis to monitor the success of the Sickness Absence Policy and identify any causes for concern. This information will be presented to the Council's Resources Committee on a quarterly basis.

Line managers will use this information to identify employees with frequent short-term absence which may require further investigation as set out within the sickness absence policy and procedures.

### **Return to Work**

On the first day of your return to work, or at least within three days of your return, you will have a "return to work" interview with your line manager. This must be completed for any period of sickness absence, including short term sickness of one day only. The purpose of the interview is to assure both you and your manager that you are fit to return to work and to identify any concerns around your health that need to be addressed. All information will be recorded on the form and signed to show that you and your line manager agree. Any recommendations will be clearly stated.

If your absence was for less than 7 days you will be asked to complete a self-certification form.

If your absence was medically certified your GP will provide you with a Statement of Fitness for Work, commonly known as a "Fit Note". In this your doctor may suggest ways of helping you return to work e.g.

- A phased return to work
- Altering hours
- Amended duties
- Workplace adaptations

There may also be recommendations following a referral to Occupational Health.

Where recommendations have been made by a doctor or Occupational Health Specialist, these are dependent on whether or not they are available and must have the Clerk's agreement. The Council will try to accommodate recommendations and support needed to facilitate a return to work.

Phased returns to work will normally be for a 4-week period and will be paid at normal salary regardless of days or hours worked in this period. Options during this time include reduced hours, different working days or adjusted worktimes and will be agreed between you and your line manager. Generally, the return to your normal pattern of work and contracted hours over a 4-week period.

If a phased return to work is recommended over a period more than 4-weeks, then salary will be based on the hours and days worked and not the normal salary. Arrangements can be considered to use annual leave or any TOIL owed as part of this phased return which will need to be considered and agreed by the line manager and Clerk.

If the Council is unable to support the change(s) recommended by the doctor, the fit note will be interpreted as you not being fit for work. A further sicknote is not required but you will not be allowed to return to work until we have an occupational health opinion that you are fit for work, and you will continue to be classed as on sick absence.

### **Frequent and/or Persistent Short-term Sickness Absence**

The Council may on reviewing your sickness record, take action if:

- There are three instances or 10 self-certified days of absence within 12 months;
- There emerges a regular pattern of recurring absences of if the reason given for absence gives rise for concern

#### **First Stage Informal Interview**

This will be an informal review meeting with your line manager who will advise you of their concerns. This meeting will be in addition to the Return to Work Interview.

The line manager will send a letter to the employee inviting them to the Review Meeting providing at least three clear days' notice. Representation is not required at this meeting. The line manager, HR Manager and the employee will discuss:



- The reasons for the repeat absences;
- The likelihood of further absences;
- Whether medical advice is required – Occupational Health, GP and whether there is any underlying condition;
- If any measures might improve the employee's health and/or attendance;
- A way forward, including the immediate improvement expected and a review date set;
- If a further sickness absence is recorded the disciplinary procedure may be followed.

The line manager may at any meeting escalate to the Formal Action stage if it appears the employee's attendance has not improved, without the need for a further meeting under the informal review stage.

### **Formal Action**

If the informal review meeting has not led to any improvement in the sickness absence, the Council will make the matter a formal issue and follow the process outlined below.

### **Formal Sickness Review Stages**

If there is insufficient improvement within the monitoring period in the employee's sickness absence record, a formal review will be held with the line manager where reasons for the continued absence levels will be explored.

Four or more occurrences will automatically trigger a Formal Review to discuss the sickness absence record.

In terms of the Formal Sickness Review Stages, the following will apply:

### **Stage 1 – Formal Action**

The employee will be given a minimum of 7-days' notice inviting them to a meeting and advising the employee of the reason for the Formal Review, the date and time, their right to be accompanied by a trade union representative or work colleague. The purpose of the formal review is:

- To highlight



# Ledbury Town Council

The following policy is based on a template provided by Herefordshire Council and adapted for use by Ledbury Town Council (LTC).

Target audience: Anyone who contacts the parish council, councillors and employees

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## Vexatious Complaints Policy

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This policy should be read in conjunction with the Parish Council's Equal Opportunities, Complaints and Data Protection Policies.

