

Lowestoft Town Council
Meeting of the Personnel Committee
Whitton Residents' Hall, Hawthorn Avenue, Lowestoft, Suffolk, NR33 9BB
14:00 on 4 August 2022

MINUTES

Present: Cllrs Sonia Barker (Chair), Wendy Brooks, Graham Parker, Keith Patience and Andy Pearce

In attendance: Shona Bendix (Clerk) and Lauren Elliott (Project and Committee Clerk)

Public: There were no members of the public in attendance (either in person or via Zoom webinar)

16. Welcome

The fire evacuation procedure and public right to report were explained and the meeting was welcomed.

17. Apologies for absence

There were none.

18. Declarations of Interests and dispensations

There were none.

19. The draft minutes of the meeting on 9 June 2022

Cllr Barker noted that the vote at item 10.2 does not identify the Councillor who made the proposal. Cllr Barker also requested that Cllr Patience is identified as the Deputy Chair in the attendance list. Cllr Pearce proposed approval of the minutes as amended; seconded by Cllr Patience; all in favour.

20. Public forum

No advance comments had been received. There were no members of the public in attendance.

21. The Terms of Reference of the Personnel Committee

Cllr Pearce suggested the following amendments to the Terms of Reference:

- Item 3. – Should reflect the agreed schedule that meetings will take place every other month, with additional meetings as and when required.
- Item 4. – Any elected member can preside by agreement only if the Chair and Deputy Chair are both not in attendance (rather than just the Chair). The ex-officio membership of Deputy Mayor will need to be considered again by Full Council, as this was previously agreed for the 2021 – 2022 civic year only. Standing Orders may also need updating in this respect.
- Item 6. – Several of the Committee's responsibilities are not being carried out and should be added to the agenda (spread out over several meetings) to be considered individually.
- Item 6.3. – Add 'in conjunction with the Standing Orders and Policies Sub-Committee.
- Item 6.4. – This has never happened and the Committee has not been advised of the payscale of each member of staff. This will need to be formalised if it is to remain part of this Committee's remit. Similarly, with item 6.8., this Committee has no delegation to dismiss or make an officer redundant, which should be a responsibility of Full Council. To avoid ambiguity, Cllr Pearce proposed a recommendation to Full Council that the final decision to dismiss or make an officer redundant should remain with Full Council and should not be delegated; seconded by Cllr Brooks; four Councillors voted in favour; one Councillor abstained from the vote. Cllr Pearce further proposed that responsibilities within this Committee's Terms of Reference which are not regularly reviewed should be scheduled for review during the year, across several meetings if necessary and preferably ahead of the pre-election period and when meetings can resume at Hamilton House. Cllr Brooks seconded the proposal and all Councillors voted in favour.

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- Items 14 and 15 – These points do not reflect the current practice. Responsibilities such as authorising leave requests from the Clerk currently tend to sit with the Mayor and Chair of the Personnel Committee. Cllr Brooks would not wish to risk creating a hierarchical Council by elevating Committee Chairs to authority positions. Cllr Pearce advised it is not the established practice of the Council to have the entire Personnel Committee carry out the Clerk's appraisal or authorise leave requests. Cllr Pearce proposed amending item 15 to reflect current practice, pending review at October's meeting; seconded by Cllr Barker; all in favour.
- Item 16 – The minimum membership of the Committee is five so there may not always be six members available. Cllr Pearce understands this was recommended for amendment by the Standing Orders and Policies Sub-Committee in July and had been adopted. If so, the Terms of Reference should be updated in line with that amendment.

22. Mileage and vehicle cost reimbursement

Cllr Patience suggested officers who are primarily office based should be considered non-essential vehicle users, and all claims for mileage should start from Hamilton House. Currently no staff are entirely office based or entirely outdoor based. The Clerk clarified that officers will only claim mileage from home for duties they have been asked to perform at a weekend or outside office hours. Categorising staff as essential or non-essential vehicle users could potentially be a change to terms and conditions, which may require the advice of an HR specialist. It was agreed this should be considered further at the next meeting.

