

Lowestoft Town Council
Extraordinary Meeting of the Personnel Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
14:00 on 2 March 2023

MINUTES

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

In attendance: Shona Bendix (Town Clerk) and Taylor Williams (Committee Clerk)

76. Welcome

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

77. Approval of apologies for absence

No apologies were received.

78. Declarations of Interests and dispensations

78.1. To receive declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the Agenda.

Cllr Brooks declared an interest in item 87.

78.2. To consider written requests for dispensations for interests and note dispensations granted

None were received.

79. To consider the draft minutes and confidential note of the Extraordinary Meeting on 14 December 2022

Cllr Brooks proposed approval of the draft minutes; seconded by Cllr Pearce; all in favour.

80. Public forum

An opportunity for the public to make comments on any matters on this agenda, and to consider any advance comments from the public.

No members of the public were in attendance and no advance comments were received.

81. To appoint the Deputy Chair of the Personnel Committee

Cllr Pearce proposed Cllr Brooks be appointed the Deputy Chair; seconded by Cllr Parker; all in favour.

82. To review the Terms of Reference of the Personnel Committee, including to review and consider implementation of the following responsibilities:

82.1. Keep under review staff working conditions and health and safety matters

82.2. Monitor and address regular or sustained staff absence

Cllr Pearce proposed 82.1 and 82.2 be standing items on the 2023-2024 agenda in order to receive updates from the Town Clerk on any issues pertaining to the two items. An alternative standing item of 'To receive an update from the Town Clerk on any staffing issues' was suggested to ensure the updates are not restricted in scope. Cllr Pearce amended his proposal for 'To receive an update from the Town Clerk on any staffing issues' to be a standing item on the agenda wherein the Town Clerk would provide a report and raise any issues with the Personnel Committee on staffing matters; seconded by Cllr Barker; all in favour.

82.3. Make recommendations on staffing-related expenditure to the Finance and Governance Committee

Cllr Pearce proposed to have one annual item around September for the Personnel Committee to consider staffing expenditure for the following finance year and then make a recommendation to the Budget and Loan Sub-Committee, taking into account

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any requests from the Town Clerk; seconded by Cllr Green; all in favour.

82.4. Consider any appeal against a decision in respect of pay

It was noted that the Town Clerk would deal with any issue first before it is considered by the Personnel Committee but the process needed to be formalised, taking into account the different reasons for an appeal.

Cllr Green temporarily left the chamber at 14:29

Cllr Green returned to the chamber at 14:30

Cllr Pearce proposed there be no rigid procedure for pay and to mirror the grievance process wherein a panel of Councillors hear the dispute and make a recommendation and if the individual disputes the outcome then their appeal is brought to a different panel of Councillors, whose decision is final unless there is an external staff representative body involved. In such cases the Town Clerk would obtain expert advice for this Committee. Cllr Parker seconded the proposal. It was noted that the Town Council should facilitate any staff wanting to join a trade union and enter in dialogue with the union representing the staff for concerns on discretionary increases.

Cllr Pearce proposed matters be resolved informally first by the Town Clerk, then it would follow a similar route to the grievance process with panels convened and the same timescales and protections applied, though noted that each case would be processed based on its peculiar circumstances; seconded by Cllr Parker. Cllr Pearce amended the proposal to include that the Town Council would recognise the right of staff to join a trade union or professional representative body and would enter discussions with that body to resolve any issues over remuneration arrangements or terms and conditions. It was suggested to amend the staff terms and conditions to state that the Town Council would recognise a trade union. The Town Clerk noted that a letter to staff recognising their right to join a trade union and would engage with that body would effectively implement it into the staff terms and conditions.

Cllr Pearce proposed a recommendation be made to Full Council for all staff to be provided with a letter acting as an addendum to their contract of employment, stating that Lowestoft Town Council recognises the right of its staff to join a trade union or other professional representative body, which can represent them when required over issues concerning pay and terms and conditions; seconded by Cllr Parker; all in favour.

Cllr Pearce proposed a recommendation be made to Full Council that if a staff member raises a concern on pay, it would first be resolved informally with the Town Clerk (and if the concern was raised by the Town Clerk then it would first be informally resolved with the Mayor and the Chair of the Personnel Committee). If the matter is unresolved then it is raised informally with the Personnel Committee to consider legal and HR advice. If unsuccessful then formal proceedings commence with a panel of Councillors convened, the right of appeal which would be considered by a separate panel of Councillors and a similar timescale for consideration. There would also be the right of appeal, based on the advice of the Town Clerk, to any external organisation involved with staff remuneration and terms and conditions. Cllr Parker seconded the proposal; all in favour.

Cllr Pearce proposed a recommendation be made to Full Council that on the Terms of Reference 'pay' be expanded to include 'terms and conditions'; seconded by Cllr Brooks; all in favour.

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83. To note the number of Councillors who have booked onto Mental Health First Aid training sessions

Cllr Pearce proposed the offer for a bespoke session be arranged for July; seconded by Cllr Barker; four voted in favour and one abstained.

84. To consider the financial implications of the Councillor Mental Health Policy

To establish the budget requirements, the Town Clerk had found a local not-for-profit organisation who offered sessions on mental health support at a maximum cost of £400 per person for one set of eight sessions. It was discussed that a delegation could be made to the Town Clerk to progress this for the staff and Councillors who wanted to access the service, whilst the Town Clerk could access the service via the Mayor and the Personnel Committee. It was suggested that the new Town Council could have monthly sessions for informal discussions with a speaker. The Town Clerk suggested a budget of £4,000 be set for mental health and wellbeing support, and be delegated to the Town Clerk to cover training for staff and Councillors and provide the appropriate support.

Cllr Pearce proposed to set a budget of £4,000 budget for structured training and individual sessions held in confidence at an appropriate location. The service would be accessed via the Town Clerk in confidence as only the expenditure against the budget would be known. This would be part of the induction process and would be written into the Mental Health policy. Seconded by Cllr Barker; all in favour.

85. To consider the Redundancy Policy, including to consider including redundancy arrangements in terms and conditions of employment

It was suggested that the minimum commitment for redundancy be the statutory obligation and enhanced terms are considered on a case by case basis. The Town Clerk would contact the HR advisor to assist with changing this from a policy position to individual staff contracts and clarifying the difference between existing employees and newly hired staff. This item would be on the next agenda to receive the advice from the Town Clerk. It was noted that this change would apply to future staff and the current entitlement would be ring-fenced for existing staff.

86. To consider how to address unacceptable emails to officers from other authorities

It was suggested for a firm email to be sent from the Town Clerk on the behalf of the staff who received the email, notifying the sender it is not acceptable and for a rephrased email to be sent. An alternative suggestion was made for the email to be brought to the attention of the Councillors and for a corporate response to be sent on behalf of the Town Council, notifying the sender that staff were acting on the resolutions of the Town Council and for staff to be addressed with respect. The Town Clerk confirmed the Town Council would be notified of any such emails. It was noted the Town Clerk would deal with matters and escalated to the Mayor and Chair of Personnel if necessary. Cllr Pearce proposed if the Town Clerk is in agreement that an email was disrespectful to their role and to the Town Council and it warrants a corporate response, then it would be brought to the Mayor and the Chair of Personnel, with a confidential update provided to the next Personnel Committee meeting; seconded by Cllr Barker; all in favour.

87. To consider potential lobbying communications

It was suggested that if staff receive emails that are determined to be of a lobbying nature, then it should be circulated in the weekly updates, notifying the emailer that the correspondence would be circulated. If an individual Councillor is named then they should be

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warned in advance of its inclusion in the weekly updates and have the right of reply. It was noted that the email could instead be circulated as an individual email and then a Councillor could request the email be addressed by a Committee. Cllr Pearce proposed emails of a lobbying nature be dealt with by a triage process of first being seen by any Councillors named in the email and then the Town Clerk, or a senior member of staff, would consult with the Mayor and the named Councillors to agree on the course of action (whether it is addressed by Full Council or circulated to all Councillors as part of the Councillor update or a stand-alone email, with a notice that the email is of a lobbying nature). Seconded by Cllr Barker; all in favour.

15:58 Cllr Pearce proposed to suspend standing orders for twenty minutes; seconded by Cllr Barker; all in favour.

88. To consider arrangements for enabling public access to Hamilton House for out of hours meetings

It was noted that there were mechanisms in place to deal with this and a prior issue was due to a temporary delay from IT matters.

89. To consider staffing (confidential), including the following:

89.1. Existing staff, including to note any appraisals and probationary reviews

89.2. Future staff, including for grounds maintenance

Both items would be discussed in confidential session.

90. Date of the next meeting

6 April 2023 14:00

91. Items for the next agenda and close

The Town Clerk is to request any actions or appropriate delegations that would be required to cover items related to grounds maintenance and associated staffing during the election period when the Committee is unable to meet. The Town Clerk suggested an item on salaries and whether to schedule four months' of salaries or delegate a ring-fenced budget for the Town Clerk to access and set up salaries within the budget.

92. To resolve that under the Public Bodies (Admission to Meetings) Act 1960, the public be excluded from the meeting on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the business to be transacted, namely any legal issues or employment matters relating to items on this agenda, including the following:

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

Cllr Pearce proposed the meeting be moved to confidential session; seconded by Cllr Green; all in favour.

The Chair closed the meeting to the public and moved into confidential session at 16:07

87. To consider potential lobbying communications

Cllr Pearce made a confidential proposal; seconded by Cllr Brooks; all in favour.

16:19 Cllr Barker proposed to suspend standing orders for five minutes; seconded by Cllr Pearce; all in favour.

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The Committee Clerk temporarily left the chamber at 16:20

89. To consider staffing (confidential), including the following:

89.1. Existing staff, including to note any appraisals and probationary reviews


It was agreed to delegate to managers a one salary scale point increase in the event of an initial probationary review.

The Committee Clerk returned to the chamber at 16:22

89.2. Future staff, including for grounds maintenance

Future staffing and the grounds maintenance was discussed and Cllr Parker proposed this item be on the April agenda for further discussions; seconded by Cllr Barker; all in favour.

The Chair closed the meeting at 16:30

A handwritten signature in black ink, appearing to read 'Cllr Barker', written over a dotted line.

Signed:

6 April 2023