

To: Personnel Committee – 7th December 2016

By: Chief Executive

Subject: Report on matters relating to Personnel.

Recommendation: that the report of the Chief Executive is noted for information

(a) Introduction

Due to months of continued issues with personnel it was deemed difficult to hold a personnel committee meeting as many matters were subject to confidentiality and were ongoing. With the continued public rumour and speculation it has been challenging for the Council to conduct confidential matters as this is seen to be not transparent. The committee is reminded that the Council has a legal obligation to keep all staffing matters confidential at all times.

(b) Grievance Complaints

A series of grievance complaints had been received by the Council following performance management issues amongst staff. All but one of these grievances has been formally resolved; either by committee, by the staff withdrawing or staff resigning. Following several allegations made during this process one member of staff remains on suspension whilst a full investigation is undertaken.

There is a tribunal case pending against the Council set in place by the [REDACTED]. The initial hearing has taken place and the case is set to be heard in June 2017.

The resignation of several staff during this period of unrest has left the Council under staffed and a review of roles and responsibilities is recommended in January 2017 to relieve the pressure from the current workforce.

(c) Disclosure of Settlement Details

Following the unauthorised disclosure of a settlement agreement amount by several members of staff within the Council a County Court Case is now pending against Swanley Town Council. The claimant, an ex-staff member, is attempting to claim damages against the Council for this disclosure as it is in breach of the confidential terms of the agreement. The staff that breached the settlement agreement this have since left the Council. The Council is defending its position as the Clerk has clear evidence of informing the initial member of staff about the confidentiality and the disclosure appears to be a wilful act against the Council.

Witnesses in support of the claimant's case include two former Labour Councillors, which may create a perception of further political interference in staffing matters.

(d) Town Clerk Position

The Town Clerk tendered resignation in October and the Personnel Sub Committee, Cllrs V Southern, R Morris and L Dyball, including Cllr M Hogg, interviewed and appointed a new Town Clerk. The appointment of Mr Steve Nash as Town Clerk has been taken under delegated authority of the Personnel Sub Committee. It is asked that the Personnel Committee verify this appointment with the sub-committee for ultimate transparency.

The Council wish to welcome Mr Nash to the post. A series of handover meetings is being held with the existing Town Clerk to ensure a clear and smooth transition.

(e) Olympic Consultation

At Full Council in November it was decided that the operating costs of the Olympic bar/restaurant far outweighed the running of this part of the venue. It was decided for a consultation to begin with staff regarding this. The process for this is laid out for Local Councils and the process has been followed correctly and legally. Despite this the GMB union has made a public disclosure of the consultation and made several allegations concerning the process and the staff involved. The staff at the Olympic have lodged a complaint concerning the lack of support and assistance by the Union, and by the incorrect information being published as they feel that this has affected their customer base and the venue again has seen a drop in business.

A statement has been published to make clear to the public that the venue is not closing however customers continue to lack confidence in the venue or the Council due to the various report being published online and in newspapers.

It is anticipated at this point that there may be up to two compulsory redundancies, however at the writing of this report the consultation is still in process.

The Council are to be assured that the correct processes and procedures are being followed and the staff are being supported.

The results of the consultation remain confidential until the staff involved have been briefed, they have applied for the vacancies that they are interested in and they have been told of their positions. The Council ask that confidentiality is maintained by councillors to protect all those involved.

Julie Pilbeam
Chief Executive