Cllr Pearce would like all staff to ensure they submit mileage claims, especially as this data would be used towards calculating the Town Council's carbon footprint. For this reason, Cllr Pearce suggested the budget for this should be removed from the staffing budget and placed under the Climate Emergency budget.

Cllr Patience understands an allowance can be made available for bicycle users. Details of this can be considered alongside consideration of essential and non-essential vehicle users. Cllr Pearce proposed that the budget for staff travel expenses, at whatever rate is agreed, should sit under the Climate Emergency budget rather than the staff budget; seconded by Cllr Brooks; four Councillors voted in favour; one Councillor voted against.

Cllr Pearce proposed asking Councillors to voluntarily provide their mileage details for attending meetings and mayoral engagements, which would be totalled and anonymised and used only for the purpose of helping to assess the Town Council's carbon footprint. Cllr Pearce further proposed this should be considered by the Climate Emergency and Ecological Committee at its meeting in September, before being referred to Full Council. Cllr Brooks seconded the proposal; four Councillors voted in favour; one Councillor abstained from the vote.

Regarding future employment opportunities in the Council, Cllr Pearce asked the Committee to ensure candidates were not excluded should they be unwilling or unable to put their own vehicle forward for business use. Cllr Barker requested inclusion of an item on the next agenda to consider equality and diversity implications, from a condition of employment point of view.

23. Policies:

23.1. A Flexible Working Policy – Cllr Parker requested an impact assessment, including details of any additional costs the Town Council may incur. Cllr Parker suggested this may present an opportunity to introduce Saturday working. Cllr Brooks would prefer any flexible working requests from the Town Clerk to be considered by the Mayor and the Personnel Committee, rather than the Mayor and Chair of the Personnel Committee. Cllr Patience requested a visual framework of what this Policy would mean for the Council. Cllr Pearce advised the Council should be even handed and consistent for current and future staff, and suggested any requests for a lasting flexible working agreement should be submitted to the Personnel Committee with a recommendation

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from the Clerk, with final approval being considered by Full Council. Cllr Pearce suggested a record of all requests, including any declined requests, should be recorded. If a request cannot be readily accommodated due to the nature of the post, the Council should consider if this can be mitigated. With the potential for the office to be open for longer, the Council should consider the additional cost of electricity and heating. In response to a suggestion from Cllr Patience that this could give the potential for a six or seven day working week, the Clerk advised this would be a different matter and would be a fundamental change to the way officers currently work. Cllr Pearce requested a discussion at the next meeting to consider how the Policy may work, the protocol for requesting, considering, recording decisions, and the implications if the Policy is not adopted. Cllr Barker requested general HR input for the next meeting if possible. Cllr Parker requested that each paragraph is numbered ahead of the next meeting as he has several points to raise. The Clerk clarified that the Policy is not proposing a reduction in service. The Policy will generally reflect the current way of working, but in an enabling way to support staff with any particular issues. The Redundancy Policy would not be affected unless a member of staff's hours changed to part time.

Cllr Patience temporarily left the meeting 15:22

- 23.2. A Staff Mental Health and Wellbeing Policy – Cllr Pearce requested a change of wording in the second paragraph, from ‘problematic stress in this context is...’ to ‘problematic stress in this context can be...’. Cllr Pearce also queried whether there can be positive levels of stress.

Cllr Patience returned 15:23

The Clerk advised she had used the ACAS model and tried to use accepted wording. Cllr Pearce requested a change of wording under the ‘Commitment’ section from ‘LTC will maintain a Personnel Committee, which will...’ to ‘The Personnel Committee will...’. Cllr Pearce noted that some concerns had previously been raised regarding the Clerk’s workload and hours of work, and suggested annual anonymous wellbeing survey could be considered. Cllr Pearce suggested an equivalent Councillor policy should also be considered. Cllr Barker advised an anonymous wellbeing telephone service had been available in her previous employment, which produced anonymised data on why people were using the service. Cllr Pearce requested a discussion at the next meeting with a view to developing a draft Councillor Mental Health and Wellbeing Policy, which may include finding out reasons for any Councillor resignations. In response to a query from Cllr Brooks, the Clerk advised that a limited report had been received following the inclusivity review. The Council had requested a session for those who could not attend, then a follow-up session for all Councillors, however there had been limited interest from Councillors. The Clerk advised that the wording in the Policy regarding maintaining a Personnel Committee is to confirm the Committee will always exist. The Clerk suggested an amendment to the wording to say ‘LTC has and will maintain a Personnel Committee...’. The Clerk advised that support would offered to any officer working excessive hours, but this could become a disciplinary matter should the officer be un-cooperative. Cllr Pearce proposed a recommendation to Full Council to adopt the Staff Mental Health and Wellbeing Policy, with reviews of the Policy to take place via the usual process. A Councillor Mental Health and Wellbeing Policy will be considered at the next meeting. Cllr Parker seconded the proposal and all Councillors voted in favour.

