



Little Braxted Parish Council

You are summoned to attend the Meeting of Little Braxted Parish Council to be held at the Braxted Bakery, Witham Road, on Tuesday 13th January 2026 at 7.00 p.m.

Gordon Mussett
Parish Clerk
7th January 2025

AGENDA

- 1. Apologies for absence**
To receive apologies for absence
- 2. Declarations of Interest**
For Members to declare any interests in matters on the agenda
- 3. To Consider any requests from Members for Dispensations**
To consider any requests from Members with pecuniary interests for dispensations to enable them to participate on the item in which they have a pecuniary interest
- 4. To Agree and Approve the Minutes of the Meeting held 11th November 2025**
To agree and approve the minutes of the meeting held on 11th November 2025 as a true record
- 5. To Invite Members of the Public to speak on Matters Regarding and Affecting the Parish**
- 6. To receive financial statements as of November (attached) and December 2025 (to follow)**
To receive financial statements as of November (attached) and December 2025 (to follow)
- 7. To Review the Corporate Risks to the Council – attached**
To review the corporate risks to the Council
- 8. To Review the Council's Risks – circulated separately**
To review the Council's risks
- 9. To Consider the Draft Budget for 2026/27 and Agree the Precept Demand – Attached**
To consider the draft budget for 2026/27 and agree the precept demand

10. To Adopt the Revised Disciplinary Policy as Recommended by the National Association of Local Councils – Attached

To adopt the revised Disciplinary Policy as recommended by the National Association of Local Councils

11. To Agree to Erect Two Signs Warning of Use of CCTV and ANPR in Witham Road – attached

To agree to erect two signs warning of use of CCTV and ANPR in Witham Road

12. To Approve the Following Payments

To approve following payments

Document Reference	Payable To	In Respect of	£	
947	J Aldis	Grounds Maintenance War Memorial	£360.00	Open Spaces Act 1906
948	J Aldis	Grounds Maintenance Village Green	£550.00	Open Spaces Act 1906
949	Lexus	Charles Arnold Baker 14 th Edition	£180.00	LGA 1972 s112(1) & s112(2)
950	FirstAid4Less	Defibrillator Pads	£334.92	LGA 1972, s.144
951	H Bendall	Litterpicking December	£107.75	LGA 1972, s.144
952	G N Mussett	Clerk's Salary December	£175.47	LGA 1972 s112(1) & s112(2)
953	HMRC	Tax/NI	£164.00	LGA 1972 s112(1) & s112(2)
954	G N Mussett	Clerk's Salary January		LGA 1972 s112(1) & s112(2)
955	H Bendall	Litterpicking January		LGA 1972, s.144

13. Clerks Report – for Information

14. Closure

ITEM 6

Bank Reconciliation to 30th November 2025

Income

Date	Document reference	From	In Respect of	General Administration £	War Memorial £	Other £	VAT £	Total £
07/04/2025		HMRC	VAT Refund				£ 477.04	£ 477.04
10/04/2025		Maldon District Council	Precept	£ 5,100.00				£ 5,100.00
16/05/2025		Essex Community Foundation	War Memorial Grant		£ 3,800.00			£ 3,800.00
13/11/2025		Great Braxted Parish Council			£ 67.19	£ 28.04		£ 95.23
Total for Year				£ 5,100.00	£ 3,867.19	£ 28.04	£ 477.04	£ 9,472.27

Expenditure

Date	Cheque No	Invoice Reference	Payable To	In Respect of	Clerk's Salary £	Elections £	Subscriptions £	Audit Fees £	Insurance £	War Memorial £	Information Commissioner £	Fete	Litter Picking £	Other £	Total Net of VAT £	VAT £	Total £
06/05/2025	909		Information Commissioner	Data Protection Registration										£ 52.00	£ 52.00		£ 52.00
06/05/2025	910		Maldon District Council	Speed Checks										£ 95.56	£ 95.56	£ 19.11	£ 114.67
06/05/2025	911		G N Mussett	Clerk's Salary	£ 170.11										£ 170.11		£ 170.11
06/05/2025	912		H Bendall	Litterpicking									£ 75.73		£ 75.73		£ 75.73
06/05/2025	913		EALC	Annual Subscription			£ 76.54								£ 76.54		£ 76.54
06/05/2025	914		SALC	Internal Audit Fee				£ 183.00							£ 183.00	£ 36.60	£ 219.60
05/06/2025	915		Clear Councils	Insurance					£ 479.87						£ 479.87		£ 479.87
05/06/2025	916		McAfee	Anti-virus										£ 109.99	£ 109.99		£ 109.99
05/06/2025	917		H Bendall	Litterpicking									£ 94.56		£ 94.56		£ 94.56
05/06/2025	918		G N Mussett	Clerk's Salary	£ 170.11										£ 170.11		£ 170.11
05/06/2025	919		IMI	Cleaning War Memorial						£ 2,753.50					£ 2,753.50	£ 550.70	£ 3,304.20
05/06/2025	920		Elan City	Maintenance of VAS Signs										£ 224.62	£ 224.62	£ 44.92	£ 269.54
05/06/2025	921		G S Howards Transport	Road Bells						£ 1,150.00					£ 1,150.00	£ 230.00	£ 1,380.00

