

Louth Town Council

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To the Members of the Town Council of Louth:

You are hereby summoned to attend a meeting of Louth Town Council's Community Resources and Personnel Committees which will be held on Tuesday 25th January 2022 in The Old Court Room, The Sessions House, Eastgate, Louth at 7pm. The business to be dealt with at the meeting is listed in the agenda below.

Please note, there will be a 15 minute public forum between 6.45pm and 7.00pm when members of the public may ask questions or make short statements to the Council, and your attendance is requested during this period.

Any public, wishing to speak on an agenda item or 'sit in' on the meeting(s) please contact the Town Clerk, using the above email address, in advance to discuss attendance arrangements. If possible, please provide written representation rather than attending in person.

Members of the public should note that they will not be allowed to speak during the formal meeting.


Mrs. L.M. Phillips

Town Clerk

Dated this 20th Day of January 2022

Safety Precautions due to COVID-19:

Louth Town Council continue to take precautionary measures to uphold its legal responsibility to protect its officers, elected members and others from risk to their health and safety. As a minimum these will include • socially distanced seating, • no tables and asking that attendees: • please do not touch items other than their own, • please bring their own pen and paper, • please take their own items/rubbish home with them, • please bring their own drink, • please do not come to the meeting if they have any symptoms or have been in contact with someone who is sick. • please inform the Town Clerk as far in advance of the meeting as possible if you will not be able to attend. • please note that the rules of debate as prescribed within Standing Orders will be adhered to. If Cllrs. wish to speak during the meeting, they will need to raise their hand, the Chairman will note this and will call upon people in the order he has noted. When asked to speak, Cllrs. should stand and speak loudly or make their way to the microphone. • Please note hand sanitising and the use of masks are also still encouraged.

AGENDA

COMMUNITY RESOURCES COMMITTEE

(Membership: All Cllrs.)

1. Apologies for Absence

To receive apologies where valid reasons for absence have been given to the Town Clerk at least one hour prior to the meeting.

2. Chairman's Remarks

3. Declarations of Interest / Dispensations

To receive declarations of interest in accordance with the Localism Act, 2011 – being any pecuniary interest in agenda items not previously recorded on Members' Register of Interests and any written requests for dispensation received by the Proper Officer under section 22 of the Localism Act.

4. Minutes

To approve as a correct record the notes of the Community Resources Committee meeting held on 28th September 2021.

5. Presentation on London Road Pavilion and Sportsground from Mr. A. Richardson, Executive Director Magna Vitae Trust for Leisure and Culture, Mr. J. Brindle, Executive Director Magna Vitae Trust for Leisure and Culture, Mr. P. Perry, Assistant Director for Leisure and Culture at Boston, East Lindsey and South Holland Councils and Cllr. Graham Marsh from ELDC

Committee to receive a presentation and resolve upon the way forward, if/as necessary.

6. CCTV

Council to receive an update and note that an informal zoom meeting with Mr. J. Challen, the Service Manager for Safer Communities at ELDC, to discuss possible sites for a new CCTV camera, has been organised for Monday 28th February at 10am and that Louth Police will be invited to attend.

7. Cemetery Tree Report

To note Cemetery tree report and that work to implement the recommendations therein is ongoing.

8. Environmental Permitting Regulations 2016

Committee to note a report (attached) on proposed amendments to the above and consider any actions arising.

9. Closed Session Item

Committee to resolve to move into closed session in accordance with the Public Bodies (Admission to Meetings) Act 1960 due to the business to be discussed in the following item, information being of a confidential, third party and commercial nature in relation to Insurance matters.

10. Next Meeting

Council to note that the date of the next scheduled Community Resources Committee meeting is 8th March 2022.

PERSONNEL COMMITTEE

(Chairman: Cllr. Mrs. J. Makinson-Sanders, Membership: Cllrs. EB, SC, JB, JS, GEH, DEW)

1. Apologies for Absence

To receive and note apologies where valid reasons for absence have been given to the Town Clerk at least one hour prior to the meeting.

2. Chairman's Remarks**3. Declarations of Interest / Dispensations**

To receive declarations of interest in accordance with the Localism Act, 2011 – being any pecuniary interest in agenda items not previously recorded on Members' Register of Interests and any written requests for dispensation received by the proper officer under section 22 of the Localism Act.

4. Minutes

To approve as a correct record the notes of the Personnel Committee meeting held on 9th November 2021.

5. Town Clerk's Remarks**6. Policies and Procedures for Review**

Committee to review and approve for use, the following policies. Please note significant changes after last review have been highlighted for ease:

- a. Drugs and Alcohol Policy and Procedure
- b. Grievance and Disciplinary Procedure
- c. Health and Safety Policy
- d. Lone Working Policy
- e. Protocol Officer / Councillor Relationships
- f. Recruitment and Selection Policy
- g. Sickness and Absence Policy
- h. Use of Internet Policy and Procedure

7. Closed Session Item

Committee to resolve to move into closed session in accordance with the Public Bodies (Admission to Meetings) Act 1960 due to the business to be discussed in the following item, information being of a confidential and sensitive nature in relation to personnel matters.

8. Next Meeting

Committee to note that the date of the next scheduled Planning Committee meeting is 8th February 2022.

09-28-21 CR MINS

**MINUTES OF THE LOUTH TOWN COUNCIL COMMUNITY RESOURCES COMMITTEE
HELD IN THE OLD COURT ROOM, THE SESSIONS HOUSE, LOUTH
ON TUESDAY 28TH SEPTEMBER 2021**

Present Councillor A. Leonard (AL), (in the chair).

Councillors: Mrs. E. Ballard (EB), J Baskett (JB), M. Bellwood (MB), L. Cooney (LMC), A. Cox (AC), S. Crew (SC), D. Ford (DF), J. Garrett (JG), D.J.E. Hall (DJEH), D. Hobson (DH), H. Filer (HF), G. Horton (GEH), Mrs. S.E. Locking (SEL), Mrs. J. Makinson-Sanders (JMS), K. Norman (KN), J. Simmons (JS), F.W.P. Treanor (FWPT), Mrs. P.F. Watson (PFW) and D.E. Wing (DEW).

Councillors not present: D. Jackman (DJ).

The Town Clerk, Mrs. L.M. Phillips and the Town Clerk's Assistant, Mrs. M.C. Vincent were also present.

C12. Apologies for Absence

Apologies for absence were received from Cllr. DJ.

C13. Declarations of Interest / Dispensations

Cllrs. Mrs. JMS, AL, DJEH and GEH – item 5 as members of ELDC.

C14. Minutes

It was **RESOLVED** that the notes of the Community Resources Committee Meeting held on 17th August 2021 be approved as the Minutes.

C15. Asset Working Group

It was noted that a meeting of the Asset Working Group would be arranged to review Town Council assets and formulate recommendations.

C16. CCTV

Councillors noted that they should submit their suggestions for the possible location of a new CCTV camera to the Town Clerk by 1st October in order that a meeting of the Asset Working Group and ELDC's CCTV Representative(s) can be arranged. Current suggestions: Charles Street Recreation Ground, one of the Louth Car Parks, the top of Aswell Street at junction with Kidgate on grass, end of Church Street at the Monk's Dyke junction facing Kidgate. It was **RESOLVED** that the chosen location should be made in conjunction with the Louth Police as they may have knowledge of local crime hot spots.

C17. Next Meeting

The Committee noted that the date of the next scheduled Community Resources meeting was 25th January 2021.

The Meeting Closed at 9.15pm.

Signed _____ (Chairman) Dated _____

Tree Safety Survey and Report

For Louth Cemetery

May 2020

Prepared by:

Nigel Sardeson, MICFor

Honeysuckle Cottage

Potterhanworth

Lincoln

LN4 2DU

Contents

Section	Title	Page
1	Introduction	3
2	Inspection method	3
3	Findings and Management Recommendations	3
4	Replacement tree planting	4
5	Explanation of the columns used in the schedule	4
6	Re-inspection period	5
7	Inspectors experience and qualifications	5
	References	5
	Schedule of trees reported on	6
	Map of Tree Locations	7

Notes to accompany Tree Safety Survey and Report, London Road Cemetery, Louth, 5th May 2020

1. Introduction

London Road Cemetery is a large (8 hectare) semi-urban site with mature trees, it has high public access with a road through the site and is bordered on two sides by public roads.

This survey is to inspect for potentially dangerous or problematic trees and to produce recommendations for their management.

This survey follows up previous surveys carried out in 2015 and 2017.

2. Inspection method

Trees throughout and bordering the site were inspected. Inspections were made from the ground using a sounding mallet, probe and monocular.

Trees with notable structural faults were recorded.

All trees or groups recorded were identified using aluminium numbered tags attached at 2m height.

3. Findings and Management Recommendations

19 trees were recorded of which 18 had management recommendations, all were medium or low priority.

The management actions recommended in the 2017 survey had all been implemented apart from one number 686 which was low priority.

In the 2017 survey many of the lime trees in the avenues at the centre of the cemetery were recorded as being affected by **Phytophthora Bleeding Canker**. Lime trees do not normally recover from this condition because it kills strips of bark allowing-in decay fungi, however this time the trees do not appear to have deteriorated further and some are looking better with no decay fungi visible on this inspection. The management actions of preventing vehicles driving under the trees and of mulching around the trees appears to be working, this will have been particularly important over the recent wet winter. The recommendation of this report is to continue the treatment especially mulching around affected trees using wood chip

2 of the lime trees (687 and 991) were noticeably late coming into leaf which can be a sign of poor condition, these should have wood-chip mulch spread over their rooting area to a depth of 10cm and over as much of their rooting area as is compatible with the other management requirements of the site.

The line of pine trees in the north-east corner of the site have been affected by **Red Band Needle Blight**, three of the trees appear to still be in good condition, the two westernmost

trees (699) had noticeably thinner crowns on this inspection. There is no treatment for this condition and it need not kill the trees but their condition should be monitored particularly for the appearance of decay fungi from their lower stems.

The weeping ash tree beside the gate onto Linden Walk has become infected by **Ash Dieback Disease** since the previous inspection with the crown being about 40% dead. The tree is not large enough to be very dangerous but it does overhang the parking area and this report recommends that the tree be felled by the time the dieback extends to 50% of the crown. The symptoms of Ash Dieback Disease were not noticeable in the few other ash trees on site on this inspection.

There are a few parts of the Cemetery boundary where branches and compost have been piled up to make dead hedges, these are good for wildlife but should not be piled around the bases of trees, compost can kill tree bark allowing in decay fungi and if fungi are present they can be hidden by the material. On the map below three sites are marked where material has been piled around trees, this report recommends that the material is removed from around the trees.

4. Replacement Tree Planting

The population of trees on the Cemetery are mostly mature and many are in decline, this report recommends that consideration be given to planting the next generation of trees to maintain the amenity and environmental value of the site. The trees either side of the drive to the Lodge in the north-west corner of the site are all in poor condition and are likely to need to be replaced soon, it is best not to replace trees with others of the same species or family, maples or whitebeams could be good options for smaller trees and hornbeam beech or oak for larger trees.

5. Explanation of the columns used in the Schedule:

Tag Number – The recorded trees or groups of trees are identified using numbered aluminium tags

Height - Estimated height in metres

Stem dia - Stem diameter at breast height in centimetres

Comment - Observations on the condition of the tree relevant to risk assessment and future management

Recommendations - Management recommendations to address any risk the tree may pose or to improve the amenity value of the future tree stock.

