

Lowestoft Town Council
Extraordinary Meeting of the Personnel Committee
First Floor, Hamilton House, Battery Green Road, Lowestoft, Suffolk, NR32 1DE
13:00 on 23 November 2023

MINUTES

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

In attendance: Sarah Foote (Deputy Town Clerk) and Lauren Elliott (Project and Committee Clerk)

Public: Cllr Nasima Begum was in attendance as a member of the public

46. Welcome

As the Chair and Deputy Chair had given their apologies, the Committee was asked to appoint one of its members to preside over the meeting. Cllr Parker nominated Cllr Patience; seconded by Cllr Pearce. It was noted that Cllr Patience may be required to leave the meeting early. The vote was taken and five Councillors voted in favour; one Councillor voted against.

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

47. Apologies for absence

Apologies were received from Cllrs Alan Green and Christian Newsome, with reasons provided. Cllr Sonia Barker had advised she would be late due to a Mayoral engagement. Cllr Pearce proposed approval of the apologies received; seconded by Cllr Parker; all in favour.

48. Declarations of Interests and dispensations

48.1. Declarations of Disclosable Pecuniary, Other Registerable and Non-Registerable interests from councillors on items on the agenda – There were none.

48.2. Written requests for dispensations for interests and note dispensations granted – There were none.

49. The draft minutes and confidential note of the meeting on 7 September 2023

Cllr Pearce proposed approval of the confidential note of the meeting on 7 September but proposed deferral of the approval of the minutes as these had not been uploaded to the website. Cllr Brooks had made a suggestion during the confidential session of the meeting on 7 September and requested that it be minuted that it was she who had made the suggestion. Cllr Pearce amended his proposal to approve the confidential note subject to that amendment and all Councillors voted in favour.

50. Public forum

The Deputy Clerk advised that the item which Cllr Begum was in attendance for was confidential, and suggested that she be invited to stay for the confidential session for this item. This was agreed by the Chair.

51. Reviewing the following policies:

Cllr Pearce suggested to defer the policies to the next meeting for Councillors to read and review them, particularly given the importance of the budgetary items on this agenda. Cllr Brooks objected as she had read them and wished to make comments. Cllr Parker seconded Cllr Pearce's proposal to defer this item; five Councillors voted in favour; one Councillor voted against.

51.1. Code of Conduct

51.2. Complaints Procedure

51.3. Data Protection Policy

51.4. Data Retention Policy

51.5. Disciplinary Procedure

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- 51.6. Equality and Diversity Policy
- 51.7. Grievance Procedure
- 51.8. Health and Safety Policy
- 51.9. Incident Reporting Procedure
- 51.10. Lone Working Policy

52. The application of the Real Living Wage to the 2024 – 2025 budget

This was noted. In response to a query from Cllr Pearce, Cllr E Youngman advised that the Real Living Wage was now £11.44.

53. Staffing requests around the cleaning of public conveniences

Cllr E Youngman declared a pecuniary interest in this item and temporarily left the room at 13:16 for the consideration of this item. The Deputy Clerk had circulated a report to members and advised that a dedicated employee for the cleaning of public conveniences had been suggested by existing staff. Currently there were different arrangements in place for different sites, with Town Council staff covering some sites and contractors covering others. The Deputy Clerk had additional information to provide but advised this would need to be in confidential session. It was suggested this would be a part-time position. Cllr Parker queried whether this would be an additional cost or a cost saving and was advised this could be discussed during the confidential session.

Cllr E Youngman returned 13:19

54. An update from the Clerk on any staffing issues (confidential)

To be considered during the confidential session.

55. Further to the Town Council's decision not to fill the vacant Asset Manager post, on the understanding that Asset Manager responsibilities would be redistributed between other staff, receipt of an update on which responsibilities have been assigned to which staff (some aspects may be confidential)

Cllr Pearce advised that the decision had been made to appoint an Asset Manager as this role was becoming more demanding. The Clerk had recommended not to fill the vacancy and Full Council had voted to defer recruitment of a replacement Asset Manager, subject to their assigned responsibilities being redistributed to named officers. This information had been included in the report provided by the Deputy Clerk. Cllr Pearce proposed to defer this item to the next meeting, for the Committee to consider whether the stipulation from Full Council had been satisfied, or whether a recommendation should be made to Full Council to appoint a replacement Asset Manager in the next financial year. Cllrs Parker and Patience considered existing staff may not have the necessary expertise to take on such responsibilities. Cllr Brooks understood that the Clerk was not against filling the vacancy, but had concerns that other work pressures on the staff team at the time would make setting sufficient time aside for training difficult.