922	Screwfix	Litter sacks									£ 18.97		£ 18.97	£ 3.80	£ 22.77
923	G N Mussett	Clerk's Salary	£ 170.11										£ 170.11		£ 170.11
924	H Bendall	Litterpicking									£ 85.93		£ 85.93		£ 85.93
925	G N Mussett	Clerk's Salary	£ 170.11										£ 170.11		£ 170.11
926	CANCELLED												£ -		£ -
927	H Bendall	Litterpicking									£ 85.93		£ 85.93		£ 85.93
928	HMRC	Tax/NI	£ 127.20								£ 51.00		£ 178.20		£ 178.20
929	Maldon District Council	Speed Checks										£ 97.29	£ 97.29	£ 19.46	£ 116.75
930	H Bendall	Litterpicking									£ 98.61		£ 98.61		£ 98.61
931	G N Mussett	Clerk's Salary	£ 197.11										£ 197.11		£ 197.11
932	CANCELLED												£ -		£ -
933	G N Mussett	Clerk's Salary	£ 175.47										£ 175.47		£ 175.47
934	H Bendall	Litterpicking									£ 107.75		£ 107.75		£ 107.75
935	Maldon District Council	Speed Checks										£ 97.29	£ 97.29		£ 97.29
936	H Bendall	Litterpicking									£ 88.36		£ 88.36		£ 88.36
937	G N Mussett	Clerk's Salary	£ 175.47										£ 175.47		£ 175.47
938	HMRC	NI/PAYE	£ 136.80								£ 33.20		£ 170.00		£ 170.00
939	Community Action Suffolk	Website Hosting										£ 55.00	£ 55.00	£ 11.00	£ 66.00
940	Community Action Suffolk	Domain Name Renewal										£ 45.83	£ 45.83	£ 9.17	£ 55.00
941	Community Action Suffolk	Mailbox										£ 22.50	£ 22.50	£ 4.50	£ 27.00
942	Maldon District Council	Road Closure Notice										£ 180.31	£ 180.31	£ 36.06	£ 216.37
943	H Bendall	Litterpicking									£ 88.36		£ 88.36		£ 88.36
944	G N Mussett	Clerk's Salary	£ 175.47										£ 175.47		£ 175.47
945	Amazon	Printer Ink										£ 54.72	£ 54.72	£ 4.99	£ 59.71
946	Royal British Legion	Wreath										£ 25.00	£ 25.00		£ 25.00
			£ 1,667.96	£ -	£ 76.54	£ 183.00	£ 479.87	£ 3,903.50	£ -	£ -	£ 828.40	£ 1,060.11	£ 8,199.38	£ 970.31	£ 9,169.69