Priority – Priority of implementing recommendations, relating to risk of causing harm posed by the tree or management urgency where:

H - High - Implement as soon as practicable

M - Medium - Implement with 1 year

L - Low - Desirable to implement, may not be urgent but as part of long-term management.

6. Re-Inspection Period

Given the current tree health issues, I recommend that the site is inspected again in 3 years' time: 2023.

7. Inspectors qualifications and experience

Nigel Sardeson has worked with trees and woodland since 1987: 13 years as a forester for The National Trust and 20 years as a tree officer with Lincolnshire County Council, He has been partially self-employed since 2005. He is a Chartered Forester and holds the LANTRA Professional Tree Inspector's Award.

References

Mattheck C. and Breloer H. (1994) *The body language of trees. A Handbook for failure analysis*. The Stationery Office

Strouts R.G. and Winter T.G. *Diagnosis of ill-health in trees*. The Stationary Office

Health and Safety Executive. 2001. *Reducing Risks: Protecting People*. HSE Books

Phillips R. *Mushrooms and other fungi of Great Britain and Europe*. 1981. Pan Books

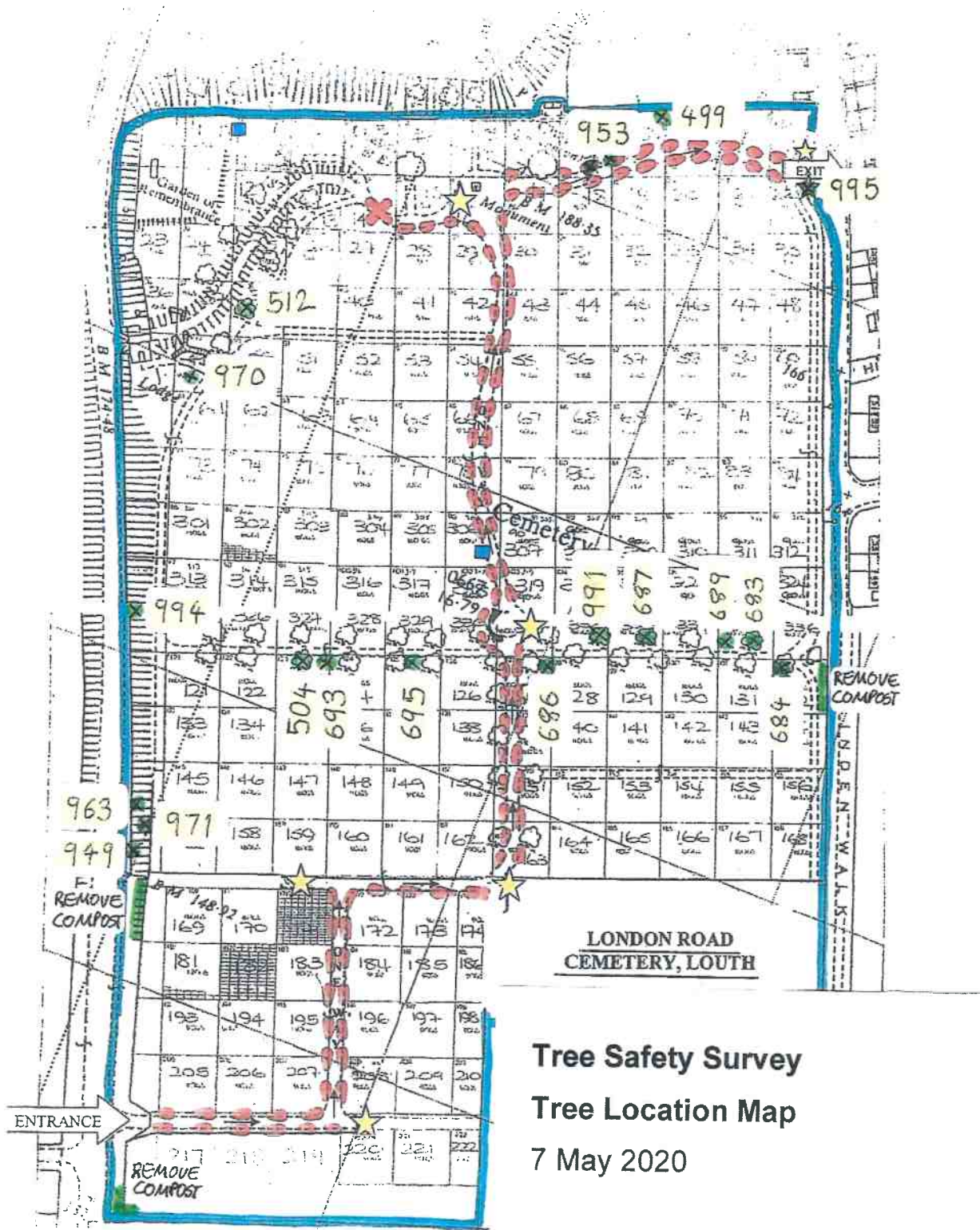
Nigel Sardeson MICFor

May 2020

Tree Safety Survey, Louth Cemetery, 7 May 2020

Location	Tag No	Species	Height (m)	Stem dia (cm)	Comment	Recommendations	Priority
Linden Walk, gateway	995	Weeping ash	6	35	40% crown dieback caused by Ash Dieback Disease	Fell by 50% dieback, not dangerous but will not recover	L
North hedge	499	Silver birch	10	40	Birch polypore fungus on stem, decayed limb removed since last inspection	No action	
Linden Walk drive	953	Pine x2	18	70	Infected by Red Band Needle Blight causing older needles to die, no safety threat at moment. 2 of 5 trees have thin foliage, one causing minor lifting of road	Monitor for decay fungi	L
North-west corner	512	Cherry	10	70	Dead branch has been removed, strip of dead down stem to 30% of circumference, vulnerable to decay, minor crown dieback	Monitor for decay fungi	L
Adjacent to gate lodge	970	Pissard plum	9	40	30% crown dieback, crack in stem, decay fungi on dead branches	Remove dead wood, see notes	L
London Road bank	994	Holly	5	15	Good condition, below streetlight, blocking light	Consider felling	L
London Road bank	963	Western red cedar	15	40	Vigorous, crowded, tight fork at 3m decayed stem from 3m to 6m	Consider felling as thinning	L
London Road bank	971	Lime	16	60	Stem split long ago, some decay	reduce main stem to 8m	L
London Road bank	949	Thuja	12	20	Leading shoot dead, decay in main stem	Consider felling as thinning	L
Lime avenue	504	Lime	18	60	Dead branches on side away from track, some bleeding canker, moderate condition	Continue recommended treatment	M
Lime avenue	693	Lime	18	80	Some bleeding canker on lower stem, moderate condition	Monitor, avoid compaction of rooting area, mulch	M
Lime avenue	695	Lime	20	70	Some bleeding canker, hung-up branch (8cm x 3m) over track, bark does not appear dead	Monitor, avoid compaction of rooting area, mulch	M
Lime avenue	686	Lime	13	30	Top dead from 4m up	Remove deadwood	L
Lime avenue	991	Lime	20	80	Late coming into leaf, bleeding canker on stem up to 8m, no apparent decay fungi or dead bark	Monitor for dieback and decay fungi, mulch rooting area	M
Lime avenue	687	Lime	18	90	Late coming into leaf, bleeding canker on stem up to 8m, no apparent decay fungi or dead bark	Monitor, avoid compaction of rooting area, mulch rooting area	M
Lime avenue	689	Lime	19	100	Pollarded at 6m, re-sprouting	Mulch rooting area	L
Lime avenue	683	Lime	18	90	Pollarded at 6m, re-sprouting	Mulch rooting area	L
Lime avenue	684	Lime	15	90	Pollarded at 4m, re-sprouting	Mulch rooting area	L

L



Amendments to the Environmental Permitting (England and Wales) Regulations 2016 as applied to Groundwater Activities and related Surface Water Discharge Activities

The two main changes proposed that will affect the Town Council are to increase the minimum grave size to 5m² and retain a 1-metre minimum clearance between the base of a grave and the water table in a cemetery. Doing this would roughly halve the cemetery space available to many local councils, lead to premature closure of many graveyards, and cause problems with residents who pre-purchased family plots. Main concerns are:

- May be prevented from interring in some sections of the cemetery. The requirement to have a 1m gap between the base of the grave and the ground water level may not be achievable.
- There may be drains installed years ago running under the cemetery. These may discharge into surrounding field drains. It's likely that this won't be compliant but any remedial action is going to be very expensive and disturbing to existing graves.
- Loss of burial fees may have a significant impact on council income in the future.
- Many grave reservations have already been sold. DEFRA appear to have said that the proposed conditions will not apply to existing grave plots or grave plots that have already been reserved. However, this will need to be confirmed. If this is not the case, the council may be liable to refund the purchase price of unusable reserved graves. This could be a significant cost. In addition, residents affected may consequently not be buried next to their loved ones as planned.
- Open churchyards may be affected by these regulations and closed to new burials.

Actual Documentation:

The Department for Environment, Food and Rural Affairs plan to make some changes to the Environmental Permitting (England and Wales) Regulations 2016 as they apply to groundwater activities and some related surface water discharge activities, as follows:

Increasing the range of permitting options for groundwater activities

For most activities covered by the Environmental Permitting Regulations, the EA can issue a variety of permits according to the level of risk that an activity poses to the environment. Having access to a range of permitting options enables the EA to regulate activities in a reasonable and proportionate manner. However, due to historic requirements, groundwater activities can currently only be permitted through the use of bespoke environmental permits, or otherwise be made exempt from permitting. Bespoke environmental permits represent the highest tier of regulatory control that can be applied under Environmental Permitting Regulations, requiring site-specific risk assessments and the development of site-specific operating conditions. In some cases, the need for a bespoke permit is disproportionate to the risk represented by the groundwater activity. This results in unnecessary costs to businesses and unnecessary regulatory burden on the EA. We are therefore proposing that the EA should be given access to a greater range of permitting options for groundwater activities, enabling them to apply a more risk-based approach to regulating groundwater activities as they do already for other regimes covered by the Environmental Permitting Regulations, such as waste operations.

Proposal 1: The Environment Agency will have the option to issue Standard Rules Permits for groundwater activities where the generic risks are well-understood, assessed and mitigated

Standard Rules Permits (SRPs) consist of requirements common to the type of facilities subject to them (“standard facilities”) and can be used instead of site-specific permit conditions. Standard rules are suitable for activities where the generic risks are wellunderstood, assessed and mitigated. These rules must achieve the same high level of environmental protection as site-specific conditions and will form the conditions of the SRP. It is therefore proposed that the EA should be able to issue SRPs for specific groundwater activities where the generic risks are well-understood, assessed and mitigated. This will reduce permitting costs for operators and enable the EA to refocus resources on more pressing issues, whilst maintaining levels of protection for groundwater quality. It is important to emphasise that this amendment is only to give the EA the option to issue SRPs for groundwater activities. No specific SRPs are being proposed as part of this consultation. Any future activity specific SRP proposals will be subject to a public consultation.

