**Minutes of the Extraordinary Meeting of the Parish Council held on the Friday 13th September at 6pm at the Village Hall in Millington**

Present Councillors Brookes, Berriman, Cargill, Burton, Cawood, Smith and Burley

Apologies – Councillor Rudd

**2002: Public Participation** –

 None

**2003: Declaration of Interest** –

None

The chair welcomed all councillors to this extraordinary meeting and thanked everyone for giving up their time to attend.

Councillors were informed that the issues raised in the meeting of the 3rd September were now the subject of a formal complaint and that no discussion relating to this will be allowed.

In addition councillors were reminded of the importance of confidentiality in relation to these difficult issues.

**2004: Clarify Clerks Position regarding travel expenses**

Travel Expenses

Councillors were shown a copy of the clerk’s contract and their attention drawn to item 8.1 which details the payment of expenses.

Councillor Burley indicated that she had been present at the meeting in January 2018 when it had been agreed to pay the clerks travelling expenses from her home address and place of work to the venue for meetings which is Millington village hall.

Councillor Cargill also confirmed that she remembered that councillors had agreed to pay the clerks travelling expenses

Several contributions were made to a discussion on this subject which are listed

* That the clerks contract should be checked and that any ambiguity about the payment of travel expenses removed
* A reminder was given to all present of the advice given by ERNLLCA to Councillors Brooks and Berriman in the meeting of the 3rd September.
* That the clerk to the council had been employed with the clear intention of paying expenses and that this practise should continue.

Vote 1

Do Councillors have enough evidence on which to make a decision on the payment of travel expenses to the clerk – all agreed

Vote 2

Do councillors consider that travel expenses should continue to be paid to the clerk.

5 councillors voted in favour.

**2005: Clarification of the Position regarding the Clerks Holiday Pay**

The clerk to the council had taken holiday but not claimed the holiday pay to which she was entitled. This had happened because she was unaware that she could claim holiday pay.

This entitlement to holiday pay is covered both by employment law and the clerks own contract.

The following points were made during discussion.

* The clerk always informed councillors when the office would be closed during the school holidays indicating that she was on holiday.
* It was pointed out to Councillors that the rate per hour claimed by the clerk for holiday pay was higher than the rate listed in her contract. This has since been clarified by the clerk that the hourly rate claimed is £10.77 which is what her contract states. All invoices were calculated using this rate.

Vote 1

Do all councillors agree that records of the clerks holiday pay exist?

All agreed

Vote 2

Do all councillors agree that the clerks requested holiday pay should be paid.

Majority in favour

**2006: Clarification of Clerks Annual Appraisal and Pay Review – Moving Forward**

It was explained that the council should have been completing regular annual appraisals and pay reviews for the clerk which had taken place for the previous clerk..

The Chairman asked for volunteers to restart this process in a sub group, it was agreed that councillors Berriman, Burley and the chairman would undertake this role.

**Bullying and Harassment Policy**

The chairman circulated this policy, which had been adopted by the council, to all present

The chairman did not wish to undermine the pending grievance procedure but asked all councillors to read the policy and consider its contents in the light of recent events.

Councillors were reminded that if the clerks complaint is upheld that the parish council may be in breach of our own code of conduct.

**2007: Report of the Chairman on the possible claim against the Council**

The chairman reported that the council maybe the subject of a claim for unfair dismissal, on the conclusion of the complaints procedure with the East Riding of Yorkshire Council, If this claim is launched the council may be liable for costs that could be involved. The following points were of concern.

* The clerk should not have been present at a discussion relating to her pay and conditions
* The parish council should not have withheld holiday pay to the clerk.
* The parish council have not followed its own policies in the way that the meeting of the 3rd September was conducted and so have broken its own code of conduct

The council were given notice that the clerk has requested;

Not to deal with the minutes from this meeting

Not to attend any future meetings at which Councillors Brookes and Berriman are in attendance

Councillors Brookes and Berriman wished to record that they had acted on advice that they had been given by ERNLICCA.

**2008: Clerks Vacancy**

Our clerk has resigned and agreed to work her notice which will finish in December

This vacancy is to be advertised at 4 hours per week and based at home.

The scale point for the vacancy is to be checked with ERNLLCA.

Replies are to be requested by the end of October with interviews by arrangement

At this point Councillors Brooks and Berriman asked what course of action was available to them if they felt aggrieved. They would be entitled to launch a complaint of their own.

**2009: Date and Time of the Next Meeting**

Tuesday 1st October 2019 at 7.30pm in Millington Village Hall