

LYME REGIS TOWN COUNCIL

HUMAN RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 4 JANUARY 2023

Present

Chairman: Cllr G. Stammers

Members: Cllr M. Ellis, Cllr B. Larcombe, Cllr P. May, Cllr C. Reynolds, Cllr D. Sarson, Cllr G. Turner

Officers: A. Mullins (support services manager), J. Wright (town clerk)

Absent: Cllr R. Smith

22/45/HR Public Forum

There were no members of the public present.

22/46/HR Apologies

None.

22/47/HR To confirm the accuracy of the minutes of the Human Resources Committee meeting held on 30 November 2022

Proposed by Cllr M. Ellis and seconded by Cllr P. May, the minutes of the meeting held on 30 November 2022 were **ADOPTED**.

22/48/HR Disclosable Pecuniary Interests

There were none.

22/49/HR Dispensations

There were none.

22/50/HR Matters arising from the minutes of the Human Resources Committee meeting held on 30 November 2022

Pay award

Cllr B. Larcombe asked if there had been any appeals.

The town clerk said the deadline for appeals was 31 January 2023 but it was anticipated there would be an appeal from one group of staff and two other individuals. He said employees would approach their line managers if they wished to appeal.

Cllr C. Reynolds asked if South West Councils would make decisions on the appeals.

The town clerk confirmed South West Councils would determine any appeals. He said the council had appointed an external organisation to do a review and if aspects of the review were taken in-house, it would undermine the process and the review would be pointless. He said South West Councils' decision on any appeals would be final and the council shouldn't want to intervene in that process.

22/51/HR Update Report

There were no updates.

22/52/HR To receive the minutes of the Health and Safety Committee meeting held on 8 December 2022

Cllr G. Stammers wanted to draw members' attention to a flood in the council offices which had caused the electric to cut out.

Cllr P. May questioned if it was a sensible decision not to implement pre-start checks as this was raised as an issue by the health and safety auditor.

Cllr D. Sarson said the committee was content not to action this because signing in every day was seen as time-consuming and employees were instead carrying out the pre-start checklist before each task.

The town clerk said he believed this would comply with the auditor's requirements as this was only identified as a minor non-compliance.

Proposed by Cllr G. Stammers and seconded by Cllr D. Sarson, the minutes of the Health and Safety Committee meeting held on 8 December 2022 were **RECEIVED**.

22/53/HR Health and Safety – Annual Audit and Annual Policy Review

The town clerk said this was an exceptionally high scoring audit and the council should be satisfied with anything over 80%. However, he put a marker down and said there was probably only one way to go from here in future.

The committee thanked the operations manager and the operations supervisor for their work in achieving this audit score.

Proposed by Cllr P. May and seconded by Cllr D. Sarson, members agreed to **RECOMMEND TO FULL COUNCIL** to note the 2022 health and safety audit and renew the health and safety policy unchanged.

22/54/HR Pension Access

The town clerk said as this issue affected him, as well as two other employees, he asked members if they would like him to leave the meeting.

Members were happy for the town clerk to stay in the meeting as it didn't affect him any more than any other employee.

The support services manager said the issue members were being asked to consider was the options available to employees if they chose to carry on working past state retirement age but to also access their pension. She said flexible retirement might not be in the interests of the council or the employee as it was unlikely a less senior position would be available or that part-time hours would suit the role. She said terminating an employee's contract and re-employing them at least one day later would mean an employee would lose all their accrued benefits, such as annual leave entitlement, enhanced sick pay and a probationary period would be required again, which seemed unfair on the employee.

The support services manager said members were being asked to consider a policy position so the council was clear on its stance and employees knew their options as they approached retirement, rather than dealing with each employee on a case-by-case basis.

Cllr B. Larcombe said it wasn't about the fairness, it was about the rules under taxation and the tax implications for employees were significant. Therefore, the requirement to have a one-day employment break was not in the council's gift to disregard. He said where the employer had options, it should always be cost neutral. He agreed it would be difficult for an employee to work less hours as someone else would have to cover and reverting to a less senior role would make it difficult for an employee to resist doing their old role.

Cllr M. Ellis said if an employee wanted to work reduced hours, this might create an opportunity for another part-time role. She said this could be discussed on a case-by-case basis but members were being asked to discuss the wider policy at this point.

Cllr B. Larcombe suggested dealing with each employee request on a case-by-case basis but to do it against a policy, or a set of criteria, which ensured there was no cost or negative impact on the organisation. After that, it would be about impact on other employees in that person's team.

The support services manager asked members if they would be comfortable that an employee who had accrued benefits would lose those benefits because they would be forced to terminate their employment with a gap of at least one working day. Although the requirement to take an employment break of at least one working day was a legal requirement, she said it would be within the council's gift to consider protecting an employee's accrued benefits.

It was proposed by Cllr B. Larcombe and seconded by Cllr P. May to consider requests from an employee to carry on working and access their pension pot on a case-by-case basis, set against a criteria that creates no negative impact on the organisation through cost or resourcing.

The town clerk said the council should adopt a position where there is no disbenefit to the council and possibly no disbenefit to the employee either.

The support services manager said this still meant every request would be dealt with on a case-by-case basis and there was no real policy position from the council. She said having a clear position provided certainty to both the council and the employee and that the council needed to apply the policy fairly across the board or else risk equality claims.

Cllr M. Ellis agreed there needed to be a consistent approach. She felt the council needed to protect its employees or it could risk losing an employee because they would otherwise lose their benefits.

Cllr C. Reynolds said although the council needed to protect itself, it also had a duty of care to its employees.

Proposed by Cllr P. May and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to adopt a policy position where requests from an employee to carry on working and access their pension pot are considered against criteria that creates no negative impact on the organisation through cost or resourcing and employees that request an employment gap of one working day have their accrued benefits maintained.

It was agreed any flexible retirement request, e.g. to reduce hours or move to a less senior position, would need to be considered individually as each case would be different.

22/55/HR The Town Clerk's Objectives 2023-24

The town clerk said this was a continuation of the budget-setting process; members had set objectives and the vast majority of those objectives had been delegated to him. He said there were some other important day-to-day tasks which members would expect him to do, which were not the council's objectives. An initial implementation date, the sponsoring committee and the lead officer for those committees had also been identified for each objective. He added he would be delegating most of the objectives to other managers, who were lead officers for the relevant committees.

Cllr B. Larcombe asked if there were any objectives allocated to the town clerk personally.

The town clerk said any objectives led by the Strategy and Finance Committee were likely to be his. He said when members received appraisal reports for managers, he would be outlining the objectives delegated to each of them.

Cllr B. Larcombe said some of the objectives were yet to be decided on so he asked why managers had been delegated to carry them out.

The town clerk said discussions about the objectives had gone through several meetings so there was an assumption they would happen, although some would require further discussion, such as the outdoor gym equipment or enhanced wedding packages. He said if the council had agreed the objectives in the budget and those suggestions were reasonable, the council needed to have continuity or the discussion would start again.

Proposed by Cllr M. Ellis and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the town clerk's objectives for 2023-24.

22/56/HR Carbon Literacy and Performance Management

The town clerk said he had been reviewing what performance management meant in the context of carbon literacy, whether it referred to human resources or a more strategic definition. He said he had tried to extract the human resources element and he confirmed the council was meeting the criteria from this perspective as six employees were carbon literacy trained. He said training for the rest of the staff sat in other specific areas.

The town clerk said the other requirements to meet the accreditation sat with the Environment Committee.

Cllr B. Larcombe said the most important thing the carbon literacy training did was raise awareness and if those who did the training could impart their knowledge on other employees, that would be sufficient. He felt as long as the council was demonstrating that it was aiming to continue to raise awareness, there was no need to chase the gold standard of accreditation.

The town clerk said the council had made a policy commitment to attain silver level accreditation and there was no commitment to attain gold level.

Cllr P. May said the intention of the Environment Committee in referring this matter to this committee was that at the moment, the objectives or performance management of employees were written down but very little of that reflected the environmental impact of those decisions.

The town clerk said the council would continue to train staff on environmental matters but only if it was relevant to them and not just put them on a carbon literacy course.

22/57/HR The Pay Review and the Enforcement Officers' Remuneration

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential information relating to an individual within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

22/58/HR Administrative and Community Engagement Assistant, Six-Month Probation Review

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential information relating

to an individual within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

22/59/HR Exempt Business

a) The Pay Review and the Enforcement Officers' Remuneration

The town clerk said he had intended to bring detailed calculations to this meeting of the enforcement officers' enhanced payment for non-standard hours but this had not been possible due to staff absence. He said he would report this to members after the meeting.

However, based on the rough calculations already done, the £25,000 budget set aside for the outcomes of the pay review would no longer be sufficient and he anticipated it would be around £30,000.

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to approve anti-social hours payments to postholders 207 and 208, to be paid in addition to their normal spinal column point, and that pay protection is not introduced.

b) Administrative and Community Engagement Assistant, Six-Month Probation Review

Proposed by Cllr P. May and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the administrative and community engagement assistant's (post holder 109) continued employment with the council, effective from 7 December 2022.

The meeting closed at 8.32pm.