Budgetary Analysis

BUDGET ANALYSIS						
2025/2026						
	Budget		Figures are net of VAT			
Item	£	Income £	Expenditure £	Income	%age Budget Spe	Notes
Clerk's Salary	£ 2,650.00		£ 1,667.96		62.9%	
Subscriptions	£ 80.00		£ 76.54		95.7%	
Audit Fees	£ 250.00		£ 183.00		73.2%	
Insurance	£ 390.00		£ 479.87		123.0%	
War Memorial	£ 450.00		£ 3,903.50	£ 3,867.19	8.1%	
Information Commissioner	£ 40.00		£ 52.00		11.6%	
Grass Cutting	£ 550.00				#REF!	
Hall Hire	£ 180.00				0.0%	
Transparency Fund					#DIV/0!	Restricted funds
Other	£ 400.00		£ 54.72		13.7%	
Election Fees	£ 25.00				0.0%	
Remembrance Day Parade	£ 130.00		£ 205.31	£ 28.04	157.9%	
Litterpicking	£ 1,300.00		£ 828.40		63.7%	Restricted funds
Defibrillator					#DIV/0!	Restricted funds
Precept					#DIV/0!	
Neighbourhood Watch Meetings						Restricted funds
McAfee Subscription	£ 100.00		£ 109.99		110.0%	
Website/Email	£ 200.00		£ 123.33		61.7%	
VAS Signs			£ 224.62			
Speed Checks	£ 350.00		£ 290.14		82.9%	
Replacement Laptop						Restricted funds
VAT Refund				£ 477.04	#DIV/0!	
Dog Bin						
Totals net of VAT	£ 7,095.00	£ -	£ 8,199.38	£ 4,372.27		

Bank Statement



MG 007595 F1V1983A 709F30G4K00038 36300 A 22003

THE OFFICIALS
LITTLE BRAXTED PARISH COUNCIL
25 EBENEZER CLOSE
WITHAM
CM8 2HX



LITTLE BRAXTED PARISH
COUNCIL

Sort Code 20-97-40
Account No 20189405

SWIFTBIC BUKGB22
IBAN GB53 BUKB 2097 4020 1894 05

Issued on 01 December 2025

1/2

Your Community Account

At a glance

Date	Description	Money out £	Money in £	Balance £
1 Nov	Start Balance			7,526.95
13 Nov	Giro Direct Credit From Great Braxted Pari Ref: Gbpc		95.23	7,622.18
14 Nov	Cheque Issued Ref: 100937	175.47		7,446.71
	Cheque Issued Ref: 100938	170.00		7,276.71
	Cheque Issued Ref: 100942	216.37		7,060.34
	Cheque Issued Ref: 100944	175.47		6,884.87
24 Nov	Cheque Issued Ref: 100935	97.29		6,787.58
	Cheque Issued Ref: 100939	66.00		6,721.58
	Cheque Issued Ref: 100943	88.36		6,633.22
	Cheque Issued Ref: 100945	59.71		6,573.51
28 Nov	Balance carried forward			6,573.51
	Total Payments/Receipts	1,048.67	95.23	

Anything wrong? If you notice any incorrect or unusual transactions, see the next page for how to get in touch with us.

01 - 28 Nov 2025

Start balance	£7,526.95
Money out	£1,048.67
▶ Commission charges	£0.00
Money in	£95.23
▶ Gross interest earned	£0.00
End balance	£6,573.51

Your deposit is eligible for protection by the Financial Services Compensation Scheme.

BANK RECONCILIATION	
As at 31/3/25	
Represented by	
Barclays Bank	
Total	£ 6,170.13
Plus unpresented cheques	£ -
Less Uncashed Cheques	-£ 94.56
Total	£ 6,075.57
Add Income for year	£ 9,472.27
Less Expenditure for year	£ 9,169.69
Total	£ 6,378.15
As at 30/11/25	
Represented by	
Barclays Bank	£ 6,573.51
Total	£ 6,573.51
Plus unpresented cheques	-£ 195.36
Less Uncashed Cheques	
Total	£ 6,378.15

19458 00001 F1V1983A 1 of 2

ITEM 7

The council's audit and governance regime requires that it reviews its risk management procedures on a yearly basis.

Areas where we use insurance to help us manage risks

Examples of Risk

- The protection of physical assets
- The risk of damage to third party property or individuals as a consequence of the council providing services or amenities to the public
- Loss of cash through theft or dishonesty
- Legal liability as a consequence of asset ownership

Internal controls	Action by the Council
Maintaining an up to date asset register	Asset register being reviewed and updated
Fidelity guarantee	Insurance reviewed annually
Regular maintenance arrangements for physical assets	Appropriate budget
Annual review of risk and adequacy of insurance cover by RFO	Bring risk assessment to council and review insurance in June
Ensure robustness of insurance provider	Monitor and take advice from EALC
Internal audit assurance	
Review internal controls by internal auditor	IA to cover
Review management arrangements for insurance	IA to cover
Spot test specific internal controls	IA to cover

Areas where we can work with others to manage risk

Examples of Risk

- Security of vulnerable amenities or equipment
- Maintenance of vulnerable amenities or equipment
- Banking arrangements
- Ad hoc provision of amenities
- Quality assurance of Professional services

