



# WAREHAM

Town Council

Town Hall  
East Street  
Wareham  
Dorset  
BH20 4NS

18 October 2022

To: All Members of the Personnel Committee

**YOU ARE SUMMONED TO ATTEND** an ordinary meeting of the **Personnel Committee** to be held on **25 October 2022** in the Council Chamber, Town Hall, East Street, Wareham at **10:30 hrs** for the purpose of transacting the business set out in the agenda below.

***Please contact the Town Council office on 01929 553006 if you need any further information on this Agenda.***

## **MEMBERS OF Personnel Committee**

Councillor:           D Budd (Chairman)  
                              C Turner (Vice Chairman)  
                              K Critchley  
                              Z Gover  
                              K Green  
                              L Kirk  
                              M Russell

Nicola Gray  
Town Clerk



**PERSONNEL  
COMMITTEE  
AGENDA**

**25 October 2022**

**1. Apologies for absence**

To receive, and consider for acceptance, apologies for absence. (LGA1972 s85)

**2. Declarations of interest**

To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. (Localism Act 2011 s29-34)

**3. Public participation time**

An opportunity for members of the public to raise issues of concern or interest, ask a question or make a statement or present a petition or be part of a deputation. Public participation time will be conducted in accordance with the Council's 'Protocol for Public Participation Time' which is limited to 15 minutes, with no individual speaker exceeding a maximum of three minutes each. (LGA1972 s100)

**4. Confirmation of minutes of previous meeting held on 5 October 2022**

To confirm, as a correct record, the minutes of the previous meeting of the Committee (LGA1972 sch12).

**5. Matters arising from the minutes of the last meeting held on 5 October 2022**

To consider any matters arising from the previous minutes of the Committee.

**6. To Consider the following policies for Recommendation to Council:**

- a) Absence Management Policy
- b) Capability Policy

**7. To Receive an update on the National Pay Award**

**8. Any other items the Chairman deems urgent**

For report, information or for the agenda at the next meeting of the Personnel Committee.

**9. Date of the next meeting**

To note date of next meeting: **17 January 2023 at 10.30.**

**10. Confidential session**

***At the conclusion of this part of the Agenda, the Chairman will move the following resolution:***

*That under Section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the meeting as publicity would be prejudicial to the public interest because of the nature of the business to be transacted.*

- 11. To Receive an update on Overtime, Toil and Flexible staff working**
- 12. To Consider the recruitment of a Street Cleaner/Lengthsman**
- 13. To Consider the need for a Staff Review**



**Minutes of a meeting of the Extraordinary Personnel Committee held on 5 October 2022 in the Council Chamber, Town Hall, East Street, Wareham at 14:00**

**Councillors Present:** Councillors D Budd (Chairman), K Critchley, Z Gover, K Green, L Kirk, M Russell and C Turner (Vice Chairman)

**Officer Present:** N Gray, Town Clerk and RFO

**331. Apologies for absence**

There were no apologies for absence.

**332. Declarations of Interest**

There were no declarations of interest.

**333. Confirmation of the minutes of the Personnel Committee meeting**

It was **Resolved** that the minutes of the Personnel Committee held on 26 September 2022 be accepted as a correct record and be signed by the Chairman.

**334. Matters arising from the minutes of the previous meeting**

There were no matters arising from the minutes of the previous meeting.

**335. To Resolve to exclude members of the press and public - to agree that agenda item 7 be dealt with after the public (including the press) had been excluded as publicity would prejudice the public interest by reason of the confidential nature of the business to be transacted under Public Bodies (Admissions to Meetings) Act 1960.**

It was **RESOLVED** to exclude members of the public and one member of public left the meeting.

**336. To consider the appointment of Deputy Town Clerk**

Members discussed the position of Deputy Town Clerk following the selected candidate declining the offer and considered a number of options.

It was **RESOLVED** that the second candidate interviewed be offered the position at SCP 35 £39,571, with a contractual increment rise upon completion of CiLCA.

**337. Any other items the Chairman deems urgent**

There were no matters deemed urgent.

**338. Date of the next meeting**

To note the date of the next meeting scheduled for **25 October 2022 at 10.30.**

Chairman ..... Date .....



## **WAREHAM TOWN COUNCIL**

# **Absence Management Policy**

## 1. Introduction

The Council is committed to providing effective, high-quality service to all its customers and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short-term sickness or extended periods of absence as appropriate.