Proposal 2: The Environment Agency will have the option to issue Mobile Plant Permits for groundwater activities where the generic risks are well-understood, assessed and mitigated

Mobile Plant Permits (MPPs) are a type of SRP. They are currently used to regulate waste activities that make use of mobile plant i.e., plant that is designed to move, or be moved, from site to site in order to carry out an activity. Such activities include the spreading of waste on land for agricultural benefits. An operator making use of an MPP applies for the permit only once. After the MPP has been issued, the operator will need to complete and submit a deployment form for each location where the mobile plant will be used to carry out the activity. The deployment form requires site specific information and control measures to be provided and agreed prior to the use of any mobile plant at each site. This is less expensive and time intensive than applying for a new permit at each site, but still ensures that local conditions and local risks have been considered. Controls specific to the local conditions will therefore be in place each time the MPP is used, even though only one permit is needed. 10 It is therefore proposed that the EA should be given the option to make available MPPs for specific groundwater activities involving mobile plant where the generic risks are wellunderstood, assessed and mitigated. A key benefit of this approach is that costs will be reduced for operators that currently have to pay for a bespoke environmental permit every time they carry out a groundwater activity that could potentially be undertaken under an MPP. These operations – such as remediation schemes involving discharges to groundwater following clean-up of a groundwater pollution incident - will therefore become more affordable. This is not only a benefit to businesses undertaking remediation schemes for small scale clean-up operations, but also reduces the risk that groundwater pollution incidents are left unaddressed due to affordability issues. The speed of deployment of such remedial schemes will also be significantly improved – a key factor in ensuring prompt clean-up of pollution incidents.

Proposal 3: We will publish General Binding Rules for small-scale cemetery developments in low-environmental risk settings, and for closed-loop ground source heat pump activities in low-environmental risk settings

General Binding Rules (GBRs) are available in the Environmental Permitting Regulations for specific, low risk activities that take place in certain low risk settings. If an operator can comply with the exemption conditions set out in the GBRs for that specific activity, the level of risk to the environment will be very low. In the context of groundwater activities and surface water discharge activities, this means that the operator does not need to apply for a permit and can operate as an “exempt facility”. A key benefit of this approach is that there are no permitting costs to operators if they can comply with the exemption conditions set out in the GBRs. It also means that the EA can focus its resources and efforts on addressing pollution risks from higher risk activities, 11 whilst at the same time ensuring the environment is appropriately protected from the potential impacts of lower risk activities. GBRs already exist for Small Sewage Discharges (SSDs) to surface waters and groundwater. We have identified two further specific activities for which GBRs would be an appropriate regulatory control for the level of risk that these activities present. These activities are:

- Small-scale cemetery developments in low-environmental risk settings. The GBRs will apply to burials of human remains, other than burials of human ashes from crematoria, within existing operational cemeteries and certain proposed new cemetery developments. An initial draft of the exemption conditions that will be set out within these GBRs can be found in the accompanying document titled “Annex B - Draft exemption conditions for small-scale cemetery developments in low environmental risk settings”.
- Closed loop ground source heat pump activities in low-environmental risk settings. The GBRs will apply to the operation of closed loop ground source heat pumps. An initial draft of the exemption conditions that will be set out within these GBRs can be found in the accompanying document titled “Annex C - Draft exemption conditions for closed-loop ground source heat pump activities in low environmental risk settings”.

Increasing the range of pollutants that can be controlled for groundwater activities

Under the Environmental Permitting Regulations a “pollutant” is defined as any substance which is liable to cause pollution. For such pollutants, the EA can apply regulatory controls to groundwater activities to ensure that contamination of the groundwater environment by these pollutants does not occur. However, where a potential pollutant is not considered to be a “substance” under the current regulations, these regulatory controls are not available for groundwater activities. Two such potential pollutants are microbial entities and heat. As such, the EA are currently unable to regulate groundwater activities that might introduce these potential pollutants to the groundwater environment. This does not only leave the groundwater environment at risk of microbial and heat pollution but is at odds with the regulatory controls available for surface, bathing, and drinking water, which do already cover microbial pollution. It is also at odds with the definition of “pollution” in the Environmental Permitting Regulations, which recognises heat as a form of pollution.

Proposal 4: We will enable the EA to apply regulatory controls for microbial pollutants where appropriate and to issue permits for groundwater activities with conditions to protect groundwater from microbial pollution

Microbial pollution of groundwater, particularly groundwater that is used as a source of drinking water, can result in gastrointestinal disorders in consumers. It is therefore proposed that the EA should be able to apply regulatory controls to activities with the potential to cause microbial pollution of groundwater. This will bring the regulations for groundwater quality in line with the regulations for surface water quality, bathing water quality, and drinking water quality. It will also ensure that the Environmental Permitting Regulations are effective in protecting groundwater resources from pollution by microbial entities and, in turn, effective in protecting the wider environment and human health from the potentially harmful impacts of microbial pollutants. Under this proposal, the EA would only apply additional controls on permitted discharges to protect groundwater from the impact of microbial entities where there is actual microbial pollution or a significant risk of microbial pollution occurring. This is only likely to be required for discharges very close to potable abstractions (e.g., within groundwater Source Protection Zone 1) and only then where evidence supports the requirement for such additional permitting controls to be necessary.

Proposal 5: We will enable the EA to apply regulatory controls for heat pollution where appropriate and to issue permits for groundwater activities with conditions to protect groundwater from heat pollution

The input of heat to groundwater may cause adverse impacts on surface water ecosystems that are reliant on groundwater but can tolerate only narrow changes in temperature. The input of heat to groundwater can also alter the solubility of the surrounding rock, which may change groundwater water chemistry and have potential knock-on impacts for the effectiveness of groundwater treatment processes. Further to this, the input of heat to a groundwater body may result in improved conditions for the proliferation of potentially harmful pathogens, such as *Legionella pneumophila*, which would usually be unable to survive in groundwater due to the low temperatures. It is therefore proposed that the EA should be able to apply regulatory controls to heat pollution in the same way that

they do for other pollutants. This will ensure that the Environmental Permitting Regulations are effective in protecting groundwater resources – and the ecosystems they support – from heat pollution.

Clarifying and updating existing controls for groundwater activities and some related surface water activities

We have identified four areas within the existing Environmental Permitting Regulations where there is a need to clarify or update the regulations to ensure that the protection of groundwater quality is optimised, to ensure that the regulations are clear to operators, and to ensure that the regulations remain in line with the latest developments in technology.

Proposal 6: We will update the General Binding Rules for Small Sewage Discharges

The GBRs for SSDs were established on the basis of maximum volumes that could be discharged without posing an unacceptable risk to groundwater and surface water environments. However, there have been isolated incidents where operators or developers have avoided the cost of installing suitably sized treatment plants by “splitting” discharges across multiple SSDs that – individually – are permitted under the GBRs. Under these conditions, where multiple SSDs are discharging in close proximity to each other, the assumptions of the GBRs are no longer valid. This means that there is a potential risk of pollution occurring in the receiving groundwater or surface water body. It is therefore proposed that the following new rules are added to the existing list of GBRs to clarify that multiple SSDs should not be located in such close proximity that the conditions of the GBRs are no longer valid: • No.22 A new discharge shall not use the same point of discharge as any other discharge if the combined volume of those discharges would exceed the volumetric GBR thresholds for groundwater or surface water. • No.23 A new discharge shall not be made to a discharge point within 50 metres of any other exempt groundwater activity or water discharge activity.

Proposal 7: We will require operators of Onshore Oil and Gas facilities to apply to surrender their permits, rather than to provide a notification of surrender

When an Onshore Oil and Gas (OO&G) facility operator wishes to surrender a site permit for an oil and gas well that includes a waste operation activity, they are required to submit a permit surrender application to the EA. This application must be accompanied by evidence to demonstrate that the permitted activities have not caused any detrimental impacts to the environment, and that the site poses no on-going threat to the environment. Only when the EA are satisfied that this is the case can the permit be returned, and the responsibilities on the operator in relation to environmental protection be lifted. However, the same process does not apply to OO&G facilities that only have a groundwater activity permit. In this case, the operator only needs to notify the EA that the permit is no longer required, and the environmental responsibilities associated with the permit are automatically lifted. As such, there is no regulatory power available to the EA to require environmental assessment of the current situation at the point of decommissioning or of any future likelihood of pollution occurring. It is therefore proposed that operators of OO&G facilities that include, or only have, a groundwater activity should have to apply to surrender the groundwater activity permit, rather than notify the EA that the permit is no longer required. This will ensure that any pollution issues are remediated, and that there are no ongoing risks to the groundwater environment at the point of decommissioning or that may arise in future.

Proposal 8: We will update the list of exemptions from the prohibition on direct discharges to groundwater

Direct discharges of pollutants to groundwater are prohibited under the Environmental Permitting Regulations and more explicitly the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. However, the Regulations provide a limited list of specific groundwater activities which are exempt from this prohibition, provided that certain measures are met. This list has been transcribed into Schedule 22 of the Environmental Permitting Regulations and represents a specific list of groundwater activities that the EA can control. This list was established 16 years ago and as such does not account for new technologies or activities that the EA have subsequently decided should be permitted. It is therefore proposed that the list of exemptions from the prohibition on direct discharges to groundwater within the Environmental Permitting Regulations is updated to include the following specific activities:

- The discharge of treated groundwater from remedial solution activities directly back into groundwater. “Remedial solution activities” means the doing of any works, the carrying out of any operations, or the taking of any steps in relation to any land or groundwater for the purpose of preventing, minimising, remedying or mitigating the effects of pollution of groundwater to restore the land or waters to their former state. The benefit of adding this type of activity to the list of exemptions, and therefore enabling this type of activity to be permitted, is that it will be easier for remediation activities to take place where pollution of groundwater has occurred, whilst ensuring that the EA can manage any risk associated with the return of the remediated groundwater.
- The use of injection techniques to increase the flow of fluids or gas to an abstraction point for the purposes of, or in connection with, energy recovery and production. These are techniques used by geothermal operators and the OO&G industry to improve the efficiency of energy recovery and production. These techniques are also being developed around the world to increase the capacity of the rocks to provide heat for geothermal projects. The current regulations prevent this activity in England if there is water in the target formation, so these techniques could not be used to help promote the use of green heat technologies. Whilst this technique has been used for decades within the OO&G industry the EA have not historically issued permits for these activities. The benefit of adding this type of activity to the list of exemptions, and therefore enabling this type of activity to be permitted, is that both the geothermal and the OO&G industries can use techniques that ensure efficient and economical recovery of resource. The EA will then be better placed to manage any environmental risk associated with the use of these fluid injection techniques.