- 23.3. The Redundancy Policy – Unless a clear minute of a past decision can be identified, Cllr Pearce would have a problem with the default position being to calculate redundancy payments at two times the statutory entitlement, and instead suggested the statutory entitlement should be the default position, with any enhanced terms to be considered on a case-by-case basis. Cllr Patience would like to see a severance policy incorporated into this policy. Cllr Patience noted there is no provision in the Policy to allow officers

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who have been in the Council's employment longer than two years to take time off to seek alternative employment, if faced with redundancy. The Clerk advised that any changes to this Policy could affect staff terms and conditions or may have a contractual impact, and so would require advice. The Clerk understands the redundancy terms were included in the original policy which was adopted by Council and has been adopted each year since. The content of historical policies was generally dictated by Councillors as officers did not have time to draft all of the policies. Cllr Pearce suggested rolling this item forward to the next meeting.

At 16:02, Cllr Pearce proposed suspending Standing Order 3y for a maximum of twenty minutes, following a comfort break, to enable the meeting to continue; seconded by Cllr Brooks; all in favour.

A comfort break was taken 16:03 and the meeting resumed 16:09

It was agreed that items 26 and 27 should be considered at an Extraordinary Meeting, and the other items which have already been carried forward should be split between the Extraordinary Meeting and the next scheduled meeting.

24. The information to be provided with salary publication

Cllr Pearce considered that salary data should not be published on its own, and should be anonymised. It is generally larger Councils who publish this information for its highest earning members of staff. Cllr Pearce could not see the merits of a Parish Council publishing this information. Cllr Brooks suggested if anyone wanted to see this information they could submit a Freedom of Information request. Cllr Pearce suggested any Committee member who considers this necessary should explain the purpose and value of doing so, and information about what data should be published. The Clerk has an organogram which has details of officer roles and salaries. This includes the Clerk's salary range and the median salary range across the rest of the workforce. It also acknowledges there are significant managed contract arrangements. Cllr Pearce proposed this is considered at the next meeting, and the Clerk will circulate in the interim; seconded by Cllr Brooks; all in favour.

25. Further considering whether to seek a delegation of staffing budgets

Cllr Pearce clarified that there had not been a suggestion to delegate the entire staffing budget to this Committee. During recruitment processes the Committee can request delegation of advertising budgets from Full Council as required. Cllr Pearce would suggest only the staff and Councillor training budgets and possibly the personal development, expenses and staff contingency budgets should be considered for delegation, if not covered already by existing staff and Committee delegations. The Clerk has a delegation to make decisions regarding staff training, which happens frequently and should not have to wait for a meeting of this Committee. Cllr Pearce proposed there should be no standing delegations to the Personnel Committee; seconded by Cllr Barker; all in favour.

A date will be arranged for an Extraordinary Meeting of this Committee and the Clerk will circulate details regarding the recruitment of the Committee Clerk.

Cllr Patience left the meeting 16:21

26. The process for staff reward and recognition

27. Succession planning

28. Date of the next meeting

13 October 2022 14:00

29. Items for the next agenda and close

There were no requests for items to be added to the next agenda.

There were no confidential items for consideration and the meeting was closed at 16:22.

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30. Resolution to close the meeting to the public:

- 30.1. Any employment matters relating to items on this agenda, including those above as required

Signed: