



# Stedham with Iping Parish Council

## Employment Tribunal Statement

The Employment Tribunal heard the case between Jane Crawford, the former Clerk to the Parish Council, and Stedham with Iping Parish Council between the 16th and 18th March 2020. The decision went in Mrs. Crawford's favour and she was awarded £7,158.

A copy of this statement together with a breakdown of the award and the Written Reasons for the award by the Tribunal Judge can be found on the SIPC Website ([www.stedhamwithiping-pc.gov.uk](http://www.stedhamwithiping-pc.gov.uk))

Stedham With Iping Parish Council fully accepts the finding of the tribunal and wishes to apologise to Mrs. Crawford for the events leading up to her resignation and for the distress this process has caused.

Prior to the hearing there was a strict legal limit on what information could be shared with the public and the Parish Council was directed to observe proper confidentiality by its legal team. The Council does however recognise the need to explain the course of events to the constituents of this Parish now the tribunal is concluded.

## Background to the former Clerk's Resignation

The Council is very aware of the great service which Mrs. Crawford has, over many years, given to the Council and the community. To have her time in office end in such a sad way was the last thing the Council wanted.

Incidents leading to Mrs. Crawford's resignation, on the grounds of constructive dismissal, are detailed in the Employment Tribunal's Written Reasons document. (A copy is available on the SIPC website)

The next day after her resignation the Council sought advice from SSALC (Surrey and Sussex Association of Local Councils) on the implications of this and what should be done. SSALC recommended engaging the services of a Human Resources consultant to ensure correct procedures were followed. Subsequent to that a Solicitor was retained also, through the Council's insurance.

## Attempted Arbitration

Mrs. Crawford was invited to meet Council representatives to discuss her grievance, as is common practice with employment disputes. She agreed but later declined this and further meetings.

Mrs. Crawford informed the council that the matter had been referred to ACAS, as is required before a case can go to Tribunal. Discussions with ACAS followed but no resolution could be achieved. Subsequently Mrs. Crawford put her claim in to the Tribunal.

Attempts at conciliation via ACAS continued but without success. Direct contact was also made, again without success and was dis-continued as the Council was advised that it could be misconstrued as harassment.

Throughout this process the Council acknowledged and addressed directly the possibility of either bias or entrenched opinion on the part of the longer serving members of the Council. All decisions related to the Tribunal were passed unanimously. In addition, the newer members of the Council, as they joined, were fully briefed on the position to date and were asked specifically for their views on the Council's proposed action.



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## Run up to the hearing

Solicitors retained by the Council advised that the case was “winnable” and as such any costs would be covered by the Council’s insurance company. A consequence of this was that if the Council subsequently decided to settle out of court any costs would have to be paid by the Council out of public funds.

Both parties prepared documentation in support of their positions. These documents were submitted to the court as a single bundle on 14th March 2019 followed by Witness Statements on 21st March 2019 and came into the public domain at the start of the hearing on 16th March 2020, delayed from 12th April 2019 because of the court’s personnel constraints.

## The Tribunal Results

The Tribunal found in favour of Mrs. Crawford.

Of the £7,158 awarded to Mrs. Crawford, £6,688 is being covered by the Council’s insurance, the balance, £470, relating to backpay and holiday pay being paid out of Parish Council funds.

The Council understands the personal stress Mrs. Crawford has experienced during this lengthy process and apologies again for this.

## Impact on the Council

There is no doubt that the case has diverted the Council from its core activities. Councillors are unpaid volunteers with other demands on their time. The overhead in administration for this case has been substantial, including third-party correspondence, with costs similarly high.

The Council has been in receipt of correspondence from parishioners, some of which has been particularly unpleasant. Being accused of “acting improperly”, “drawing this matter out”, being “secretive, inhumane, incompetent and malicious” and that we “allowed the situation to develop”. The Council has also been accused of allowing one councillor to “dominate the Council’s position”. This is incorrect and is an affront to the integrity of all Council members. The most recent Chairman of the Council has, in addition, received a number of inappropriate phone calls so unpleasant in their nature that he has resigned. The Council cannot stress enough the adverse impact of the negative and discourteous correspondence it has received.

The Council has agreed that any future correspondence of an intimidating nature will be forwarded through the proper channels including to the police.

The Council is indebted to the patience of the residents who have endured this lengthy but now concluded legal matter.

It should be noted that none of the members of the current Council were serving at the time of Mrs. Crawford’s resignation. The Council very much hope that, as it has now fulfilled its obligation required by the court judgement, its focus can return to Parish business.



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## **Lessons Learned**

The unacceptable behaviours highlighted by the Tribunal Judge have been reviewed by all current serving councillors.

It is acknowledged that no single member of the council may act representing the council without a pre-determined mandate backed by resolution. It is important that the council operates in such a manner that all councillors can freely contribute to the running of the council and are able to fulfil their duty as councillors.

The role of the Clerk has been reviewed and is recognised to include a remit to ensure correct policy and procedural adherence.

Council regulations (known as Standing Orders) have been brought up to date to ensure we can report our costs to the Parish. Similarly, our Financial Regulations have been tightened to deliver greater oversight and separation of duties.

All of the Council's documents are now in line with the NALC (National Association of Local Councils) Model Document Set.

A compliant GDPR process is in place.

A revised document management process is being implemented, including digitisation of key documents, to ensure they are suitably retained and remain accessible.

***Stedham with Iping Parish Council 19<sup>th</sup> June 2020***