Proposal 9: We will clarify the defence for sewerage undertakers in breach of permit conditions

Sewerage undertakers may sometimes contravene the following regulations in the Environmental Permitting Regulations due to circumstances beyond their control:

- Regulation 38(1) (operating (or causing/knowingly permitting) a water discharge activity or groundwater activity without an environmental permit)
- Regulation 38(2) (failing to comply with or to contravene an environmental permit condition) For example, if a third party were to make an unauthorised discharge into a sewer which then adversely impacted the treatment processes at a treatment works, the discharge from that works may be in breach of the permit conditions at that site, and the sewerage undertaker responsible for that works would therefore be in breach of their permit. To this end, the Environmental Permitting Regulations intend to offer a defence for sewerage undertakers under the following circumstances:
 - Another person caused or knowingly permitted a discharge to be made into the sewer or works
 - The undertaker either was not bound to receive the discharge into the sewer or works or was bound to receive it there subject to conditions which were not observed

- The undertaker could not reasonably have been expected to prevent the discharge into the sewer or works. However, the current wording of the Environmental Permitting Regulations is unclear in that the defence applies only to Regulation 38(1) (operating without a permit) but not Regulation 38(2) (breaching a permit), which is more commonly the case. This creates some uncertainty for sewerage undertakers and creates enforcement difficulties for the regulator. It is therefore proposed that the Environmental Permitting Regulations are updated to clarify that the defence for sewerage undertakers where a contravention occurs as a result of an unauthorised discharge into a sewer or sewage treatment works by a third party, applies to both the offence of operating without an environmental permit (Regulation 38(1)) and the offence of contravening an environmental permit (Regulation 38(2)).

Timescales

- March 2022 – government response to consultation is published
- Summer 2022 – Statutory Instrument laid in Parliament
- Autumn 2022 – Implementation of the updated Environmental Permitting Regulations

Annex B

DRAFT Exemption conditions for small-scale cemetery developments in low environmental risk settings with effect from [Date] [Month] [Year].

The following conditions apply to any burials of human remains, other than a burial of human ashes from crematoria, within any existing operational cemetery or proposed new cemetery development.

1. A burial within a cemetery must not cause pollution of surface water or groundwater.
2. A burial within a cemetery must not be within 10 metres of any field drain, including any dry ditch.
3. A grave must have at least 1 metre clearance between the base of the grave and the top of the water table and must not have any standing water in it when dug.
4. A burial must not be undertaken directly into groundwater.
5. A grave must not be dug in unaltered or unweathered bedrock.
6. A grave must not be dug in an area susceptible to groundwater flooding.
7. A grave must be deep enough so at least 1 metre of soil will cover any part of the coffin or body.
8. A grave plot must not be less than 5m² in area.

The following conditions also apply to any proposed new cemetery development started on or after [Date] [Month] [Year].

9. The cemetery must not be located within a groundwater Source Protection Zone 1.
10. The cemetery must not be located within 250 metres of any well, spring or borehole that is used to supply water for domestic drinking or food production purposes.
11. The cemetery must not be within 30 metres of any spring or watercourse.
12. The cemetery must be located either:
 - 12.1 Entirely on strata which is unproductive strata. OR
 - 12.2 Entirely on strata which is a Secondary B aquifer or entirely on strata which is Secondary undifferentiated rocks, where the number of burials being less than 100 burials per annum. OR
 - 12.3 Entirely on a Secondary A aquifer, where the number of burials being less than 50 burials per annum OR
 - 12.4 Entirely on a Principal Aquifer AND not in a Source Protection Zone 2 where the number of burials being less than 30 burials per annum OR
 - 12.5 On any combination strata mentioned in condition 12.1, 12.2, 12.3 and 12.4, subject to condition 13.
13. Where a cemetery is, pursuant to condition 12.5, partly located on strata mentioned in 12.2, 12.3 or 12.4, the restrictions on numbers of burials per annum in condition 12.2, 12.3 or 12.4 (as the case may be) apply to the area of the cemetery located on that strata.
14. The cemetery must not be in, or within 50 metres of, a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar site or biological Site of Special Scientific Interest (SSSI), and must not be in an Ancient Woodland.

15. The cemetery must not need ongoing active control measures to be in place to protect the environment. For the purposes of these conditions, the following definitions apply: Principal Aquifer means “geological strata that exhibit high intergranular and/or fracture permeability. They usually provide a high level of water storage and can support water supply and/or base flow to rivers, lakes and wetlands on a strategic scale.”

Secondary A Aquifer means “permeable strata capable of supporting water supplies at a local rather than strategic scale and in some cases forming an important source of base flow to rivers, lakes or wetlands.”

Secondary B Aquifer means “predominantly lower permeability strata which may in part have the ability to store and yield limited amounts of groundwater by virtue of localised features such as fissures, thin permeable horizons and weathering.”

Secondary undifferentiated means “rock deposits (or strata) with variable permeability and storage properties that are neither consistently.

Secondary A nor Secondary B. Unproductive strata means “geological strata with low permeability that have negligible significance for water supply or river base flow. They consist of deposits that naturally offer protection to any aquifers that may be present beneath.”

Groundwater flooding means “When the water table beneath the ground rises and causes water to seep out at ground level. This is often seasonal.”

11-09-21 PERS MINS

**MINUTES OF THE LOUTH TOWN COUNCIL PERSONNEL COMMITTEE
HELD IN THE OLD COURT ROOM, THE SESSIONS HOUSE, LOUTH
ON TUESDAY 9th NOVEMBER 2021**

Present Mrs. J. Makinson-Sanders (JMS), (in the chair).

Councillors: Mrs. E. Ballard (EB), J. Baskett (JB), Mrs. S. Crew (SC) and G.E. Horton (GEH).

Councillors not present: J. Simons (JS) and D. Wing (DEW).

The Town Clerk, Mrs. L.M. Phillips, the Town Clerk's Assistant, Mrs. M. Vincent and Cllr. AL were also in attendance.

H16. Apologies for Absence

Cllrs. JS and DEW.

H17. Declarations of Interest / Dispensations

None.

H18. Minutes

It was **RESOLVED** that the notes of the Personnel Committee Meeting held on 28th September 2021 be approved as the Minutes.

H19. Local Government Pay

The Committee received an update on national negotiations to date and **RESOLVED** to approve the uplift of office staff's salaries by one scale point on 1st April 2022, as per contracts.

H20. Budget 2022/23

Training requirements were discussed and it was also considered that a feasibility study may be required for the cemetery.

H21. Town Clerk's Appraisal

Cllr. Mrs. JMS reported that Rachel Robinson (ELDC) would be happy to give a short online training overview of appraisals on Zoom / Teams and that available dates would be circulated as soon as possible.

H22. Next Meeting

Committee to refer to the Meeting Schedule for the next Personnel Committee Meeting.

The Meeting Closed at 9:17pm.

Signed _____ (Chairman)

Dated _____

Louth Town Council

DRUGS AND ALCOHOL POLICY AND PROCEDURE

Policy

The Council, as your employer, has a duty to ensure so far as is reasonably practicable, the health and safety and welfare at work of all employees and similarly you have a responsibility to yourself and your colleagues. The use of alcohol and drugs may impair the safe and efficient running of the business and/or the health and safety of employees.

The effects of alcohol and drugs can be numerous:

(These are examples only and not an exhaustive list).

- a. Absenteeism (e.g. unauthorised absence, lateness, excessive levels of sickness, etc.).
- b. Higher accident levels (e.g. at work, elsewhere, driving to and from work).
- c. Work performance (e.g. difficulty in concentrating, tasks taking more time, making mistakes, etc.).

Procedure

The use of alcohol or illegal drugs in the workplace may lead to disciplinary action that could result in your dismissal. The following rules will apply:

- a) If you are found to be consuming alcohol or deemed to be under the influence of alcohol in the workplace or in your working hours this may be treated as gross misconduct under the Council's disciplinary procedure.
- b) The possession of drugs for any reason other than medical is forbidden.
- c) We may ask you to undertake a medical examination or a random spot check if we believe you have a problem in relation to drugs and/or alcohol to assess if this is affecting your capability to work. You may be suspended from work until the problem is resolved. The Council will decide whether to treat it as a disciplinary matter.
- d) We will inform the police if we believe there has been an abuse of illicit drugs by an employee, for which criminal controls are appropriate, either in the workplace or when working on behalf of the Council when the employee is off the Council's premises.

Louth Town Council

STAFF GRIEVANCES & DISCIPLINE PROCEDURE

1 Informal Grievances

If a member of staff feels that they are unhappy with an element of their employment with the Council they should initially discuss the matter with the Clerk on an informal basis.

If the Employee feels uncomfortable about talking to the Town Clerk about their concerns, they should be able to approach the Chair of Personnel.

2 Informal Discipline - Employee Conduct / Performance

Should the Clerk be unhappy with either the conduct or performance of an Employee, they will initially discuss their concerns with the Employee on an informal basis.

The purpose of this meeting will be to guide and support the Employee to help them address the problem and perform to a standard acceptable to Management. For this reason the Clerk will take notes during this meeting, decide what action should result from the meeting and ask the Employee to sign the notes.

Only the Clerk and Employee should attend this meeting. There will be no entitlement to be accompanied.

3 Mediation

In the event that an Employee is unhappy with the outcome of the Informal Grievance Procedure, or either party do not feel that performance / conduct issues are being addressed effectively, either an Employee or Clerk can request that the matter be subjected to mediation.

This will involve the use of a third party Mediator. In its simplest form, Mediation will involve the Mediator talking to either party individually, to listen to their side of the issue. If the Mediator feels that a resolution to the problem is possible, a meeting will be arranged between all parties at which the Mediator will set out their assessment of the issues and invite both party to reach their own resolution.

The resultant action plan should have the agreement and support of both parties, be set out in writing and be signed by all involved in the Mediation process.

4 Formal Grievances

In the case of Grievances not being fully resolved by the informal / mediation approach, a formal approach to the Chair of the Personnel Committee is required, preferably in writing and stating clearly that the Employee wishes the matter to be addressed as a Formal Grievance. An Employee's Formal Grievance should set out the nature of the Grievance in as much detail as reasonably possible, and state what their desired outcome would be.

As a consequence a formal meeting will be held between the Employee and a Grievance Panel to address the matter.

This meeting will be arranged as soon as reasonably possible. A letter of invitation to a Formal Grievance hearing will be sent to the Employee, usually within seven days of Management receiving the Employee's Grievance.

At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council or a trade union representative.

Employees will be informed in writing of the outcome of the meeting within seven days.

If the Employee making the grievance is unhappy with the response to the meeting, they can issue an appeal. Details of the Appeal Procedure are given below.

5 Formal Discipline

If an issue regarding an Employee's conduct, behaviour or performance isn't fully addressed by informal methods / Mediation, the Management will pursue the matter through its formal Disciplinary Procedures.

Typical examples of areas of concern may be poor performance, unacceptable and unexplained absenteeism, poor conduct and behaviour at work, or lack of capability by an Employee to carry out their job. Employees will be informed by letter that they are required to attend a formal disciplinary meeting. This letter will include details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council or trade union representative.

This is a four step procedure, which increases in the severity of its outcome if the issue isn't resolved at the previous step. Each step involves a formal meeting between the affected Employee and a member of the Management Team, at which the Employee will be given every opportunity to put their side of the issue.

Meetings will be conducted as soon as reasonably possible after the incident(s) which are being investigated to ensure that facts and witness statements are clear and up to date. At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council, or trade union representative.

If the allegation of misconduct is proven, the meeting may result in the following action being taken by the Council Management against the Employee:

STEP No	ACTION TAKEN	LIVE PERIOD	MANAGER RESPONSIBLE
1	Formal Oral Warning	Six months.	Clerk to the Council
2	Formal Written Warning	Twelve months	Clerk to the Council
3	Final Written Warning	Twelve months	Clerk to the Council
4	Termination of Contract of Employment	N/A	Clerk to the Council

Particularly severe acts of indiscipline may result in the Management bypassing Steps 1 and 2.

Employees will be informed by letter that they are required to attend a formal disciplinary meeting. This letter will include details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council.