Internal Controls	Action by the Council
Standing orders and financial regulations dealing with award of contracts and purchase of capital	Standing orders and Financial Regulations adopted specifying equipment process
Regular reporting on performance by suppliers/providers/contractors	Identify suppliers and bring to council where necessary
Annual review of contracts	Council to schedule in meetings
Regular scrutiny of performance against targets	RFO to consider on agenda
Adoption of and adherence to codes of practice for procurement and investment	Financial regs adopted and reviewed annually to ensure they match current best practice
Arrangements to detect and deter fraud and corruption	IA to comment on process
Regular bank reconciliation, independently viewed	Council to oversee. IA to comment on process
Internal audit assurance	
Review of internal controls in place and their documentation	IA to report to Council

Areas where we can self-manage risk

Internal Controls	Action by the Council
Regular scrutiny of financial records and proper arrangements for the approval of expenditure	Improved review of budget control and expenditure by Council
Recording in minutes the precise powers under which expenditure is being approved	Clerk to implement for all new expenditure as part of budget process. . All councillors to note
Regular returns to HMRC	Council to check monthly payroll report
Contracts for all staff, annually reviewed by the council	Clerk to review and complete
Systems for recording any relevant changes in legislation	Clerk to review
Regular VAT analysis	Clerk to review
Regular budget monitoring statements	Clerk has reviewed way information is presented to Council
Procedures for monitoring grants or loans made or received	Council receive financial reports
Minutes properly numbered and paginated with a master copy in safe keeping	Numbering adopted from 2015. Master copy held securely and deposited with Essex Record Office after two years.
Adoption of code of conduct for members	Council has adopted Code
Safe operating practices of staff	Clerk to ensure proper risk management and training for all staff

Internal Audit Assurance	
Review of internal controls in place and their documentation	IA to note and include in report to council
Review of minutes to ensure legal powers in place, recorded and correctly applied	IA to note and include in report to council
Testing of income and expenditure from minutes to cashbook, from bank statements to cash book, from minutes to statements etc	IA to note and include in report to council
Review and testing of arrangements to prevent and detect fraud and corruption	IA to note and include in report to council
Testing of disclosures	IA to note and include in report to council
Testing of specific internal controls and reporting findings to management	IA to note and include in report to council

Members are required to note and amend these governance arrangements as necessary.

ITEM 8

To Review the Council's Risks

The Council uses the Local Council Risk System to identify and control its risks, which have remained the same, both in number and the level of risk, for some years. A copy of the assessment and the control measures has been circulated as a separate document to the agenda.

Members are required to note and amend these risk assessments and control measures as necessary.

ITEM 9

To Consider the Draft Budget for 2026/27 and Agree the Precept Demand

The draft budget includes provision for a renewal of the Parish Plan, which is now some ten years old. The cost of this exercise, involving a village “fete” to both help shape the questions to be asked, and some further event following analysis of the returns, is part-funded by a grant from Maldon District Council and (hopefully) a matching grant from the Essex Community Foundation, with a small contribution from this Council.

With inflation seemingly reducing again, wage awards are expected to reduce to below 5%. The Council has entered into a three-year insurance agreement, which leaves other costs as a minimal part of the Council’s expenditure.

The number of Band D equivalent properties has remained unchanged at 82.1, although this can be expected to increase in 2027/28 if recent planning approvals are completed.

Based on this the recommendation is for an annual precept of £5,380 representing a Band D Council Tax of £67.25, a 5.5% increase from 2025/26.