### 1.1 Aims

In order for the Council to meet its responsibilities, it will ensure that:

- It provides a supportive environment for those employees affected by ill-health.
- Managers and employees adhere to this policy and procedure; and
- Levels of sickness absence are the subject of routine monitoring.

### 1.2 Responsibilities

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Deputy Town Clerk and Town Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

### 1.3 Reporting

Employees who are unable to work due to illness/injury must contact their line manager, or the Deputy Town Clerk or Town Clerk as soon as possible, or if they are unable to do this themselves, arrange for someone else to do this on their behalf. This should be no later than 09.30 on the first day of absence or the nearest working day. The employee should provide some indication of:

- The nature of the absence.
- The date the injury/illness began (including weekends and holidays).
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If the line manager or neither of the Clerks are unavailable, the employee should ensure that contact is made with the office.

The employee must maintain contact with their line manager, or Deputy Town Clerk or Town Clerk, during any period of sickness absence lasting longer than one day, so that the Deputy Town Clerk or Town Clerk is aware of any progress and the expected date of return to work. If the employee is unable to do so, they must arrange for someone else to do this on their behalf.

Failure to follow the sickness reporting process might lead to the absence from work being considered as unauthorised, resulting in loss of pay and possible disciplinary action.

## **2. Certification**

Where the absence is for a period of up to seven days (inclusive of weekends) and not covered by a doctor's certificate, the employee will be asked to complete a self-certification form on their return to work.

If the absence exceeds seven days – and the employee has not already done so – the employee should provide a doctor's certificate for the remainder of the absence. The employee will need to ensure that there is always a current certificate. The doctor's certificate ('fit note') will include whether or not the employee needs to see a doctor again before returning to work.

If the doctor's certificate states that the employee "may be fit for work", the employee should inform the Deputy Town Clerk or Town Clerk immediately. They will discuss with the employee whether there are any additional measures that may be needed to facilitate the return to work, taking into account the doctor's advice. This may take place at a Return-to-Work Interview or an Absence Review Meeting. If appropriate measures cannot be taken, the employee will remain on sick leave and the Deputy Town Clerk or Town Clerk will set a date to review the situation.

## **3. Return to Work Meetings**

When the employee returns to work after any period of absence, the Deputy Town Clerk or Town Clerk will arrange to meet with them. This meeting will occur on the first day back or as soon as possible. The purpose of this meeting is:

- To provide an opportunity for the Deputy Town Clerk or Town Clerk to check that the employee is fit enough to return to work.
- To give the employee an opportunity to voice any concerns that they may have and/or to identify any domestic, welfare, or work-related problems in an appropriate forum.
- To ensure that the employee is aware of work-related matters that have occurred during their absence; and

- Fill out the Sickness Declaration Form.

## 4. Miscellaneous

It is important that the employee complies with these procedures so that:

- The Council can be aware of any potential problems and provide assistance to the employee where necessary; and
- Any sick pay to which the employee would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality at all times, in accordance with the provisions of prevailing Data Protection legislation. The employee is entitled to access their records on request.

## 5. Underlying Medical Conditions

If at any stage of the Managing Attendance Review Process the employee and/or their manager identifies that their attendance may be affected by an underlying medical condition, the Deputy Town Clerk or Town Clerk will give consideration whether to request that an Occupational Health referral is arranged.

This process would involve gaining the employee's consent to refer them to the Council's Occupational Health advisor. The purpose of this referral would be to obtain independent medical advice on:

- The nature of any underlying/recurrent condition.
- How to support the employee to improve their attendance, e.g., suggestions for reasonable adjustments to the employee's work, which the Council could consider.

Any agreed adjustments should be taken into account when applying the following procedure, which may need to be adapted accordingly.

## 6. Frequent Intermittent Absence

In addition to the Return-to-Work interviews after all periods of absence, the Council will institute a more formal review of attendance records and reasons for absence with an employee if there has been either (a) four episodes of absence or (b) a total of 10 days' short-term sickness absence within any period of 12 months. The relevant manager will arrange a sickness review meeting to meet with any employee whose absence record matches or exceeds the above criteria.

During the meeting, the manager should draw the employee's attention to their poor attendance record and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the employee will be advised that their attendance record will be monitored (over a period of not less than 3 months) and that significant improvement will be required. In addition, employees will be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This will be confirmed in writing.

Return to Work interviews will continue to be carried out following any absences that occur during this monitoring period. These interviews afford the manager the opportunity to remind the employee of the Council's concerns.

If no significant improvement in attendance is demonstrated, a further Sickness Review Meeting will be arranged. The employee will be invited in writing to attend this meeting and will be offered the right to be accompanied by a work colleague or trade union representative. At this meeting, the employee will once again be reminded of the problems caused by the absences and, if this has not already been addressed, they will be asked if they wish to disclose any underlying medical condition or problem of which the manager is unaware. If such a condition is disclosed, the advice in section 5 above should be followed. Where no adjustments to this process have been agreed (e.g., due to an underlying medical condition), the employee will normally be told that their attendance record will be subject to a further period of monitoring (of not less than 3 months) and that their employment may be terminated if the required improvement is not met.

Employees whose levels of attendance improve satisfactorily during periods of informal or formal monitoring will be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring or the initiation of formal action.

Where an employee's attendance has not improved to the required level, an Attendance Hearing will be arranged (see Section 8) to consider whether or not the employee should be dismissed.

## **7. Long-Term Absence**

All cases of long-term absence will be treated sympathetically, and every assistance will be given to the employee to return to work. The Council will maintain contact with the employee and advise them that they should keep the Council informed of developments relating to their medical condition. The Council will hold Sickness Review Meetings with the employee during their absence, as appropriate, to keep up to date, review the on-going absence, and offer support to the employee where appropriate.

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of four weeks might, depending on the nature of the absence in question, be referred to the Council's Occupational Health Physician. Where the Occupational Health Physician makes a recommendation that might affect the employee's continued employment, the relevant manager will hold a Sickness Review Meeting with the employee to discuss the alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

Where a return to work following a period of prolonged absence might be facilitated by temporary redeployment or phased re-introduction (e.g., job sharing or part-time working) an employee can discuss these options with their manager and, if such measures are appropriate, the Council will ensure that the support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

In certain cases, the Occupational Health Physician might find that an employee is unfit to perform a particular job but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

Where an employee remains absent and a return to work is not foreseeable within a reasonable timescale, the Deputy Town Clerk or Town Clerk will arrange a Final Sickness Review meeting (see Section 7), which may lead to an Attendance Hearing (see Section 8) to consider dismissal.

## **8. Final Sickness Review Meeting**

Prior to dismissal being considered for either frequent intermittent absence or long-term absence, the Town Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:

- An employee is declared permanently unfit for work.
- An employee is declared medically unfit for their work and alternative employment cannot be found.
- A decision has been taken that the service can no longer tolerate a high level of absence; or
- A decision is taken, within the Council's disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions or absented themselves without permission.

## **9. Attendance Hearing**

To reach a decision about whether dismissal is appropriate, an Attendance Hearing will be arranged. The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Hearing Panel will be comprised of three members of the Personnel Committee, who will make the decision. The Town Clerk or relevant manager will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing to all parties attending.

Once the Panel has considered the manager's and employee's cases, and all other relevant information, it will adjourn to make a decision.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

1. The Panel's decision:
  - a. If a warning has been issued the timescale for this and the level of improvement required.

- b. If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this; or
  - c. If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and
2. The employee's right of appeal.

## **10. Appeals**

Employees have the right to appeal against any decision to issue a formal warning or dismissal under this procedure. If an employee wishes to appeal, they should write to the Town Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

Appeals will be heard by a separate panel of members. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may be called.

Once the Appeal Panel has considered both the employee's appeal and the Hearing Chair's case, and considered all other relevant information, it will adjourn to make a decision.

The decision of the Appeal Panel is final and will be confirmed to the employee in writing within 5 working days. There is no further right of appeal.

## **11. Personal, Domestic, or Work-Related Problems**

Where an employee reveals that their absence has been a consequence of personal, domestic, or work-related problems, the relevant manager should endeavour to discuss with them any relevant details that they wish to disclose. Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded that such matters will be treated confidentially, and that the Council cannot assist them if it is not made aware of the problem. If an employee wishes to discuss matters with someone other than the relevant manager, the Chair of the Personnel Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be offered to the employee. In some circumstances, special leave, temporary adjustments in working arrangements, or referral to specialist agencies may be granted.

## **12. Alcohol/Drug Dependency**

Where an employee discloses that their absences are a consequence of alcohol or drug-related problems, they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees may be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through the Council's Disciplinary Procedure.

### **13. Welfare**

If, as a consequence of medically related absence, the relevant manager has any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from the Occupational Health Unit.

### **14. Monitoring**

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should be returned as soon as possible after the employee's Return to Work Interview has been conducted. The Town Clerk Clerk will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Town Clerk to identify Individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, such notifications as a secondary means of identifying problems or potential problems.

Comprehensive records should be maintained at all times for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee's personal file and should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.

**APPENDIX 1 – RETURN TO WORK DISCUSSION**

Name:				
Date of Interview:				
Time of Interview:				
Period of Sickness Absence:	From		To	
Number of Working Days Absent				

\* Self Certificate / Doctors Certificate provided (\*delete as appropriate) – Attached

Provide brief details of the content of the discussion:

Signed ..... Date.....

(Employee)

Signed ..... Date.....

(Deputy Town Clerk or Town Clerk)



## **WAREHAM TOWN COUNCIL**

### **Capability Procedure**

# 1 Introduction

This procedure is used to support, enhance, and improve the performance of employees. This procedure sets out a framework for resolving issues relating to poor performance, in accordance with the Employment Rights Act 1996, Human Rights Act 1998, and the ACAS Code of Practice on Disciplinary Procedures. The procedure aims to ensure that consistent and fair treatment is given to all individuals.

## 2 Scope

Where there are issues of misconduct or of negligence, these will be dealt with under the Disciplinary Procedure. For matters of sickness, disability, or ill health, the Absence Management Policy will be used.

## 3 General Principles

The Procedure is not a substitute for good management practices. It should only be invoked when initial attempts to improve performance have been unsuccessful following discussions between the employee and their manager.

The employee must be given at least 5 working days' notice of the requirement to attend a formal review meeting or an appeal.

The employee has the right to be represented at formal review meetings or appeals.

In the event of a formal warning or a dismissal, the employee has the right of appeal.

## 4 Related Procedures

When using the procedure, it may be necessary to refer to the contents of other agreed documents such as:

- The Equal Opportunities Policy
- The Grievance Procedure
- The Absence Management Policy
- Other conditions set out in the Staff Handbook

## 5 Representation

Employees have the right to representation at hearings and appeals relating to any stage of the formal procedure. This can be a Trade Union representative or a work colleague.

Representatives can take an active part in review meetings.

## **6 Action against a Trade Union Official**

In normal circumstances no action will be taken against an officer of a recognised Trade Union until the matter has been discussed with a full-time officer of that union.

## **7 The Informal Procedure**

The Deputy Town Clerk (or Chair of the Personnel Committee in relation to matters concerning the Town Clerk) should deal with minor issues of poor performance in the first instance.

A meeting with the employee to discuss poor performance should be arranged and any problems or areas for concern should be raised by the Deputy Town Clerk. Appropriate support and training should be offered to assist the individual towards meeting the required standards in the future. Realistic targets should be agreed with the individual and future expectations made clear by the Deputy Clerk. The Deputy Town Clerk will record the points discussed in the meeting and confirm this in writing to the employee along with the agreed plan to achieve acceptable levels of performance. A review meeting should be arranged within 2 months to assess whether the targets have been met and whether the performance is satisfactory.

In most cases, these meetings should provide sufficient guidance, support, and clarification of standards to rectify the situation.

However, the formal procedure will apply when:

- Previous informal advice or guidance has proved ineffective; or
- The performance is so poor that informal discussions are unlikely to help.

## **8 The Formal Review**

If informal discussions have proved unsuccessful in raising performance levels to the standards set by the Deputy Town Clerk, then the formal procedure will be invoked. There are three stages to the formal procedure. The employee has the right of representation at each stage.

During each stage, the employee's performance will be monitored closely. The method of doing this will be made clear to them at the conclusion of each review meeting.

### **8.1 Stage 1: The Capability Review**

The Capability Review should build on the informal discussions. It should be sufficiently specific so that the employee knows exactly what it is about their performance that is unsatisfactory and how they can improve to the required

standard. The Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk) will carry out the Review.

The review has four main purposes:

1. To allow the Town Clerk to discuss with the employee: (i) the standards of work required; (ii) what improvement is necessary; (iii) how the employee can be helped to achieve them; and (iv) how improvement will be assessed and the timescale which must be reasonable.
2. To allow the employee to: (i) obtain a clear understanding of what is expected of them; (ii) give an explanation or comment on their work; and (iii) give their views on how the problem can best be tackled.
3. To allow the Town Clerk and the employee to explore other options, such as: (i) additional instruction, training, or personal development activity; or referral to occupational health, which may involve alternative action under the Council's Absence Management Policy. Please refer to the Absence Management Policy.
4. To make clear to the employee: (i) the timescale for improvement; (ii) how and by whom their work will be monitored during the review period; and (iii) the consequences if their work does not improve or if improvement is not maintained.

Ideally, standards of performance should be agreed between the Town Clerk and employee. However, in the absence of such an agreement, the Town Clerk must satisfy himself or herself that any targets set are reasonable and non-discriminatory. If training has already been given, then its effectiveness should be reviewed, and any further training and support agreed.

If the Town Clerk is satisfied at the conclusion of the review meeting that there is a shortfall in performance, the employee will be issued with a formal warning and an action plan, including timescales, to achieve. It will also be made clear that failure to achieve the action plan will lead to the next stage of the formal procedure. The length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances it should not be more than 3 months. The Town Clerk should confirm the outcome of the meeting in writing to the individual within 5 working days.

## **8.2 Stage 2: The Capability Review**

If the employee fails to achieve the standards in the timescales set out in the action plan, then Stage 2 of the procedure is invoked. This involves a further review based on the same structure as Stage 1.

Stage 2 of the Capability Review will be conducted by the Town Clerk (or Chair of the Personnel Committee, in relation to matters concerning the Town Clerk). If it is concluded that there is still a performance issue to be addressed, a further formal warning should be issued along with an action plan giving details of the standards of performance required and the timescales within which these must be achieved. The employee should be reminded that if the action plan is not achieved, then Stage 3 will be invoked.

It needs to be made clear that Stage 3 may result in a decision to dismiss the employee. Again, the length of time given to improve will depend on the nature of the job and the performance gap but in normal circumstances should not be more than 3 months. A letter to confirm the outcome of the meeting should be sent to the employee within 5 working days, it should also explain the employee's right to appeal against any warning issued.

### **8.3 Stage 3: The Final Capability Review**

The Final Capability Review will be heard by three members of the Personnel Committee.

The Town Clerk who conducted Stages 1 and 2 should also be present to provide details of the previous review meetings and of the steps taken to encourage improvement in the employee's performance.

The employee will have the opportunity to respond and put forward any points they wish to be considered.

Consideration should be given to any alternatives to dismissal, such as redeployment or options of downgrading. However, this may not always be possible and will depend on each individual situation and the circumstances of the Council.

The Panel must satisfy themselves that they have heard all the relevant information and that the employee has been given sufficient opportunity to improve. If they consider that the employee's performance remains unsatisfactory, they must inform the employee that their employment is terminated on the grounds of capability or any alternatives to dismissal.

The employee's dismissal will be with notice or, if serving their notice period is not in the interests of the Council, they will receive pay in lieu of notice. The dismissal must be confirmed in writing within 5 working days, stating the reasons for it, and informing the employee of their right of appeal.

### **8.4 Levels of Authority**

Guidance is given here on the appropriate levels of authority, although alternative arrangements may have to be made on occasion.

Formal	Officer	Authority
Stage 1 & 2	Town Clerk	Formal warnings
Stage 3	Personnel Committee	Dismissal

### **8.5 The Right of Appeal**

In the event of a formal warning or dismissal, the employee has the right of appeal to the Chairman of the Council. The Appeal must be made in writing within 10 days of the date of the letter confirming dismissal.

Three members of the Town Council will hear the appeal, providing that they have had no previous involvement in the matter. They will be assisted by an independent HR advisor.

The appeal will take place as soon as is practically possible. The Appeal Panel will consider the details of the poor performance presented by the Chair of the Final Capability Review and will consider the comments of the employee.

The decision of any appeal hearing is final.

## **8.6 Training**

Appropriate training, if required, will be given to the Town Clerk or any Members who might be involved in capability or appeals meetings to ensure that they fulfil their responsibilities under this procedure.