Cllr Brooks temporarily left the meeting 13:24

Cllr Pearce disagreed and reiterated the recommendation which had been made to Full Council.

Cllr Brooks returned 13:25

Cllr Pearce repeated his earlier proposal.

Cllr Jones temporarily left the meeting 13:28

Cllr Brooks seconded Cllr Pearce's proposal; all in favour.

56. The employment of a workshop based operative, including consideration of the budget (some aspects may be confidential)

The Deputy Clerk had provided an update and advised that any consideration of salary setting would be confidential. Cllr Pearce explained that officers had made a recommendation to the

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Budget and Loan Sub-Committee for the employment of a grounds maintenance operative based primarily at the workshop, who would also be available to support other members of the grounds maintenance team.

Cllr Jones returned 13:30

The salary range would be similar to that of the existing grounds maintenance staff. Cllr Pearce proposed to consider this recommendation favourably, but requested that officers provide a job specification to the next meeting, including the salary range, whether the role would be considered full or part-time, and whether job-sharing would be an option. Cllr Brooks seconded the proposal and all Councillors voted in favour.

57. The employment of gardeners, including consideration of the budget (some aspects may be confidential)

In response to a query from Cllr Brooks, the Deputy Clerk clarified that one member of the grounds maintenance team is based at Kensington Gardens and two in high season. Cllr Brooks considered gardeners were required across the Town Council's assets as a whole, and understood this agenda item had arisen at the request of the Chair of the Friends of Kensington Gardens. Cllr Pearce explained it had been discussed during a site visit to Kensington Gardens, but was not intended to apply to that site alone. It had been suggested that one or two gardeners could be considered, who would not be based at a specific site. Cllr Pearce proposed to support this idea in principle and ask officers to take this under consideration and potentially put together a schedule of roles and responsibilities and indicate whether this would largely be considered seasonal work, full-time, part-time or either, and bring this back to the next meeting to inform a job specification, which can be potentially recommended to Full Council with an appropriate salary package. Cllr Brooks seconded the proposal and all Councillors voted in favour.

58. The terms and conditions of staff (confidential)

58.1. Pay reviews with effect from April 2024 – To be considered during the confidential session.

58.2. Training and development opportunities for grounds-based staff – To be considered during the confidential session.

59. The circumstances behind the Town Council's actions in relation to a newspaper article and a Town Council engagement (some aspects may be confidential)

To be considered during the confidential session.

60. The process and timescales around the identification, handling and communication of issues regarding the legal status and scheme of delegation of Town Council Project Boards (confidential)

Cllr Pearce had requested this item before Full Council had given the legal status and scheme of delegations for the Marina Theatre and Town Hall Project Committees full consideration. Cllr Pearce now considered this matter to be resolved and all Councillors voted in favour to remove it from the agenda.

61. The process for approval of the Clerk's annual leave by the Mayor and Chair of the Personnel Committee (on behalf of the Personnel Committee), and for provision of advance notice to other Councillors (some aspects may be confidential)

The Deputy Clerk noted that the Mayor was due to arrive later on. Cllr Pearce clarified that his comments were in relation to the post and not an individual, and requested that where a period of leave is authorised in excess of a certain threshold (with two weeks given as an example), that some advance notice is provided to Councillors.

Cllr E Youngman temporarily left the meeting 13:41

Cllr Patience suggested picking this item up again once the Mayor had arrived.

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62. Date of the next meeting

7 December 2023 13:00

63. Items for the next agenda and close

Cllr Brooks requested an item to consider how to enact the Town Council's Equality Policy. Cllr Pearce requested a review of staff training and professional development, in view of the expanded staff base and change in the organisational structure, with consideration to be given to providing training for development into a role, as a policy rather than discretionary. Cllr Pearce requested a review of seasonal working and gardening requirements for 2024-2025, particularly to ensure that roles are not duplicated.

Cllr E Youngman returned 13:43

Cllr Pearce requested a review of the appraisals process in light of the increased employee numbers and the associated changes to the organisational structure.

Cllr Pearce proposed to move the meeting into confidential session; seconded by Cllr E Youngman; all in favour.

64. Resolution to close the meeting to the public:

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

The Deputy Clerk noted that the next meeting was in a fortnight's time, and it would therefore be difficult to accomplish all that had been requested from this meeting. Cllr Pearce considered that the requested information did not have to be provided in a formal meeting paper and would be sufficient on an email. The Deputy Clerk advised it may not be possible for all supporting information to be published at the time of the issuing of the agenda. Cllr Pearce proposed there was no requirement for the information to be provided in the form of a formal meeting paper, or for it to be published at the same time as the agenda; seconded by Cllr Patience; all in favour.

59. The circumstances behind the Town Council's actions in relation to a newspaper article and a Town Council engagement (some aspects may be confidential) – The Deputy Clerk noted that the Mayor had provided a written report. Cllr Begum clarified that the agenda item was not intended to be an attack on anyone, and provided the background information which led to the addition of the agenda item, and the conversation she had had with Cllr Barker. Cllr Begum was concerned how this may affect future Deputy Mayoral engagements and had been advised to speak with this Committee about the process generally.

The Deputy Clerk explained the telephone conversation she had had with Cllr Begum and apologised for any misunderstanding.

Cllr Brooks considered the matter to have been handled well. Cllr Pearce was concerned that a link had been made between Cllr Begum's personal life and her role on the Town Council, however well intentioned.

Cllr Barker arrived 14:00

Cllr Pearce repeated his comments for the benefit of Cllr Barker, who had just arrived, and the Deputy Clerk summarised the discussions so far.

Cllr Barker gave her account of events and considered she and the Deputy Clerk took pragmatic decisions to protect Cllr Begum's welfare and the reputation of the Town Council, but would have appreciated advance notice of the situation from Cllr Begum. Cllr Barker had received a number of emails from other Councillors which she considered to be judgemental of herself and officers.

Cllr Begum asked for clarity on how the Town Council would handle controversial situations going forward. The Deputy Clerk considered this would be much in the way this situation was handled by the Mayor; speaking directly with the Councillor involved, with openness and transparency, and in line with the Council's duties as

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set out in the Nolan Principles.

Cllr Brooks temporarily left the meeting 14:17

In response to Cllr Barker's statement, Cllr Pearce advised he had not judged anyone, and had requested the agenda item for the purposes of getting facts, explanation and clarifications.

Cllr Brooks returned 14:19

Cllr Patience declared he is the Vice Chair of the East Suffolk Council Licensing Committee and was unaware this would be discussed as part of this agenda item.

Cllr Parker declared he is an East Suffolk Councillor.

Cllr Brooks considered that the Town Council's procedure would have been covered in the policies due for review at this meeting, but did not consider that the approach taken required amendment.

Cllr Begum left the meeting 14:27

53. Staffing requests around the cleaning of public conveniences – The Deputy Clerk reported on the current arrangements for toilet cleaning in parks.

Cllr Jones left the meeting 14:28

Cllr Pearce noted that the Town Council also owned some public conveniences outside of its parks and requested some detail about the suggested number of hours and the responsibilities attached to the role, to inform a job specification and salary. The Deputy Clerk noted the Lowestoft Cemetery public conveniences had been closed due to vandalism.

54. An update from the Clerk on any staffing issues (confidential) – The Deputy Clerk noted the continued professional development of office staff and advised the workshop premises was up and running, with the non-parks based grounds maintenance team primarily based there.

- 58.1. Pay reviews with effect from April 2024 – The Deputy Clerk provided information as to the purpose of this agenda item. Cllr Pearce requested that the Project and Committee Clerk leave the room for a matter he wished to raise.

The Project and Committee Clerk left the meeting 14:33

Cllr Pearce made a suggestion regarding the grounds staff's salaries, to take effect from 1 April 2024. Cllr Brooks proposed to defer this item to the next meeting; seconded by Cllr Patience; all in favour.

- 58.2. Training and development opportunities for grounds-based staff – It was agreed that the Training Policy should be reviewed to give provision for existing staff to move to different roles within the organisation, and the undertaking of specific horticultural qualifications be enabled.

61. To review the process for approval of the Clerk's annual leave by the Mayor and Chair of the Personnel Committee (on behalf of the Personnel Committee), and for provision of advance notice to other Councillors (some aspects may be confidential) - Cllr Pearce clarified that this item was not in relation to the current incumbent but a policy position. The Town Clerk's leave must be notified in advance to all Councillors via the Councillor Update. Cllr Brooks suggested that this matter is built into relevant Town Council policies when they are reviewed.

Signed: 

7 December 2023