Item	2016/17	2017/18	Budget 2018/19	Budget 2019/20	Budget 2020/21	Budget 2021/22	Budget 2022/23	Budget 2023/24	Budget 2024/25	Budget 2025/26	Draft Budget 2026/27
Clerk's Salary	£ 1,809.00	£ 1,900.00	£ 1,849.65	£ 1,900.00	£ 2,000.00	£ 2,288.00	£ 2,350.00	£ 2,350.00	£ 2,625.00	£ 2,650.00	£ 2,736
Subscriptions	£ 60.00	£ 65.00	£ 62.71	£ 65.00	£ 68.00	£ 70.00	£ 75.00	£ 75.00	£ 75.00	£ 80.00	£ 85.00
Audit Fees	£ 88.00	£ 85.00	£ 98.00	£ 105.00	£ 435.00	£ 110.00	£ 125.00	£ 180.00	£ 230.00	£ 250.00	£ 250.00
Insurance	£ 340.00	£ 340.00	£ 303.38	£ 350.00	£ 325.00	£ 317.00	£ 325.00	£ 375.00	£ 375.00	£ 390.00	£ 500.00
Election Fees	£ 15.00	£ 15.00	£ 90.00	£ 90.00	£ 15.00	£ 75.00	£ 15.00	£ 90.00	£ 25.00	£ 25.00	£ 25.00
War Memorial PCSO	£ 250.00	£ 356.00	£ 350.00	£ 375.00	£ 375.00	£ 400.00	£ 600.00	£ 425.00	£ 450.00	£ 450.00	£ 500.00
Information Commissioner	£ 35.00	£ 35.00	£ 40.00	£ 55.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 40.00	£ 52.00
Data Protection Officer				£ -	£ -						
Remembrance Day Wreath	£ 40.00			£ 40.00	£ 25.00	£ 30.00	£ 30.00	£ 30.00	£ 30.00	£ 30.00	£ 30.00
Hall Hire	£ 300.00	£ 300.00	£ 250.00	£ 360.00	£ 360.00	£ 360.00	£ 150.00	£ 150.00	£ 150.00	£ 180.00	£ 180.00
Grass Cutting	£ 360.00	£ 380.00	£ 380.00	£ 400.00	£ 400.00	£ 400.00	£ 410.00	£ 450.00	£ 500.00	£ 550.00	£ 600.00
Remembrance Day Parade	£ 160.00	£ 220.00	£ 164.17	£ 160.00	£ 50.00	£ 70.00	£ 100.00	£ 100.00	£ 140.00	£ 100.00	£ 100.00
Litterpicking	£ 516.00	£ 200.00	£ 697.46	£ 800.00	£ 800.00	£ 800.00	£ 800.00	£ 820.00	£ 1,175.00	£ 1,300.00	£ 1,633.00
Parish Plan	£ 1,115.00										£ 500.00
Jubilee Celebrations/Fete	£ 600.00						£ 2,500.00	£ 250.00			
Transparency Fund	£ 407.00										
Defibrillator	£ 1,406.00								£ 50.00		£ 100.00
Speed Checks/VAS							£ 200.00	£ 250.00	£ 350.00	£ 350.00	£ 700.00
Other	£ 87.00		£ 483.33	£ 200.00	£ 200.00	£ 500.00	£ 400.00	£ 400.00	£ 400.00	£ 400.00	£ 400.00
Website/Email/Computer Software					£ 120.00	£ 50.00	£ 50.00	£ 55.00	£ 240.00	£ 200.00	£ 200.00
GDPR			£ 100.00								
Neighbourhood Watch Meetings			£ 284.69								
McAfee Subscription					£ 80.00	£ 80.00	£ 80.00	£ 85.00	£ 100.00	£ 100.00	£ 100.00
Precept	-£ 3,100.00	-£ 3,125.00	-£ 3,274.00	-£ 3,600.00	-£ 3,950.00	-£ 4,400.00	-£ 4,500.00	-£ 4,775.00	-£ 4,886.00	-£ 5,100.00	-£ 5,380.00
VAT Refund	-£ 55.00	-£ 100.00	-£ 80.00	-£ 180.00	-£ 255.00	-£ 90.00	-£ 120.00	-£ 120.00	-£ 1,300.00	-£ 500.00	-£ 1,000.00
Halifax Interest	£ -										
Gift - S Pulford	£ -										
Litterpicking	-£ 780.00	-£ 200.00	-£ 800.00	-£ 800.00	-£ 800.00	-£ 800.00	-£ 800.00	-£ 820.00	-£ 1,175.00	-£ 1,300.00	-£ 1,633.00
Village Fete	-£ 600.00						-£ 2,500.00				
Parish Plan	-£ 1,500.00										
War Memorial Recharge		-£ 331.00	-£ 350.00	-£ 331.00	-£ 400.00	-£ 400.00	-£ 400.00	-£ 410.00	-£ 430.00	-£ 550.00	-£ 550.00
Transparency Fund											
Defibrillator Grant Prize	-£ 2,000.00										
Totals	- 447.00	140.00	559.39	- 11.00	- 112.00	- 100.00	- 70.00	-	- 836.00	- 355.00	128.24
Figures are NET of VAT which is reclaimable											
Bank Account Balances at end of year	£ 2,668.00	£ 5,390.00	£27,639	£2,577	£5,349	£10,155	£3,630	Est £3,360	Est £6,500	Est £6,900	Est £4,000
Included £1,418 of earmarked funds	Includes £3,752 of earmarked funds	Includes £26,318 of earmarked funds	Includes £1332 of earmarked funds	Includes £3,100 of earmarked funds	Includes £7,193 of earmarked funds	Includes £1,534 of earmarked funds	Includes £590 of earmarked funds	Includes £2,750 of earmarked funds	Includes est £4,300 of earmarked funds	Includes est £1,290 of earmarked funds	
Reserves Net of Earmarked Funds	£ 1,250.00	£ 1,638.00	£ 1,318.00	£ 1,245.00	£2,249	£2,962	£2,095	£2,238	£3,253	£2,780	Est £2,610
Band D Equivalent	83.4	84.1	84	84.8	84.8	85.5	82.2	81.9	80	82.1	82.1
Band D Council Tax	£ 37.17	£ 37.16	£ 38.98	£ 42.45	£ 46.58	£ 51.46	£ 54.74	£ 58.30	£ 61.08	£ 63.75	£ 67.25
			4.89%	8.92%	9.7%	10.5%	6.4%	6.5%	4.8%	4.4%	5.5%

ITEM 10

To Adopt the Revised Disciplinary Policy as Recommended by the National Association of Local Councils

LITTLE BRAXTED PARISH COUNCIL'S DISCIPLINARY POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice.
2. It also takes into account the ACAS guide on discipline and grievances at work.
3. The policy is designed to help council employees improve unsatisfactory conduct and performance in their jobs. Wherever possible, the council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
4. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. This policy confirms:
 - Informal coaching and supervision will be considered, where appropriate, to improve conduct and/or attendance.
 - The council will fully investigate the facts of each case.
 - The council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information, see ACAS Performance Management.
 - Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
 - Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing.
 - Employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.

- The council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.
- If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within seven calendar days of the original meeting date, unless it is unreasonable not to propose a later date.
- Any changes to specified time limits in the council's procedure must be agreed to by the employee and the council.
- Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- Audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- Employees have the right to appeal against any disciplinary decision. The appeal decision is final.
- If an employee who is already subject to the council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- Disciplinary action taken by the council can include a written warning, a final written warning or dismissal.
- This procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- Except for gross misconduct, when an employee may be dismissed without notice, the council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The council will write to the employee to confirm any period of suspension and the reasons for it.
- The council may consider mediation at any stage of the disciplinary procedure where appropriate (for example, where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties.

Examples of misconduct

6. Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct (the list is not exhaustive):

- Unauthorised absence.
- Poor timekeeping.
- Misuse of the council's resources and facilities, including telephone, email and internet.
- Inappropriate behaviour.
- Refusal to follow reasonable instructions.
- Breach of health and safety rules.

Examples of gross misconduct

7. Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct (the list is not exhaustive):

- Bullying, discrimination and harassment.
- Incapacity at work because of alcohol or drugs.
- Violent behaviour.
- Fraud or theft.
- Gross negligence.
- Gross insubordination.
- Serious breaches of council policies and procedures, e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology.
- Serious and deliberate damage to property.
- Use of the internet or email to access pornographic, obscene or offensive material.
- Disclosure of confidential information.

Suspension

8. If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.

9. While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or discuss this matter with any other employee or councillor.