## Introduction

This policy has been produced to create a joint understanding of what is considered acceptable and unacceptable behaviour when working with officers and councillors of Ledbury Town Council. It includes dealing with abusive, persistent or unreasonable behaviour and vexatious complaints from members of the public. It also includes the identifying of potentially violent individuals on the parish council's electronic management systems. The parish council is keen to positively and proactively work with parishioners to resolve issues as and when they occur.

This policy has four main sections:

- Section 1: Unreasonable behaviour when contacting LTC
- Section 2: Vexatious/persistent complainants
- Section 3: Options to restrict and manage contact
- Section 4: Record keeping and monitoring of those who are subject to the Vexatious Complaints policy

## The Purpose of this Policy

- To define the behaviours that are not acceptable to the parish council, including behaviour exhibited by people making formal complaints.
- To ensure that the ability of staff and councillors to conduct business is not adversely affected by individuals who behave in an unreasonable or vexatious manner.
- To ensure employees and councillors have a safe working environment and are not exposed to unnecessary stress, harassment or violence due to the unacceptable behaviour of others and that they are supported as appropriate.
- To ensure that employees and councillors can deal confidently and effectively with unreasonable behaviour should it occur.

## Who does this Policy apply to?

This policy applies to everyone who has contact with the parish council.

## **Section 1: Unreasonable Behaviour when Contacting Ledbury Town Council**

The parish council has a duty of care to its employees and councillors to protect them from avoidable stress and upset at work and to use policies and procedures to protect them from what we consider to be unacceptable levels or types of contact. We recognise that when you contact the parish council you may have reason to feel aggrieved, upset or distressed. However, it is not considered acceptable when these feelings become aggressive and are directed towards individual employees or councillors.

### **1.1. What behaviour is unreasonable?**

Unreasonable behaviour is behaviour or language, in whatever form whether face to face, by telephone, social media, SMS (text message) or written that may cause employees or councillors to feel intimidated, threatened or abused. Examples may include:

- Threats of violence
- Verbal abuse
- Racist or sexist language
- Derogatory remarks
- Offensive language
- Rudeness
- Making inflammatory statements
- Raising unsubstantiated allegations
- Any form of physical abuse

1.1.2. We do not view assertive behaviour as unreasonable, for example, putting forward your case in a persuasive manner, so long as this does not overstep the line into one of the bulleted behaviours stated above.

### **1.2. Unreasonable requests and communication**

1.2.1. Requests may be considered unreasonable either by the nature and/or scale of service expected. Examples may include:

- Requesting a response within unreasonable timescales. [LTC will endeavour to acknowledge receipt within 48 hours wherever possible, but investigation of the details may take considerably longer, depending on the nature of the request.]
- Insisting on speaking with certain employees/officers/councillors (all matters should be directed via the Clerk in the first instance, who will route your request to an appropriate/available person)
- Adopting a "capture-all" or "scatter gun" approach by contacting many employees, councillors and third parties about the same issue (please refer to the above note and contact the Clerk as the first step)

1.2.2. Communication may be considered unreasonable if, for example, individuals or representatives of organisations:

- Continually contact us while we are in the process of looking at a matter
- Make a number of approaches about the same matter without raising new issues



- Refuse to accept a decision made where explanations for the decision have been given
- Continue to pursue complaints/issues which have no substance
- Continue to pursue complaints/issues which have already been investigated and determined
- Continue to raise unfounded or new complaints arising from the same set of facts

### **1.3. Unreasonable communication through social media**

- 1.3.1. Social media is a rapidly changing area of technology that many parish councils are using to build relationships with new and existing customers/residents. However, this form of communication can sometimes be used to bully and harass employees and councillors. All social media users should adopt the same level of courtesy used when communicating via email, telephone or face to face.
- 1.3.2. If a member of the public posts a message that may cause offence - or is otherwise unsuitable - about an employee or councillor, the parish council will do its best to have that post removed from the social media site.
- 1.3.3. When social media is used inappropriately (e.g. cyber bullying), we will try to identify the offender, take steps to remove the offending material from view and, where appropriate, initiate action against the offender.
- 1.3.4. Inappropriate content includes:
  - Pornography
  - Racial or religious slurs
  - Gender-specific comments
  - Information encouraging criminal or terrorism activity
  - Threats, abuse or personal comments which may be regarded as defamatory
  - This definition of inappropriate content or material also covers any text, images of other media that could reasonably offend someone on the grounds of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation or any other characteristic protected by law (see also EGPC's Equal Opportunities Policy).

### **1.4. How we will manage unreasonable behaviour**

- 1.4.1. All parish council employees and councillors have the authority to manage unreasonable behaviour. The parish council has a zero-tolerance position on physical violence, verbal abuse, threats or harassment against our employee and councillors. Any personal assault against its employees or councillors will be reported to the police, who may decide to prosecute.
- 1.4.2. The decision to invoke this policy and place restrictions on an individual will be taken by the Chairman or in his or her absence, the Vice Chairman. If the complaint relates to an issue of Councillor conduct, it will be referred to the Herefordshire Council Monitoring Officer.

- 1.4.3. For individuals whose behaviour has been found to be unreasonable, LTC has developed a list of possible ways in which their contact with us can be managed or restricted. The options found in Section 3 may be applied as appropriate.
- 1.4.4. In all cases, the parish council will only place restrictions on an individual if we have informed them their behaviour is unreasonable and have asked them to modify it. We will explain what action will be taken if the warning is ignored. If they fail to modify their behaviour, we will take steps to restrict their communications/contact with us.
- 1.4.5. If we decide a restriction is appropriate, we will consider which of the options best fits the circumstances. The level of restriction that we apply will be proportionate, taking into account the nature, extent and impact of the unreasonable behaviour.
- 1.4.6. We will be transparent and will write to the individual to explain what restriction we are putting in place, our reasons for doing so, and how long the restriction will apply.
- 1.4.7. The restrictions will be in place for a minimum period of 3 months and the review period can be on a 3, 6 or 12 monthly basis. The individual will be informed of the review date in the original explanatory letter.

## **Section 2: Vexatious or Persistent Complainants**

### **2.1. Clarification**

- 2.1.1. An individual can only be described as “vexatious or persistent” if they demonstrate unreasonable behaviour while making (or having made) a formal complaint through our Complaints Procedure.
- 2.1.2. Dealing with a complaint is usually a straightforward process but, in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the council. This can happen either while their complaint is being investigated or once the parish council has finished dealing with the complaint.

### **2.2. How we deal with complaints**

- 2.2.1. We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.
- 2.2.2. As stated above, complaints regarding the conduct of elected members are dealt with by the Monitoring Officer at Herefordshire Council.

### **2.3. What do we mean by unreasonable behaviour?**

- 2.3.1. Unacceptable behaviour is defined above (section 1.1) and can be applied to complainants going through the formal complaints process.
- 2.3.2. We will not normally limit the contact which complainants have with parish council employees or councillors; however we do not expect employees or councillors to tolerate unacceptable behaviour by complainants.
- 2.3.3. We will act to protect employees from unreasonable behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious, we will follow this policy, which may include invoking one or more of the options detailed in section 3.
- 2.3.4. Raising legitimate queries or criticisms of a complaints procedure as it progresses (for example if agreed timescales are not met) should not in itself lead to someone being regarded as a vexatious or unreasonably persistent complainant.
- 2.3.5. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

## 2.4. Definitions

- 2.4.1. We have adopted the Local Government Ombudsman's (LGO) definition of ***"unreasonable complainant behaviour"*** and ***"unreasonable persistent complaints"***.
- 2.4.2. We define 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.
- 2.4.3. Examples include the way or frequency that complainants raise their complaint with employees, or how complainants respond when informed of our decision about the complaint.
- 2.4.4. Features of an unreasonably persistent and/or vexatious complainant include the following (the 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):

**An unreasonably persistent and/or vexatious complainant may:**

- 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 the policy and procedure (e.g. planning decisions)
- Refuse to accept that issues are not within the power of the parish council to investigate, change or influence (examples could be a complaint about something the parish council is not empowered to do or something that is the responsibility of another organisation)
- Make what appear to be groundless complaints about the employee or councillors dealing with the complaints and seek to have them 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 employees, councillors and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)
- Harass or verbally abuse or otherwise seek to intimidate employees or councillors dealing with their complaint, by use of foul, inappropriate, offensive or 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 “scatter gun” approach, for instance, pursuing a complaint not only with the council, but at the same time with the County Council, a Member of Parliament, other councils, elected councillors of this and other councils, 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 Complaints Procedure has been concluded, and insist that the minor differences make these new complaints which should be put through the full Complaints Procedure
- Persistently approach the council through different routes about the same issue
- Persist in seeking an outcome which we 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
- Insist on the complaint being dealt with in ways which are incompatible with the Complaints Procedure or with good practice.