6 Gross Misconduct

Acts of Gross Misconduct, if proven after an appropriate investigation (*including searches of bags, coats and other personal effects, as well as cars, vehicles and any appropriate Council property*) and a Disciplinary Hearing, will result in Dismissal.

Employees accused of Gross Misconduct will be suspended on full pay and receive a written invitation to a Formal Disciplinary Hearing, giving them details of the allegation they are to answer, the date, time and venue of the meeting, and also inform them of their right to be accompanied by a work colleague from the Council or trade union representative. The letter will provide a minimum of 2 working days prior notice to the meeting.

The Management recognises the following as acts of Gross Misconduct. (This is not an exhaustive list).

1. Theft.
2. Abusive or threatening behaviour of any nature.
3. Being under the influence of alcohol or drugs.
4. Dishonesty in dealings with Management.
5. Sexist, racist or any other behaviour against an individual, which could be classed as creating a hostile, intimidating or threatening environment.
6. Breach of confidentiality.
7. Failing to carry out reasonable Management instructions.
8. Fighting and acts of aggression.
9. Deliberately damaging Council property.
10. Deliberate breaches of Council Health and Safety procedures.
11. Unauthorised access to Council computer files, software or any other such breach of confidentiality.

Employees who have been dismissed for acts of Gross Misconduct do have a right to appeal against their dismissal. Appeals should be submitted within a reasonable timescale following the dismissal, and addressed to the Chair of the Council. A reasonable timescale would normally be no longer than a week following the dismissal.

Employees submitting an appeal must make it clear that they are appealing against the decision to dismiss them, and set out the reasons for their appeal.

Once the Management have received notice of the Employee's decision to Appeal, they will follow the Appeal Procedure detailed below.

7 Appeal Procedure

Employees have the right to appeal against a decision made at any stage of the Formal Disciplinary Procedure, the outcome of a Grievance Hearing, or dismissal caused by redundancy or sickness.

Appeals should be made to the Chair of the Council, preferably in writing and within a reasonable timescale following the action the Employee is appealing against. A reasonable timescale would normally be no longer than a week. Appeals made after one week will be considered if the Employee has a reasonable explanation for having taken so long.

Employees submitting an appeal must make it clear to the Chair of the Council that they are appealing against the decision affecting them, and set out the reasons for their appeal.

A Formal Appeal Hearing, involving the Employee and the Management will be held within fourteen days of receipt of the appeal request. At this meeting Employees are entitled - and encouraged - to be accompanied by a work colleague from the Council, or a trade union representative.

Louth Town Council

HEALTH AND SAFETY POLICY

Policy Aim

The aim of this Policy is to assist Louth Town Council in providing a safe and healthy workplace and working environment for all of its employees, and to protect all other persons not employed by the Council, but who may be affected by their work activity.

Summary

The Policy provides the framework by which the management of health and safety within the Council will be carried out, including all necessary arrangements and organisation.

Effective communication and competence throughout the organisation will be essential to the success of the Policy.

Policy Statement

The Council is committed to meeting its responsibilities to safeguard the health, safety and welfare of its employees, elected Members, contractors, volunteers, agency staff and any other person who may be affected by its activities.

To enable the Council to carry out these responsibilities it will, so far as is reasonably practicable, take steps to:

- make the workplace safe and without risks to health where possible;
- ensure that plant and machinery are safe and that safe systems of work are set and followed;
- keep dust, fumes and noise under control;
- ensure that articles and substances are stored, moved and used safely;
- provide adequate welfare facilities;
- provide such information, instruction, training and supervision as is needed;
- provide free any protective clothing or equipment required by law and determined by suitable and sufficient risk assessments;
- report certain injuries, diseases and dangerous occurrences to the enforcing authority;
- provide adequate first aid facilities;
- consult with staff about matters affecting employees' health and safety;

The Council delegates the main responsibility for health and safety to the Town Clerk and RFO, but in order for this policy to be successful, it is the personal responsibility of each employee, elected Member, contractor, volunteer and agency staff member to:

- take reasonable care in carrying out their activities to minimise the risk to their own health, safety and welfare and that of their colleagues or others who may be affected by their actions;
- co-operate with management and colleagues in the carrying out of their duties to establish safe systems of work;
- bring to the attention of their line manager any hazards, dangerous practices, accidents or incidents of which they become aware.

On site day to day responsibility for health and safety matters relating to the Town Council Public Property Maintenance will rest with the appointed contractor(s) in relation to service delivery and facility management.

The allocation for safety matters and the particular arrangements that the Town Council will make to implement the policy are set out below. The policy will be kept up to date, particularly as the organisation changes in nature and size. This policy and the way it is operated will be reviewed annually.

This Policy will be supplemented by further policies and procedures relating to work activities.

1 ORGANISATION AND RESPONSIBILITIES

1.1 THE COUNCIL

The Council will make sure that sufficient budget is made available annually for the purposes of meeting Health and Safety obligations in relation to council activities.

The Council through the Personnel and Governance and Finance Committees will monitor Health and Safety issues and compliance with this policy.

The Committees will:

- review accident and “near miss incident” data;
- receive and consider policies and procedures developed by the Town Clerk, before passing them to Council for approval;
- receive and consider reports from the Town Clerk, Health and Safety Executive and Union/Association representatives;
- assist in the development of safety rules;
- monitor and review health, safety and welfare training.

1.2 TOWN CLERK AND RFO

The Council has the ultimate responsibility for ensuring that the Council fulfils its legal responsibilities, that the Policy’s objectives are achieved and that effective management is in place to secure its implementation and review as appropriate.

To these ends delegated authority is given to the Town Clerk to ensure the allocation of the resources necessary to maintain sound and efficient health and safety arrangements on an operational basis. The Town Clerk supported by her staff will:

- make sure that staff implement the requirements of the Councils health and safety policy;
- make sure assets are maintained, repaired and operated in a safe manner;
- make sure that all risk assessments are undertaken and safe systems of work established, for all tasks and places of work and that the significant outcomes of the risk assessments are made known to employees and any other parties who may need to be made aware;
- make sure all current and past risk assessments are stored using an appropriate format for recording the relevant risk assessments;
- make sure that risk assessments are reviewed regularly, or immediately after an accident / “near miss” incident or change in work process;
- make sure authorised, qualified and competent people are assigned tasks and that appropriate safe systems of work are in place with consideration to any potentially vulnerable people (e.g. expectant and nursing mothers, young persons and persons with a disability) and any appropriate levels of supervision are provided;
- report and investigate accidents, near misses, ill health and incidents of violence or abuse to the Personnel Committee and /or full Council;
- make sure that all employees accept their own health and safety responsibilities and that induction and training initiatives are developed which provide safe work practices considering hazardous operations, substances, machinery or equipment;
- make sure appropriate personal protective equipment is made available (free of charge), suitable and worn as identified by the process of risk assessment, and that records are held of this equipment and it is replaced as required;
- take appropriate action and ensure prompt attention on any representation submitted by any employee who has comments or concerns regarding health and safety;
- make sure that existing fire procedures are adhered to;
- undertake regular checks to ensure that fire exits, corridors, stairs, landings and walkways in offices are kept clear at all time;
- identify training needs through the risk assessment and performance review processes;
- ensure that the Council’s Health and Safety Policy is available to all new and temporary employees and volunteers, and that health and safety awareness is included in the Council’s induction training;
- maintain corporate accident and near miss incident sheets;

- review accident and incident data to identify trends and any appropriate remedial action as necessary;
- review contents of first aid kits annually.

1.3 EMPLOYEES / COUNCILLORS (WHERE APPLICABLE)

All employees have a duty to take reasonable care of their own health and safety and that of others and to co-operate with their manager on health and safety issues. All employees must ensure that they will:

- carry out all work and tasks in the prescribed manner and follow any training, information and instruction provided;
- use equipment correctly at all times and not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare (for example fire-fighting equipment, protective guards or devices, personal protective equipment, warning signs, etc.);
- familiarise themselves with the evacuation procedures on the sites that they work from or visit regularly;
- make themselves familiar with the Health and Safety policy, health and safety information and any other documents provided for their safety;
- wear or use appropriate personal protective equipment as provided;
- report immediately to the Town Clerk all accidents, incidents, unsafe acts or damage including any “near misses”;
- co-operate in the investigation of accidents with the objective of introducing methods to prevent re-occurrence;
- report any of the following to the Town Clerk:
 - incidents of any pain or discomfort arising out of the carrying out of their work activity;
 - any physical injury resulting from the carrying out of their work activity;
 - any incident of violence or abuse aimed at the employee;
 - all cases where work equipment or personal safety equipment becomes defective;
- take part in risk assessments, workplace inspections and audits when necessary;
- observe safe systems and methods of working at all times, avoiding taking short cuts which would entail unnecessary risks;
- ensure that when driving while at work that they are fit to do so and drive in a safe and proper manner.

1.4 CONTRACTORS

Contractors will be reminded of all their legal obligations, including the reporting of accidents and “near miss” incidents. All contractors must take reasonable care to make sure that their employees and others are safe in and about their work, and competent to undertake the work required. To fulfil these obligations the contractor must provide:

- competent employees and craftsmen who have received adequate training to enable them to safely perform the job;
- adequate supervision of untrained staff or young workers;
- safe plant, i.e. equipment and appliances in good working order;
- safe systems of work;
- adequate third party liability insurance as specified by any contract.

Any employee of the Council, who brings in a contractor to carry out works for or on behalf of the Council, is responsible for ensuring that contractor, and any sub-contractors they may appoint, are competent to undertake the necessary works. They must also ensure that suitable systems are in place before the works start to ensure the contractor undertakes work as per their own documented health and safety procedures, and that all works are carried out in a safe manner.

1.5 AGENCY STAFF AND VOLUNTEERS

Agency staff and volunteers will be reminded of their legal obligations, including the reporting of accidents and “near miss incidents”. All agencies and voluntary agencies (where involved) must ensure the individuals they appoint to work for us are competent to undertake the work required.

A copy of this Policy will be given to all staff, volunteers, elected Members and Contractors, as required, undertaking duties and tasks on behalf of the Town Council.

Louth Town Council

LONE WORKING POLICY

1. Introduction

The following policy and procedure has been written in order to minimise risks for staff working alone in their fixed base and working away from their fixed base. Under the Health and Safety Act 1974 and the Management of Health and Safety at Work Regulations 1999 it is the duty of Louth Town Council to assess risks to lone workers / volunteers and take steps to avoid or control risk where necessary.

Employees of the Council have responsibilities to take reasonable care of themselves and other people affected by their work and to co-operate with their employers in meeting their legal obligations.

2. Lone Working / Lone Workers

These are people who work by themselves without close or direct supervision:

- a. At a fixed base (office or other):
 - i. Only one person working on the premises
 - ii. Working separately from others
 - iii. Working outside of normal hours
- b. Away from their fixed base:
 - i. Staff member who is required to travel alone to and from a fixed base to another base or to attend meetings etc.

3. Potential Risks to Lone Workers

- a. Open access and unlocked doors – accessible to the public, contractors etc.
- b. Being taken ill whilst at work
- c. Lack of training regarding Health & Safety procedures
- d. Hazards in the workplace
- e. Remote areas
- f. Parking arrangements: poorly lit and isolated areas

4. Assessing the Risk

- a. Before drawing up and recording the assessment of risk, it must be established:
 - i. Whether the work can be done by a lone worker
 - ii. What arrangements will be in place to ensure an individual is not exposed to unnecessary and unacceptable risk?
- b. When recording an assessment of risk, the following should be taken into consideration:
 - i. Environment – location, security, access / egress
 - ii. Context – nature of the task
 - iii. History – have there been any accidents / incidents in the past

All available information should be taken into account and updated as and when necessary. If there is reason for doubt about the safety of a lone worker in a given situation then consideration should be given for making other arrangements to complete the task.

5. Safety Guidelines

- a. For staff working in a fixed base:
 - i. Familiarise themselves with the layout of the building including fire exits and escape routes;
 - ii. Keep doors locked that allow direct access to the building/office you are working in;
 - iii. Do not open the door to unexpected visitors. In the case of contractors ask for identification. If still unsure check with the contractor's employer/head office;
 - iv. Have contact numbers at hand to be able to contact relevant person(s) immediately (should they feel ill, they suspect an intruder in the building etc.);
 - v. Park as near as they can to the building;
 - vi. A risk assessment to be put in place to assess potential risks;

- b. For staff working away from their fixed base:
 - i. Staff should inform relevant person(s) from the Council of their movements including the time they estimate they will be away from their base and when they will return, along with relevant information regarding where and at what time, visits will be made and to whom;
 - ii. Leave details of venues including contact numbers;
 - iii. Take mobile phone (or other communication device) with them;
 - iv. Avoid meetings in isolated places. If this cannot be avoided, ask someone to accompany them or make sure they always notify someone when they arrive and leave.

6. Responsibility

- a. Employees Responsibility and Personal Safety:
 - i. To take reasonable care for the health and safety of him / herself and of other persons who may be affected by his / her acts or omissions at work;
 - ii. Always maintain a line of communication on a regular basis with members of the Council to identify and minimise risk(s);
 - iii. Always inform someone as to when they leave the fixed base to perform Council tasks and inform a colleague when returning to a fixed base after relevant task completed;
 - iv. Always report an accident / incident that may occur to the Town Clerk or relevant person to allow for a full investigation to take place and assess further potential risks and identify additional safety procedures.
- b. Employers Responsibility:
 - i. To take reasonable care for the health and safety of staff by identifying and assessing potential risks to ensure that staff are safe at all times;
 - ii. Always maintain a line of communication on a regular basis with staff to identify and minimise risk(s);
 - iii. Ensure a signing in and out system is put in place;
 - iv. Ensure staff receive all relevant training and information available ;
 - v. Ensure staff are equipped with a mobile phone (or other communication instrument) to ensure a system of maintaining contact.

7. Exemptions

Employees and / or Volunteers are exempt from working alone in certain situations:

- a. Young persons under instruction in a fixed base (example work experience, helping with Council tasks etc.);
- b. Where activities and work with substances / machinery could be hazardous to health.

8. Policy Review

This policy will be reviewed regularly by the Council to ensure that it is relevant to working practice.

Louth Town Council

COUNCILLOR/EMPLOYEE PROTOCOL

1. Introduction

An effective working relationship between Councillors and Employees is vital to the successful operation of the Council's business. The main aim of the Council is to deliver efficient and effective services to the residents of the Town. It is important that both Councillors and employees work together to achieve this aim and maintain confidence in the workings of the Council. Council business will be conducted more effectively if there is mutual respect and courtesy in all meetings and contacts, both formal and informal, between Councillors and employees. Given the variety and complexity of such relations, this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues that most commonly arise. The Protocol should be read in conjunction with the adopted Councillors Code of Conduct, Standing Orders, Financial Regulations, Legislation or guidance as issued by the Monitoring Officer.

2. The Role of Councillors and Employees

- a. Councillors and Employees of the Council are servants of the public and they are indispensable to one another, but their responsibilities are distinct.
- b. Councillors are responsible to the electorate and serve only as long as their term of office lasts (4 years or part thereof).
- c. Employees are responsible to the Council as a whole and not to individuals or any political group. The job of employees is to give advice to Council and Councillors and to carry out the Council's work under its direction or as delegated powers dictate.
- d. Councillors and Employees have a duty to conduct themselves in a professional and impartial manner, in accordance with the stated aims and requirements of the elected Council.

3. The Role of Councillors

- a. Collectively, Councillors are the ultimate policy-makers determining the core values of the Council and approving the authority's policy framework, strategic plans and budgets.
- b. Every elected Councillor represents the interests of, and is an advocate for their ward and constituents. Councillors represent the Council in their ward, respond to the concerns of constituents and are encouraged to serve on local bodies.
- c. Some Councillors will have roles relating to their position as Chairman of the Council or Chairmen of Substantive Committees.
- d. No individual should conduct themselves in a manner which is unfavourable to the stated interests of the Council or could be interpreted as favouring individual interests against those of the body of the Council.
- e. Individual Councillors are not authorised to instruct Employees other than:
 - i. Through the formal decision-making process;
 - ii. To request the provision of consumable resources provided by the Council for Councillors use;
 - iii. Where staff have been specifically allocated to give support to a member or group of members (i.e., Committees, working groups etc.).
 - iv. Councillors are not authorised to initiate/certify financial transactions, or to enter into any contract (written or verbal) on behalf of the Council.
 - v. Councillors must avoid taking actions that are unlawful, financially improper or likely to amount to maladministration. Members also have an obligation under the adopted code of conduct to give careful regard when making and reaching decisions, to all advice provided by the Town Clerk, representative or Monitoring Officer.

- f. Councillors should be aware that employees are constrained in the response they may make to public comment from Councillors and should not abuse officers in public or through the press nor seek to undermine their position by abuse, rudeness or ridicule. In meetings, individual Chairmen should be aware of discussions which may become abusive towards an employee and must protect that employee.

4. The Role of Officers/Employees

- a. Officers are responsible for giving advice to Councillors to enable them to fulfil their roles. In doing so, officers will take into account all available relevant and legislative factors.
- b. Officers/Employees have a duty to implement lawful decisions of the Council, committees, sub-committees, which have been properly approved in accordance with requirements of the law and the Council's adopted Standing Orders and Financial Regulations.
- c. Officers/Employees have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.
- d. Officers/Employees must be alert to issues that are, or are likely to be contentious or politically sensitive and be aware of the implications for Councillors, the media or other sections of the public.
- e. Officers/Employees are required to be politically neutral in their dealings with elected Councillors and all council business activities.
- f. An Officer/Employee must not allow their interests or beliefs to conflict with their professional duty. They must not misuse their official position or information acquired in the course of their employment to further their private interest or the interests of others (including elected Members).
- g. Officers/Employees should abide by the rules of Louth Town Council about the declaration of gifts offered to or received by them by any person seeking to do business with Louth Town Council or which would benefit from a relationship with Louth Town Council. Employees should not accept benefits from a third party unless authorised to do so by the Council.

5. The Relationship between Councillors and Employees: General

- a. The conduct of Councillors and Officers/Employees should be such as to instil mutual confidence and trust. The key elements are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately being mindful of public perception.
- b. Councillors should inform the Monitoring Officer if they have a relationship which might be seen as unduly influencing their work in their respective roles.
- c. Councillors and Employees need to respect each other's roles and duties. The Town Clerk is responsible for day-to-day management and operational decisions. It is not appropriate for Councillors to intervene.
- d. Any problem relevant to the Council and referred to a Councillor by the public should firstly be passed to the Chair of the relevant committee or sub-committee and shared with the Town Clerk.
- e. Councillors should make appointments to see Employees wherever possible to ensure minimal disruption to workloads and priorities.
- f. Councillors are requested not to approach an employee direct to undertake tasks on their behalf. Requests for work should be made through the Town Clerk and Chairman of the relevant committee and discussed and agreed with all relevant parties beforehand.
- g. Employees will do their best to give timely responses to Councillors enquiries. However, Employees should not have unreasonable requests placed on them. Councillors must avoid disrupting Employees work by imposing their own priorities.
- h. Councillors will endeavour to give timely responses to enquiries from Employees.
- i. Councillors and Employees should respect each other's free (i.e., non-Council) time.
- j. Personal relationships with Employees and Councillors are inevitable. However, such relationships must not cloud the judgement of either party or lead to any preferential treatment or favouritism by either party.

6. Meetings

- a. When presenting reports to Committees, the Town Clerk should assume that Councillors have had sufficient time to consider written material. Reports should be concise and focused on determining the issues only along with any recommendation(s). The Town Clerk has a duty to answer any questions and advise Councillors on the implications of any particular actions, including the consequences of not accepting Officer recommendation(s).
- b. At full Council and Committee meetings, Councillors will consider the advice of Employees both in main reports and on any matter arising out of debate but it is, ultimately, the responsibility of Councillors to formulate a decision, having regard to the advice provided and any other considerations taken in respect of the issue. Once lawful decisions have been taken (by way of resolution) it is the duty of the Town Clerk or assistants to implement such decisions.

7. Correspondence

- a. Official letters from the Council on day-to-day matters must be sent out in the name of the Town Clerk, not individual Councillors. Letters that create obligations or give instructions must not be sent out in the name of a Councillor.

8. Non-Adherence to the Protocol

- a. Serious breaches of this adopted protocol by Employees should be dealt with under the Council's disciplinary and/or grievance procedures.
- b. Breaches by Councillors must be reported to the Town Clerk and the Monitoring Officer.
- c. If necessary the issue will be subject to further consideration by the Town Clerk together with the Chairman of the Personnel Committee and referred to full Council, where necessary.
- d. Should a breach of this protocol occur by either the Chairman or Vice Chairman or Town Clerk, the matters should be raised with the Monitoring Officer at ELDC who will be asked to review and submit a report containing recommendations or advice to full Council.

Louth Town Council

RECRUITMENT AND SELECTION POLICY

1. **Introduction**

- 1.1 Effective recruitment and selection is central and crucial to the successful functioning of Louth Town Council. It depends on finding people with the necessary skills, expertise and qualifications to deliver the Council's strategic objectives and the ability to make a positive contribution to the values and aims of the organisation.

2. **Advertisements**

- 2.1 Vacancies will generally be advertised in an appropriate newspaper or journal, and will not be confined to those media which, because of their particular source of applicants, provide only or mainly applicants of a particular group.
- 2.2 Advertisements will also be notified to the appropriate local job centre where this is appropriate.
- 2.3 Vacancies will also be posted on the Town Council website, and notice boards. Louth Town Council will also give consideration to internal promotions wherever possible as development opportunities for its staff.
- 2.4 Louth Town Council may, on occasions, decide to restrict advertisement to internal candidates only. Furthermore, junior posts will always be advertised internally in the first instance, to provide continuous development of existing members of staff unless the Management team agrees that this is not appropriate due to the specialist skills required for the post involved.
- 2.5 Employees on maternity leave will receive copies of all advertisements for posts advertised by Louth Town Council during their period of maternity leave.

3. **Application Form**

- 3.1 Candidates for all posts will, except on some occasions when a vacancy is restricted to internal recruitment, be asked to complete a standard application form, in order that they can be judged on the basis of comparable information.
- 3.2 In applying for posts, all candidates will be provided with a job description, details of the appropriate conditions of service and details about Louth Town Council. A brief statement about the appointment procedure will also be provided and, if possible, an indication of the date (or week) when interviews will be held. The job description will include a list of the main duties and responsibilities of the post, together with an outline of the qualifications and experience which candidates are expected to possess.
- 3.3 In drawing up the job description and conditions of service Louth Town Council will ensure that no job applicant receives less favourable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work, and that no applicant is placed at a disadvantage unjustifiably by requirements or conditions which have a disproportionately adverse effect on a particular group.

- 3.4 Applicants will be asked if they wish to make the Council aware of any disabilities, as defined in the Disability Discrimination Act 1995, and whether there are any reasonable adjustments needed for them to attend an interview. All applicants with a disability who meet the essential criteria for a job will be interviewed, and considered on their merits, with no regard taken of their disability.
- 3.5 Applicants will be required to supply the names and addresses of two people from whom references can be obtained, one of which should normally be the applicant's current or most recent employer.
- 3.6 Only references for short listed candidates for interview will be obtained. References will normally be sought prior to interview, unless the candidate indicates otherwise.
- 3.7 References should normally be made in writing or email, but those received by telephone will be accepted, provided that a note of the conversation is recorded and placed on file.
- 3.8 All candidates will be asked to declare on the application form whether they have ever been convicted of any criminal offence which cannot be regarded as 'spent' in terms of the Rehabilitation of Offenders Act 1974.
- 3.9 For posts that involve working with children and vulnerable adults / finance work, applicants will be asked to reveal details of 'spent' and 'unspent' convictions. Successful candidates for such posts will be required to provide the necessary documentation in order to complete a standard criminal records disclosure. Posts which require such a disclosure will be clearly indicated on the conditions of service and appointment procedure.
- 3.10 Applicants will also be required to declare if they are related to any Councillor or member of staff within the Town Council. Canvassing of members of the Town Council is not permitted. No councillor should be put into a position where he or she is asked to interview a person to whom they are related.
- 3.11 It is the Town Council's policy not to communicate further with applicants other than those who are shortlisted. A note to this effect is included in the details sent out to applicants and a date given by which they may expect to receive notification by shortlisting.
- 3.12 Applicants details will be recorded at the point of receipt. Information relating to equality and diversity will be hidden from all those involved in the recruitment and selection process. The information collected will be solely used for the purposes of equality monitoring.
- 3.13 All completed application forms are private and confidential and should only be made available to those directly involved in the recruitment and selection process.
- 3.14 All application forms will be collated by the Town Clerk and supplied to the Personnel Committee and interview panel for shortlisting purposes.

4. Selection Methods

- 4.1 Interviews of short-listed applicants will be held by a panel comprising of ideally three persons, but a minimum of two persons, gender balanced wherever possible. The interviewers will encourage candidates to be at ease during the interview, in order that they can give a fair and accurate impression of themselves.
- 4.2 The selection and appointment of the Town Clerk will initially be made by members of the Personnel Committee with a recommendation made to full Council and the panel will be chaired by the Mayor.
- 4.3 A set of questions will be agreed by the interview panel in advance and will be developed from the current job description for the post. The panel will seek to develop questions which ask the candidates to give examples of their previous relevant experience.
- 4.4 All candidates will be asked the same questions in the same order, and their responses rated between 1-10. The panel will each have a copy of the questions and will score independently of each other during the interview. Time is allocated between interviews for the panel to discuss each candidate and to award a total points score. Additional notes may be made by the panel during the interview, however it should be noted that candidates will have access to all information should they request it.
- 4.5 It should be remembered that an interview is a two way process, and candidates will be given every opportunity to view the offices where they will work and ask questions about the Council, to ensure that they have a full understanding of the post for which they are applying and the way the Council operates.
- 4.6 In addition to interviews, a range of other selection techniques may be used. In such circumstances reasonable notice and relevant information will be given to ensure that candidates have sufficient time and information to prepare.
- 4.7 All appointments will be made strictly on merit and related to the requirements of the job.
- 4.8 All interviewed candidates will be notified of the outcome of the selection process as soon as possible, either by telephone or letter.
- 4.9 All unsuccessful Interviewees' application forms and interview notes will be retained for one year from the date of interviews taking place. After this date they will be destroyed.

5. Relevant Checks

- 5.1 All offers of employment will be made conditional upon satisfactory results from the following:
 - two satisfactory references;
 - confirmation of the right to work in this country (if appropriate);
 - Disclosure Barring Checks (DBS) (if appropriate).

6. Probationary Period

- 6.1 All appointments will be made subject to a probationary period of six calendar months. After three months a review meeting will take place between the post holder and their line manager to discuss progress. At the end of the probationary period, and subject to a satisfactory report by the appropriate head of section or line manager, employees will be notified in writing that they have successfully completed their probationary period. The probationary period can be extended by a further 3 months should the individual's line manager consider this appropriate.

7. Recruitment Monitoring

- 7.1 Louth Town Council seeks to recruit employees on the basis of their ability and the requirements of the post.
- 7.2 Louth Town Council wants to ensure that no applicant receives less favourable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work.

8. Exit Interviews

- 8.1 All employees who leave the employment of the Council voluntarily may if necessary have an exit interview with their manager before their last day of employment.
- 8.2 Exit interviews provide the opportunity for departing employees to discuss their reasons for leaving. The information provided is useful in identifying trends, learning and development and evaluating the effectiveness of the Recruitment Policy and practices.
- 8.3 The appropriate line manager should receive all appropriate information, such as recommendations made for change, or significant issues raised in the questionnaire, whilst bearing in mind confidentiality issues. The exit interview questionnaire will be retained on the employee's personal file.

Appendix 1 – Recruitment Checklist

Management Recruitment Procedure:

- 1 Define the vacancy to be filled.
- 2 Define the skills required by the post.
- 3 Define the responsibilities and decision making requirements of the post.
- 4 Can the job be filled internally?
- 5 Choose Job Advert media
 - 1 Newspaper advertisements
 - 2 Job Centre
 - 3 Asking current employees if they know anyone
 - 4 Agencies
- 6 Choose method of gathering information from candidates:
 - 1 Application forms
 - 2 CV's
 - 3 Skills tests
 - 4 Referees
- 7 Information to be sent to Applicants:
 - 1 Application Form – if appropriate
 - 2 Equal Opportunities Policy and Procedure
 - 3 Job Description
 - 4 Person Specification
 - 5 Equal Opportunities Policy and Procedure
- 8 Choose method of assessment.

Informal interview	Name of Manager responsible -
Formal interview	Name of Manager responsible -
Assessment Centre	Name of Manager responsible -
Trial work period	Name of Manager responsible –

- 9 Assessment Criteria are based exclusively upon the specific Job Description for the post. The Job Description Criteria are ranked in order of priority and weighted. Individuals are then given a score against each of these criteria. The Candidate with the highest score is the most successful.

- 10 Information to be sent to successful applicant:
 - 1 Letter of appointment
 - 2 Health questionnaire
 - 3 Request for referees
 - 4 Personal details and contact details
 - 5 Bank details

- 11 Documents to be issued to New Recruit at Induction
 - 1 Written terms and conditions of employment – contract and staff handbook.
 - 3 Health and Safety Policy and procedure.
 - 4 Job Description.

Appendix 2 – Induction checklist

	YES/NO
Have you explained the profile of the organisation and identified key posts and people?	
Have you provided a copy of the Job Description?	
Have you provided written terms and conditions of employment and ensure that the employee fully understands them?	
Have you fully explained the pay arrangements and ensured you have all relevant information; e.g. P45?	
Have you checked entitlement to work in the UK?	
Have you provided Personal Protective Equipment and explained the company's policy and procedure regarding this equipment?	
Have you fully explained the company's Health and Safety procedure?	
Have you fully explained the company's Fire and Evacuation procedure?	
Have you fully explained the company's break procedure and shown them rest facilities / canteens?	
Have you conducted a training needs assessment for the new employee?	
Have you discussed and agreed a training programme for the new recruit?	
Have you discussed the Council's pension scheme?	

Louth Town Council

SICKNESS ABSENCE POLICY

Should you be unwell and unable to come to work, you must comply with the Town Council's sickness absence policy.

1. Purpose and Scope

The purpose of this policy is to ensure that the operational efficiency of the council can be maintained whilst employees are absent from work for sickness or injury related reasons. It also seeks to provide guidance, security and support to employees during periods of ill health.

2. Procedure

Employees who are unable to attend work through sickness, accident or personal circumstances must notify the Town Clerk of the reason for their absence as soon as possible but no later than 12 noon on the working day on which the absence first occurs. If the Town Clerk is unavailable, you should contact the Chairman of the Personnel Committee or the Chairman of the Council who must be briefed on your current workload and any urgent matters that may require attention. If possible, you should give an indication of how long you expect to be absent so that arrangements can be made for cover if required. If the Clerk is unable to attend work, he / she should contact the Chairman of the Personnel Committee or the Chairman of the Council and his / her assistant.

If the absence is for a period of 28 days or less, employees should complete a self-certification form on their return to work. For periods over 28 days (including weekends and bank holidays) a medical Statement of Fitness for Work (fit note) from a GP (or relevant medical establishment) is required. If employees are self-isolating and cannot work because of coronavirus (COVID-19) they can get an 'isolation note' online from NHS 111. They do not have to go to their GP or a hospital.

It is the responsibility of each employee to keep the Town Clerk (or the Chairman of the Personnel Committee or the Chairman of the Council) advised of the circumstances that are preventing them from attending work, of their likely return date, action being taken to mitigate the effect of the illness (e.g. GP / medical appointments) and contact details in case of work-related queries. Employees who are absent from work due to reasons other than sickness / accident are required, wherever possible, to obtain prior permission from the Town Clerk or the Chairman of the Personnel Committee or the Chairman of the Council. Where appropriate, the Personnel Committee will consider each case of absenteeism on its merits and written evidence may be required.

Where the incapacity to work arises from a voluntary action by the employee e.g. cosmetic surgery or organ donation, then sickness absence leave and pay will be entirely at the Council's discretion and employees are strongly advised to discuss such circumstances, in confidence, with the Town Clerk (or the Chairman of the Personnel Committee or the Chairman of the Council) in advance of such a procedure.

Where absenteeism appears unreasonable or unwarranted, employees may be liable for disciplinary action for misconduct. The Town Council reserves the right to make welfare visits to the home of employees whilst they are on sick leave.

Staff members will undertake a “return to work” meeting with the Town Clerk (or the Chairman of the Personnel Committee or the Chairman of the Council) on their day of returning to work after any period of absence. This practice is to ensure that staff members are fit to work; agree a phased return to work (where appropriate); receive work related updates and prioritise workload. In the case of the Town Clerk he / she should meet with the Chairman of the Personnel Committee and the Chairman of the Council at the earliest opportunity.

3. Sickness Payments (SSP)

Sick pay will be paid in accordance with your length of service as outlined in your contract of employment.

Statutory Sick Pay will be paid where applicable at the current rate.

4. Long Term or Frequent Short Term Absence Procedure.

This procedure is designed to outline the process where an employee is absent due to sickness on a long-term or frequent short-term basis. Discussions and investigations will review the employee’s capability or capacity to undertake the work. The aim is to ensure fair treatment for all.

The procedure is non-contractual and does not form part of the terms and conditions of employment with the council. The procedure may be amended from time to time.

4.1 Principles

- a) Sickness absence issues will be dealt with sympathetically and sensitively, whilst also recognising the requirements of the Council and the impact of the absence on others.
- b) The Clerk (or, in the case of the Town Clerk, the Chairman of the Personnel Committee or the Chairman of the Council) will maintain periodic contact during the period of sickness absence.
- c) A full review, normally including medical reports, may be undertaken in each case.
- d) All periods of sickness absence (after the first 28 days ((self-certification period)) must be certificated by a medical practitioner (“fit note”) and in some cases the employer may request certification for periods of absence of less than 28 days, in which case it will pay the appropriate fee to the medical practitioner issuing the certificate.

- e) The employee will be consulted at each stage of the procedure, to establish the true medical position and in order that the situation can be reviewed in full.
- f) The employee will be advised if their employment may be at risk (where appropriate).
- g) Throughout the procedure, discussions should take place on any reasonable adjustments that might be considered, to enable the employee to return to work.
- h) Where possible, appropriate assistance will be provided to help the employee to return to work.
- i) In cases of long-term ill health, the Town Council will, where possible, hold employment open for up to two years.
- j) In all cases before taking a decision to terminate an employee's contract on grounds of ill health, the council will take into account:
 - any representations from employees, including additional medical information;
 - the employee's length of service;
 - the employee's most recent health situation and the likelihood of an improvement in attendance;
 - whether it is possible to hold the job open for longer and the effect of past and future absences on the Council;
 - the availability of suitable alternative work or working hours;
 - any other reasonable adjustments which could be reasonably expected to facilitate the return;
 - the impact of the Equality Act 2010 on the particular case, and whether this may have a bearing on the actions to be taken.
- k) The employee will be informed of the right of appeal against any decision taken to terminate his or her contract of employment.
- l) At all formal stages of the procedure, the employee may be accompanied by a colleague or trade union representative.
- m) Where it is clear early on that the employee will not be well enough to return to work, and after consultation with the employee, the employee's contract may be terminated prior to stage 3 of the procedure, but not before the employee's sick pay has expired.
- n) Where there is reason to believe that the employee is absent due to misconduct rather than genuine sickness, the matter will be dealt with as a disciplinary matter under the disciplinary procedure.

4.2 Informal Meeting

Absence levels will generally start to be of concern to the Town Clerk (or, in the case of the Town Clerk, the Chairman of the Personnel Committee or the Chairman of the Council) at the following trigger points:

- 10 absences in a 12 week period;
- 20 days intermittent absence over the past 12 months;
- 4 or more weeks continuously off sick.

Where this is the case, the Town Clerk (or, in the case of the Town Clerk, the Chairman of the Personnel Committee or the Chairman of the Council) will normally discuss absence levels with the employee.

The aim will be to encourage the employee to understand the Town Clerk's concerns and to agree ways, if possible, of improving the situation. If the employee has been off sick continuously, or if there appears to be an underlying health problem, the council shall have the right at any time to require the employee to submit to examination by an independent medical practitioner selected by the council, to obtain a confidential report on your condition from such practitioner and to discuss with such practitioner the findings of his/her examination and his/her prognosis of your likely recovery and or fitness to resume work and any recommended treatment.

4.3 The Procedure

a) Stage One: **First Formal Meeting**

A first formal meeting will be arranged where:

- in the case of long term sickness absence, there is no clear date of return;
- in the case of frequent short term sickness absence, there has been no improvement in the weeks subsequent to the informal meeting.

The Chairman of the Personnel Committee (in consultation with the Chairman of the Council) will notify the employee in writing of the meeting to discuss the employee's sickness absence. The employee will be advised of the concerns and that this is the first formal stage of the procedure. He or she will be advised of the right to be accompanied by a colleague or trade union representative and will be given the opportunity to state his or her point of view.

Medical reports may normally be reviewed to assess whether there is any underlying health problem, and if so, what this is. Alternatively, permission to access medical records may be sought at this meeting.

There will be a discussion on ways to assist the employee to return to work, where appropriate.

Unless there is a clear date for return (e.g. in the case of a broken limb), the Chairman of the Personnel Committee (in consultation with the Chairman of the Council) should advise the employee that employment cannot be held open indefinitely and will state that there will normally be two further meetings, after which the employee's contract may need to be terminated on grounds of capability (using official Town Council approved wording / stationery).

The issues discussed at the meeting will be recorded and a date set for a second formal meeting.

b) **Stage Two: Second Formal Meeting**

The employee will be informed in advance of the meeting in writing and advised that he / she may be accompanied by a colleague or union representative. At the meeting the employee's absence will be reviewed. Medical reports will be reviewed again where appropriate.

An up-to-date medical report will normally be sought prior to the second formal meeting; the report will be discussed at the meeting. If at the second formal meeting, the employee's absence is still a cause for concern, the chairman of the staffing committee should advise the employee that there will be one further meeting, after which the employee's contract may need to be terminated on grounds of capability. The issues discussed at the meeting will be recorded and a date set for a third formal meeting.

c) **Stage Three: Third Formal Meeting**

The employee will be informed of the meeting in writing and advised of his / her right to be accompanied by a colleague or union representative. The meeting will be held with the Personnel Committee and the Chairman of the Council. A letter will advise the employee that it is possible that termination of employment on the grounds of ill health may be an outcome of the meeting, but that the employee will have the opportunity to state his / her point of view, which will be fully considered.

Medical information should again be reviewed at this meeting. The employee's absence should be discussed again. An up-to-date medical report will be sought prior to the third formal meeting and the employee should be asked for his or her views. The report will be discussed at the meeting. Where there is any lack of clarity, or a dispute on the medical information, a second, independent medical report may be sought.

If absence levels have not reduced at this stage and if the Personnel Committee believes, on an assessment of medical information and after discussion with the employee, that there is no likelihood of improvement in the foreseeable future, the employee's contract will be terminated on the grounds of capability. Before taking this step, the Personnel committee must consider again, and discuss with the employee, whether any reasonable adjustments might be made, to enable the employee to return to work.

If a decision to terminate employment is taken, the employee will be provided, soon afterwards, with a letter outlining the reasons for the termination of his / her contract, the date on which the contract will terminate, and details of the right of appeal.

d) Appeal

If the employee wishes to appeal against the decision to terminate employment, he / she should write to the Town Clerk (or, in the case of the Town Clerk, the Chairman of the Personnel Committee or the Chairman of the Council), giving reasons for the appeal.

This appeal must be made within ten working days of the date of the letter confirming termination of employment.

The employee will have the right to be accompanied by a colleague or union representative at the meeting, which will be held without unreasonable delay.

The employee will be given the opportunity to state his or her point of view at the meeting.

The termination date of employment may be delayed in order for the appeal hearing to take place.

The Council's decision will be final.

Louth Town Council

Use of Council Email/Internet Policy and Procedure

The use of the Internet is now an essential and commonplace tool for most Employees. Those who use the internet have a responsibility to do so in a professional manner. To assist with this we are issuing the following guidelines which you are asked to read and comply with:

The Council reserves the right to access and monitor any or all areas of any computer and computer software systems which it owns (including email boxes and messages and telephone calls) from time to time for business reasons and training purposes. You should not therefore assume that any information held on the computer is private and confidential to you.

Email

Your Council email address can receive emails from anyone connected to the Internet. Used correctly it is a facility that is of assistance. Inappropriate use however may cause many problems including distractions, distress to others, time wasting and legal claims.

Staff and Councillors should ensure that your correspondents know that they should not send you “humorous” or illegal attachments such as pictures or executable programs. Personal emails should not be received to your Council email address. Anyone found with offensive or pornographic material on his or her Council email account or computer will be subject to investigation, which for employees could result in disciplinary action and dismissal for gross misconduct. Councillors will be reported to the Monitoring Officer.

If you receive an email from an unknown source, or “junk” email you should delete this from your system immediately without opening it as it may contain a virus.

Emails may contain file attachments. These should not be opened unless they are received from a trusted source, i.e. from another known Council, employee or representative. If in doubt ask your line manager.

If you receive a suspicious email from a council email address, please contact the Town Clerk before replying to it.

Emails to customers, suppliers and other business contacts should be restricted to Council business. Confidential information about or relating to the business of the Council, its customers, suppliers or contacts should not be transmitted outside the Council via email unless done so in the course of business. You should ensure there is no infringement of copyright when adding attachments to emails. Confidential information should not be left on display on an unattended device.

You should be aware that deleted emails will remain held on the system for some time and will be accessible from back up if required for investigation of complaints of systems abuse.

You must not distribute sensitive commercial data concerning the Council to competitive sources. Doing so may result in investigation and for employees disciplinary action leading to dismissal without notice for gross misconduct.

Guidance for appropriate use

Email is a non-secure medium and care should be taken when composing, sending and storing messages.

Email should be regarded in the same way as any other business communication and should be treated as a Council record. You should adopt a style and content for email, in particular those sent to external recipients that present a professional image. It is recommended that you adopt the same standards for email as for letters and memos, although the style may be more informal.

Confidential information about or relating to the business of the Council, its customers, prospects, suppliers or contacts should not be transmitted outside the Council via email unless done so in the course of business and sufficient steps are taken to safeguard security.

Everyone must take reasonable steps to guard against unauthorised access to, alteration, accidental loss, disclosure or destruction of data.

Inappropriate use

You must not send internally or externally or obtain material (whether in the form of text or images) which is libellous or defamatory, illegal, obscene, sexually explicit, bullying, discriminatory or disparaging of others particularly in respect of their race, national origins, sex, sexual orientation, age, disability, religious or political beliefs.

You are reminded that material that you find acceptable might be offensive to others. It is recommended that you take care and give sufficient thought to what you send. Messages can be misconstrued and should not become a substitute for "one to one" conversations. You should not send humorous material to anyone. It can frequently be misunderstood or cause offence.

Examples of inappropriate use include, but are not limited to:

1. Sending, receiving, downloading or displaying or disseminating material that insults, causes offence or harasses others.
2. Accessing pornographic, racist or other inappropriate or unlawful material.
3. Engaging in on-line chat rooms, on-line gambling sites, social networking sites or blogging.
4. Forwarding electronic chain letters or similar material.
5. Downloading or disseminating copyright materials.
6. Transmitting confidential information about the Council or its customers externally and not in the course of the Council's business.
7. Downloading or playing computer games.
8. Copying or downloading software.

Serious instances of inappropriate use may be considered gross misconduct and lead to investigation or in the case of employees, dismissal.

Internet access

Internet access is granted for business reasons only during working hours. Usage is limited to work related activities. The availability and variety of information on the Internet has meant that it can be used to obtain material considered to be offensive. Anyone found to have used the Internet to access and/or distribute any kind of offensive material, or non-related employment issues, are liable to disciplinary action which could lead to dismissal.

Under no circumstances must users download executable (i.e., programmes) files without the consent of your Line Manager.

If you wish to use the Internet out of office hours for personal purposes, please contact your Line Manager who will be able to grant you access and explain how to use this facility, if appropriate.

Anyone believed to have been visiting pornographic sites, downloading or circulating pornographic material will be subject to disciplinary action. Offences of this nature may be considered gross misconduct and lead to your dismissal, and if necessary, the police will be informed.

Please note that the main servers maintain a record of Internet access by user and these will be monitored as necessary and results forwarded to line managers and the police, if appropriate.