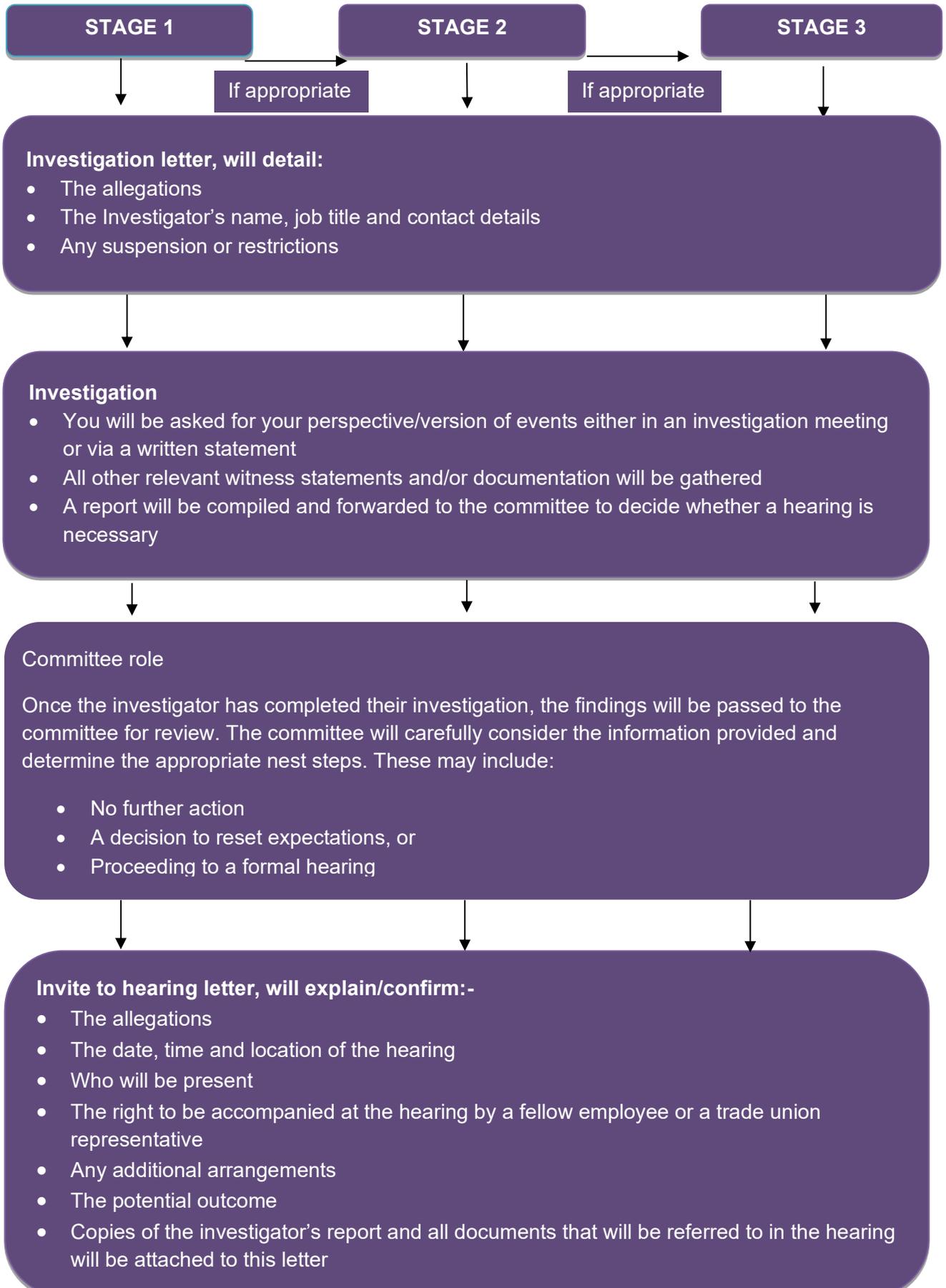
10. The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

11. The following list contains some examples of unsatisfactory work performance (the list is not exhaustive):

- Inadequate application of management instructions/office procedures.
- Inadequate IT skills.
- Unsatisfactory management of staff.
- Unsatisfactory communication skills.

The procedure



The Hearing

- An appropriate level of management will conduct the disciplinary hearing ('the Chair'), and there may also be a note-taker present. In some cases, a Human Resources Partner will also be present
- The Chair will explain the role of all those in attendance, the allegations and go through the evidence that has been gathered
- You will be given the opportunity to respond in full. This will include time to ask questions and present evidence. If you intend to call any witnesses, you must give us advance written notice that you intend to do this
- The Chair will adjourn at the end to consider their decision
- Where possible, the outcome will be given the same day. Where this is not possible, because for example, the Chair requires further time to consider their decision or complete further investigation, you will be informed
- You will be informed of the outcome verbally (either in person or by phone) and then in writing

**Potential outcome:
First Written
warning**

**Potential outcome:
Final Written
warning**

**Potential outcome:
Dismissal (with or
without notice/pay
in lieu of notice)**

Outcome letter will advise:

- The nature of the misconduct that has led to the outcome (including any prior warnings that have been taken into account, if appropriate)
- The action or improvement required
- The timescale for implementing such action (if relevant)
- That this is a first/final written warning and that the next stage may be final written warning/dismissal if there is no sustained improvement or change
- That the warning will remain live for 12 months
- That whilst the warning will not remain active after this time in relation to future disciplinary matters, a record of what has occurred will be kept and may be referred to if relevant
- The right of appeal

Outcome letter will advise:

- The reasons for dismissal
- Any prior warnings that have been taken into account, if appropriate
- The date on which employment will end
- The right of appeal

12. Preliminary enquiries. The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.
13. If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.
14. Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

15. A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
16. If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
 - The allegations or events that the investigation is required to examine.
 - Whether a recommendation is required
 - How the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report.
 - Who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
17. The Investigator will be asked to submit their findings, usually within 35 Calendar days of appointment, where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
18. The Staffing Committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given

sufficient notice of the meeting with the Investigator so that they have a reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the council's disciplinary procedure. The council will also inform the employee that when they meet with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

19. Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
20. If there are other persons (e.g. employees, councillors, members of the public or the council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
21. The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Staffing Committee whether or not disciplinary action should be considered under the policy.
22. The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:
 - The employee has no case to answer, and there should be no further action under the council's disciplinary procedure.
 - The matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally.
 - The employee has a case to answer, and a formal hearing should be convened under the council's disciplinary procedure.
23. The Investigator will submit the report to the staffing committee, which will decide whether there is no case to answer; the matter should be considered informally, or a formal Disciplinary Hearing should be convened. If the Investigator is a member of the Committee making the decision, they should recuse themselves from any formal votes or decision-making regarding their findings as to whether there is a case to answer at a Disciplinary Hearing.
24. If the council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

25. If the Staffing Committee decides that there is a case to answer, it will appoint a staffing sub-committee of three councillors to formally hear the allegations. The staffing sub-committee will appoint a Chair from one of its members. The Investigator shall not sit on the sub-committee. The staffing sub-committee will be given the delegated authority to make a decision in relation to the Disciplinary.

26. No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:

- The names of its chair and the other two members.
- Details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting.
- A copy of the information provided to the sub-committee, which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure.
- The time and place for the meeting. The employee will be given reasonable notice of the hearing so that they have sufficient time to prepare for it.
- Whether witnesses may attend on the employee's and the council's behalf, and if they may, both parties should inform each other of their witnesses' names at least two working days before the meeting.
- The employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

27. The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- The chair will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing.
- The chair will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation).
- The chair will invite the employee to present their account.
- The employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements).
- Any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness.
- The employee (or companion) will have the opportunity to sum up.

28. The chair will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The chair will also notify the employee of the right to appeal the decision in the event that formal action is taken.

29. The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

30. If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning:

31. If the employee's conduct has fallen below acceptable standards, a first written warning will be issued. A first written warning will set out:

- The reason for the written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action.
- The employee's right of appeal.
- That a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning:

32. If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- The reason for the final written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal.
- The employee's right of appeal.
- That a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal:

33. The council may dismiss:

- For gross misconduct.
- If there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning.
- If another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

34. The council will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal:

35. An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the council within seven calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.
36. The grounds for appeal include:
 - A failure by the council to follow its disciplinary policy.
 - The sub-committee did not support the sub-committee's disciplinary decision.
 - The disciplinary action was too severe in the circumstances of the case.
 - New evidence has come to light since the disciplinary meeting.
37. Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3 members of the council who may include members of the staff committee. The appeal panel will appoint a chair from one of its members.
38. The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
39. At the appeal meeting, the chair will:
 - Introduce the panel members to the employee.
 - Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision.
 - Explain the action that the appeal panel may take.
40. The employee (or companion) will be asked to explain the grounds for appeal.
41. The chair will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
42. The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained in the employee's personnel file.
43. If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
44. The appeal panel's decision is final.

Members are recommended to adopt this policy

ITEM 11

To Agree to Erect Two Signs Warning of Use of CCTV and ANPR in Witham Road

At the meeting of the Council in November it was agreed to investigate providing signs in Witham Road warning that CCTV and ANPR cameras were in use to deter fly-tipping. The costs of two such signs is approximately £180 plus VAT and they can be mounted on existing posts.

The provision of an actual camera is more difficult and may require further funding, but its need may be diminished by the erection of this signage.

Members are to consider whether to purchase two signs.