## **2.5. How we will manage vexatious or persistent complainants**

- 2.5.1. The Clerk will bring to the attention of the Chairman (or Vice Chairman) if a complainant is becoming persistent or vexatious. If appropriate, the matter will be referred to the Parish Council’s Resources Committee for review. When a decision has been taken to apply this policy, a warning letter will be sent to the complainant that unless the behaviour changes the policy will be invoked.
- 2.5.2. If the behaviour persists, the Resources Committee may take the decision to make the individual a vexatious complainant. The Chairman (or Vice Chairman) will contact the complainant in writing to explain:
  - Why we have taken the decision
  - What action we are taking (see the list of options in section 3)
  - The duration of that action
  - The review process of this policy
  - The right of the complainant to contact the Local Government Ombudsman about the fact that they have been treated as a vexatious/persistent complainant



- 2.5.3. The Chairman (or Vice Chairman) will enclose a copy of this policy in the letter to the complainant.
- 2.5.4. Where a complainant continues to behave in a way which is unacceptable, the Chairman (or Vice Chairman), following consultation with the Resources Committee, may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.
- 2.5.5. Where the behaviour is so extreme or it threatens the immediate safety and welfare of our employees or councillors, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of such action.

## **2.6. New complaints from complainants who are treated as abusive, vexatious or persistent**

- 2.6.1. New complaints from people who have come under this policy will be treated on their merits. The Chairman (or Vice Chairman), in consultation with the Resources Committee, will decide whether any restrictions applied previously are still appropriate and necessary in relation to the new complaint. We do not accept a "blanket approach" of ignoring genuine complaints where they are founded.
- 2.6.2. The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within the parish council.

## **2.7. Review**

- 2.7.1. The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Resources Committee after three months and at the end of every subsequent three months within the period during which the policy is to apply.
- 2.7.2. The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.

## **2.8. Referring unreasonably persistent or vexatious complainants to the Local Government Ombudsman**

- 2.8.1. In some cases, relations between parish councils and unreasonably persistent or vexatious complainants break down completely while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the Complaints Procedure. Where this occurs, the Ombudsman may be prepared to consider a complaint before the procedure has run its course.

### Section 3: Options to Restrict and Manage Contact

If individuals continue to behave unreasonably after we have asked them to modify their behaviour, the options we will consider are:

**Option 1:**

Requiring you to contact a named employee(s) only (single point of contact or "SPOC"), usually the Clerk unless this is inappropriate in which case another councillor will be nominated.

**Option 2:**

Restricting contact (whether via telephone, face to face, or digital) to specified places, days and times, as agreed with you.

**Option 3:**

Terminating contact if you persistently raise issues to which we have already responded in full, no matter how these contacts are made (e.g. phone, digital, letter). If we believe a pseudonym is being used, we will seek to confirm the true identity.

**Option 4:**

Terminating contact if you are aggressive, rude, abusive or offensive. As in Option 3, if we believe a pseudonym is being used, we will seek to confirm the true identity.

**Option 5:**

If you have threatened our employees or councillors with physical violence be it verbal, face to face, in writing or in any other form, we may place a warning marker on any electronic records management system where we hold your records. In addition, the Police will be informed.

**Option 6:**

Restricting the issues we will correspond on.

**Option 7:**

If you send us a large volume of *irrelevant* documentation, we may return these documents to you and will advise you that further irrelevant documents will be destroyed.

**Option 8:**

If we have already fully explained our reasons for a decision and you have exhausted the procedure to request a review of that decision, we will decline to respond to further correspondence, which fails to raise new issues.

**Option 9:**

We will not respond to correspondence (e.g. letter or e-mail) which is abusive or offensive, other than to advise the Vexatious Complaints policy is being invoked. If the material in question is considered to break the law, it will be passed on to the police accordingly.

**Option 10:**

If you make a large number of reports to us which prove to be unfounded, we may ask that in future any further allegations you submit are supported by an independent third party such as the Citizens Advice Bureau, a legal representative or an advocate, to ensure that our employee resources are used in an appropriate way.

**Option 11:**

If you post derogatory, defamatory, offensive or threatening remarks on social media we will ask the site to remove them and try to block your account. We may also reserve the right to refer the matter to the police.

**Section 4: Record Keeping and Monitoring of those Subject to the Vexatious Complaints Policy**

4.1. In accordance with our Data Protection and Retention Policies, adequate records will be retained by the Clerk concerning the details of the case and the action that has been taken where this policy has been invoked. Standard information recorded for all complainants will include:

- The name and address of each person who is treated as abusive, vexatious or persistent and is being managed under this policy
- The name and address of anyone that has been identified as potentially violent towards our staff or parish councillors will be assigned a warning marker on our records management system
- When the restriction came into force and ends
- What the restrictions are
- When the complainant was advised



## **LEDBURY TOWN COUNCIL**

### **TERMS OF REFERENCE**

#### **CHRISTMAS LIGHTS AND DECORATIONS WORKING PARTY**

##### **1. Membership**

Members of the Working Party can be appointed at any time during the Municipal year and will consist of both Town Councillors and members of relevant local groups/organisations.

The Membership will be made up of Councillors, stakeholders, representatives of local community groups.

##### **2. Chairman**

A Chairman will be appointed annually, at the first meeting of the Working Party.

The Chairman will be the main point of contact for the clerk.

The Clerk will ensure minutes are taken from the meeting ensuring the capture of any actions proposed. This report will be submitted to the next meeting of the Environment & Leisure Committee for consideration.

##### **3. Powers**

Working Parties cannot make decisions on behalf of the Town Council, and any recommendations made by this group will be subject to approval by the Environment & Leisure Committee, Finance Committee and/or Council. This group has no budgetary powers.

The Council's Standing Orders apply to all meetings of the Working Party.

##### **4. Responsibilities and Areas of Operation**

- To ensure that all risk assessments, insurance, licences, and other legal conditions are met and presented to the Council via the clerk;
- To obtain a minimum of 3 quotes in respect of the provision of Christmas lights for Ledbury Town Centre for recommendation to the Environment & Leisure Committee, Finance Committee and/or Council;
- To book the buildings and activities for the switch on;
- To liaise with the local school in respect of any Christmas competitions;
- To consider and recommend the supply of a Christmas trees;



- To liaise with stakeholders and other interested parties via the Working Party meetings prior to the event;
- To recommend marketing materials for the event;
- To ensure all lights and decorations are dismantled and stored appropriately each January;

The Working Party will keep the Council fully informed, providing reports to the Environment & Leisure Committee meetings and ensuring that copies of all relevant documentation are made available for inspection by Council members.

**LEDBURY TOWN COUNCIL**  
**TERMS OF REFERENCE**  
**CLIMATE CHANGE WORKING PARTY**

**1. Membership**

Members of the Working Party can be appointed at any time during the Municipal year and will consist of both Town Councillors, members of relevant local groups/organisations.

The Membership will be made up of Councillors, stakeholders, representatives of local community groups and other interested parties.

**2. Chairman**

A Chairman will be appointed annually, at the first meeting of the Working Party.

The Chairman will be the main point of contact for the clerk.

The Clerk will ensure minutes are taken from the meeting ensuring the capture of any actions proposed. This report will be submitted to the next meeting of the Environment & Leisure Committee for consideration.

**3. Powers**

Working Parties cannot make decisions on behalf of the Town Council, and any recommendations made by this group will be subject to approval by the Environment & Leisure Committee, Finance Committee and/or Council. This group has no budgetary powers.

The Council's Standing Orders apply to all meetings of the Working Party.

**4. Responsibilities and Areas of Operation**

Internal to the Council

- To work with existing Town Council Working Groups and Standing Committees, to ensure that recommendations are considered of any associated climate and environmental impact and that mitigation, reduction or removal is considered in all decisions and ongoing operations;
- To help build links with other organisations and Herefordshire Council in particular, to improve waste management, public transport, and housing provision;
- To help Ledbury Town Council to develop a longer-term plan for the Parish;

- Support review of purchasing of goods and services to ensure environmental issues are taken into account;
- Support the Neighbourhood Plan to ensure energy and environmental needs are covered in the plan, for consideration in all planning matters;

External to the Council

- To support the community in discussion around setting of appropriate targets for carbon reduction both locally and nationally in policy;
- To work with local residents, group, and other stakeholders to advise and support the adoption of sustainable ways of living and working;

The Working Party will keep the Council fully informed, providing reports to the Environment & Leisure Committee meetings and ensuring that copies of all relevant documentation are made available for inspection by Council members.

## **LEDBURY TOWN COUNCIL**

### **MAJOR PLANNING APPLICATIONS WORKING PARTY**

#### **TERMS OF REFERENCE**

The purpose of the Working Party is responds to issues related to traffic and travel management by way of recommendations to the Economic Development & Planning Committee.

#### **1. Membership**

Members of the Working Party can be appointed throughout the year and will consist of both Town Councillors and members of relevant local groups/organisations.

The Membership will be made up of Councillors, stakeholders, and representatives of local community groups.

#### **2. Chairman**

A Chairman will be appointed for the working party every year at the first meeting of the Working Party.

The Clerk will ensure minutes are taken from the meeting ensuring the capture of any actions proposed. This report will be submitted to the next meeting of the Economic Development & Planning Committee for consideration.

#### **3. Powers**

Working Parties cannot make decisions on behalf of the Town Council, and any recommendations made by this group will be subject to approval by the Economic Development Committee, Finance Committee and/or Council. This group has no budgetary powers.

The Council's Standing Orders apply to all meetings of the Working Party.

#### **4. Responsibilities and Areas of Operation**

- i. To develop and maintain the Ledbury Town Council Development Response template
- ii. To make recommendations to the Economic Development and Planning Committee in respect of response to major development applications
- iii. To review and make recommendations on any other planning issues that the Economic Development and Planning Committee deem appropriate
- iv. To consider all related consultations from Central Government, Hereford Council, and other stakeholder groups





**LEDBURY TOWN COUNCIL**  
**TRAFFIC MANAGEMENT WORKING PARTY**  
**TERMS OF REFERENCE**

The purpose of the Working Party is responds to issues related to traffic and travel management by way of recommendations to the Economic Development & Planning Committee.

**1. Membership**

Members of the Working Party can join at any time during the Municipal year and will consist of both Town Councillors and members of relevant local groups/organisations.

The Membership will be made up of Councillors, stakeholders and representatives of local community groups.

**2. Chairman**

A Chairman will be appointed for the working party every year at the first meeting of the Working Party.

The Clerk will ensure minutes are taken from the meeting ensuring the capture of any actions proposed. This report will be submitted to the next meeting of the Economic Development & Planning Committee for consideration.

**3. Powers**

Working Parties cannot make decisions on behalf of the Town Council, and any recommendations made by this group will be subject to approval by the Economic Development Committee, Finance Committee and/or Council. This group has no budgetary powers.

The Council's Standing Orders apply to all meetings of the Working Party.

**4. Responsibilities and Areas of Operation**

- i. To consider issues around traffic flow, road safety and parking.
- ii. To produce and recommend to a traffic management plan to the Economic Development and Planning Committee.
- iii. To consider active travel measures for the town.
- iv. To review access to bus and train services in Ledbury and the surrounding areas.



<b>FULL COUNCIL</b>	<b>1 OCTOBER 2020</b>	<b>AGENDA ITEM: 19</b>
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Report prepared by Angie Price – Town Clerk

## **COUNCIL NEWSLETTER**

### **Purpose or Report**

The purpose of this report is to ask Members to provide clarification on the specification requirements of the Council's Newsletter.

### **Detailed Information**

Currently the Council Newsletter is prepared in-house by the administrator and published as an e-newsletter on the council's website and social media platforms. A number of hard copies are also printed to ensure anyone who does not have access to the internet, or that would prefer a hard copy can have access to the newsletter.

When drafting the newsletter the administrator contacts councillors and local organisations for any items they may wish to have included in the newsletter along with any information that is felt relevant in respect of council services and other organisations within the town. Officers usually set a publication date, however often the date has to be pushed back due to articles not being received in time. Articles for inclusion in the newsletter are requested to be no more than 250 words.

It is the aim of officers to produce a newsletter every quarter, and the administrator provides a season appropriate header to each newsletter with news on upcoming events within the town wherever possible. The current newsletter does vary from the newsletters issued in the first half of 2019 in style and design, but not greatly.

A number of questions have been raised about the style and content of the newsletter, however no clear guidance has been provided by council in respect of what they want and therefore in the absence of any such agreed format the administrator has designed the style and layout of the newsletter to create a fresh, bright look, with a standard layout style, which she uses for all editions.

### **Recommendation**

That due to the concerns being raised around the style and layout of the current format being used and to ensure consistency for future editions of the e-newsletter, Members are requested to provide clear guidance on what they require from the council newsletter going forward.



<b>FULL COUNCIL</b>	<b>1 OCTOBER 2020</b>	<b>AGENDA ITEM: 20</b>
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Report prepared by Angie Price – Town Clerk

## **TOWN CLERK'S REPORT**

### **Purpose of Report**

The purpose of this report is to provide Members with details of meetings and work streams that the Clerk has undertaken since the last meeting of Council.

### **Detailed Information**

Since the last meeting of Council staff have returned to the Council offices to work and the council offices have reopened on reduced times. Currently the offices are open to the public on Tuesday – Thursday 10.00 am – 2.00 pm.

Following the recent announcement from government the Clerk has discussed the working patterns of the office staff and it has been agreed that the office staff working patterns should be staggered going forward in an attempt to ensure if one of the staff members was to contract Covid-19 it would minimise the risk of other staff contracting Covid and also the need to close the council offices to the public.

Since the last Clerk's report Members are aware that the Deputy Town Clerk tendered their resignation and it has been agreed with the Mayor and Deputy Mayor, that due to the Council being in the process of a staff/organisational review, it would be sensible to defer recruiting to the post until such time the review has been completed. However, there is a need to engage a Deputy Clerk for the interim and the Clerk and Mayor recently met with an individual who had expressed an interest in taking up the post for a period of 6-months on a fixed rate contract, with a commencement date of 5 October 2020.

The Clerk has also taken on a temporary member of staff to undertake finance work and this is now up to date, with all reports being provided to a recent meeting of the Finance, Policy & General Purposes Committee and a date has been arranged for a budget monitoring meeting (7 October 2020 at 4.00 pm via zoom).

Standing Committee meetings continue to be carried out via zoom and the advice from NALC and SLCC is that other meetings such as working parties should be held via electronic means wherever possible. As with the decision to stagger staff working patterns, holding face to face meetings, albeit taking into account social distancing and gathering guidelines, increases the risk to staff, councillors and other attendees of contracting Covid-19 and as such risks Council services to the public being restricted.

Staff continue to keep members of the public informed via social media platforms in respect of Covid and many other matters.



### **Ongoing projects and workstreams**

- War Memorial – this project is now complete and was available for wreaths to be laid on VJ Day on 15 August. Since the completion it was noticed that one of the slabs adjacent to the roadway had split and arrangements have been made for this to be replaced by the contractor when they return to site to lay the paving stone to recognise the donation from Mr Heaton.
- Annual Audit papers have been submitted to the Council's external auditors, and the outcome of the audit is awaited
- The staff/organisational review is ongoing, and the Clerk is awaiting responses from the Mayor and Deputy Mayor on the first draft, once received these will be provided to the consultant and it is anticipated that the report will then be available for consideration at the November Resources meeting.
- A report has been received on repairs need to the play areas and skate park at the recreation ground. Some works to this are due to be undertaken in October and the Clerk is hoping to arrange a meeting with a provider of playground and skate park equipment to discuss some of the issues raised within the report, with a view to establishing whether repairs can be made to rectify issues or whether some parts or equipment need to be replaced.
- A decision was taken by the Clerk and the Chair of Environment & Leisure Committee to cancel the Fair in 2020 and it has been agreed not to hold an event for the Christmas Lights switch on. However, it has been recommended that a Santa's Grotto be set up in Rachels Ice Cream Parlour on Saturday, 28 November, and 5 December. This will be operated via a booking system with 15 minutes for each group to allow time for appropriate Covid measures to be undertaken in respect of social distancing, gatherings, and sanitising.
- The Standing Committees have set up a number of Working Parties and these have taken up a considerable amount of the Clerks time over the past months.
- It has been identified that there is rising damp in the council offices, this is on a wall that is a recent addition to the property and whilst it is important to make the Heritage Officer aware of the issue, it should not delay any repairs taking place.

The above is only a small summary of the workstreams that the Clerk is currently working on and it should be noted that there are a considerable number of projects and actions as a result of standing committees and working parties that are outstanding. However, it is hoped that the interim Deputy Clerk will be able to take up some of these projects when they start.

### **Recommendation**

That the above report be received and noted.

<b>FULL COUNCIL</b>	<b>1 OCTOBER 2020</b>	<b>AGENDA ITEM: 22</b>
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Report prepared by Angie Price – Town Clerk

## **MEETING WITH HEREFORDSHIRE COUNCIL CABINET**

### **Purpose of Report**

The purpose of this report is to ask Members to review the previously proposed meeting between the Town Council and Herefordshire Council Cabinet.

### **Detailed Information**

Prior to Covid-19 and the lockdown the Town Council were trying to identify a date where they could meet with members of Herefordshire Council's Cabinet Members to discuss issues specific to Ledbury.

Unfortunately, this was put on hold due to Covid-19 and no further correspondence has been received from Herefordshire Council in relation to this meeting and therefore Members should review whether they would like to continue with this meeting.

### **Recommendation**

That Members consider whether they wish to meet with Herefordshire Council Cabinet Members as previously agreed, and if so authorise the Clerk to contact the Leader's office in order to establish a suitable date for this meeting.







## Knife Angel Hereford

1 Lilac Cottage, Clehonger, Hereford. HR2 9SL

[knifeangelhereford@gmail.com](mailto:knifeangelhereford@gmail.com)

01981 251269 or 07790 230420

Dear Councillors

### Knife Angel visit to Herefordshire

As you may have seen, the Knife Angel sculpture is coming to Herefordshire in June 2021 where it will stay for 28 days. The National Memorial to Violence and Aggression; it carries a powerful message.

As part of the visit there will be a series of workshops around the county, aimed primarily at young people on a range of subjects, including cyber bullying, county lines, domestic violence and knife crime and we hope to be able to provide on-line material for schools to use. There will also be a conference with national speakers on various aspects of violence and aggression. There will be an opening ceremony on 2<sup>nd</sup> June 2021 in the Cathedral grounds where the Knife Angel will be based and a closing service and vigil for those affected by violence in any form.

I am writing to ask for your help with this project, either organising events or by donating money to help fund them. Your views on the types of workshops you would like to see would also be invaluable.

We also are looking for volunteers to spend time at the site talking to visitors and explaining its significance.

There will be a weapons amnesty while the sculpture is with us with a collecting point near the Knife Angel.

It is not cheap to bring this amazing sculpture to Herefordshire, we have transport, insurance, 24-hour security, printing, room hire, speaker costs etc. etc. and it is now harder to get grants because of the Covid 19 situation. We are having to plan for all eventualities and luckily the Knife Angel is situated outside at the West end of the Cathedral where everyone will be able to see it safely.

We are a small group of senior Herefordshire residents who have come together because of me losing my son Mark to knife crime. He was 49 years old when it happened in December 2018. We have the backing of Herefordshire Council, Hereford City Council, John Campion, Crime Commissioner, our local Police in Herefordshire, the Bishop of Hereford and the Dean and Chapter of the Cathedral. We would appreciate your support and involvement too as this is a community event.

You can find more information on our website:

[www.knifeangelhereford.co.uk](http://www.knifeangelhereford.co.uk).

or e-mail: [knifeangelhereford@gmail.com](mailto:knifeangelhereford@gmail.com)

or phone: Alison: 07790 230420 or Meryl:

Thank you for taking the time to consider this and we hope to hear from you.

Yours sincerely

Alison Davies