



PERSONNEL COMMITTEE

Agenda for the meeting to be held on Wednesday, 5th July 2023
at 7pm in Sandbach Town Hall, Charter Room.

Committee Members: Cllrs K Flavell (Chair), A Nevitt (Vice Chair), M Mitchell, M Deakin, G Price Jones, J Arnold, L MacGregor, M Hough and S Broad.

1. EXCLUSION OF PUBLIC AND PRESS

Action: *To determine which items of the Personnel Committee Meeting should be considered with the exclusion of public and press [Public Bodies (Admission to Meetings) Act 1960].*

2. APOLOGIES FOR ABSENCE

To receive apologies for absence to be made directly to the Meeting Clerk (Chief Officer) **by 5pm** on the day of the meeting.

3. DECLARATIONS OF INTEREST

To provide an opportunity for Members and Officers to declare pecuniary & non-pecuniary interests in relation to any item on the agenda.

4. MINUTES OF THE LAST MEETING

[Attached: Minutes]

Action: *To approve the minutes of the meeting held on 5 October 2022.*

5. PERSONNEL COMMITTEE TERMS OF REFERENCE

[Attached: Draft Terms of Reference]

Lead: Chair

Action: *To consider the draft terms of reference and recommend to Full Council.*

6. APPEALS COMMITTEE TERMS OF REFERENCE AND ARRANGEMENTS

[Attached: Draft Terms of Reference]

Lead: Chair

Actions:

- i) *To consider the draft terms of reference and recommend to Full Council;*
- ii) *To acknowledge an appeal and agree to hold an Appeals Committee to consider the appeal;*
- iii) *To approve the appointment of 5 members to the Appeals Committee, who have not previously been involved in the case, for this purpose;*
- iv) *To appoint a Chair for the Appeals Committee for this purpose;*
- v) *To agree the date and administrative arrangements for the Appeals Committee for this purpose.*

7. PROTOCOLS FOR MEMBERS / STAFF

[Attached: STC Protocol]

Lead: Chair

Actions:

- i) *To discuss the Council's existing Protocol and its application and promotion in the context of the new Council;*
- ii) *To approve any amendments to the document;*
- iii) *To approve any supplementary guidance and / or arrangements to be put in place to ensure the Council's Cllr Code of Conduct and Dignity at Work Policy are upheld, in the interests of the effective running of the Council, and to ensure the Council fulfils its duty of care to staff and members.*

8. STAFFING UPDATE

Lead: Chief Officer

Action: *To receive an update on progress to date on appointments to the staff structure and other staffing issues.*

9. STAFF PERFORMANCE REVIEW AND INCREMENTS

Lead: Chief Officer

Actions:

- i) *To note annual increments to be awarded and applied, with effect from 1 April 2023, in line with employment contracts and within existing staffing budget;*
- ii) *To approve the approach to inflation only annual increase to Chief Officer pay rate to be incorporated within negotiated contract.*

10. ITEMS FOR NEXT MEETING

Chief Officer Contract Review

11. DATE OF NEXT MEETING

The next scheduled meeting is to be held on 25th October 2023

PERSONNEL COMMITTEE 5 OCTOBER 2022 MINUTES

Minutes of the meeting held on Wednesday, 5th October 2022
at 7pm in Sandbach Town Hall.

Committee Members: Cllrs L Crane, G Merry, A Nevitt, N Adams, N Cook,
R Hoffmann, R Hovey, S Corcoran and S Crane.

PART 1 : ITEMS TO BE CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Adams for personal reasons.

2. DECLARATIONS OF INTEREST

No declarations of pecuniary & non-pecuniary interests in relation to any item on the agenda were made.

3. MINUTES OF THE LAST MEETING

[Attached: Minutes]

Resolved: *The minutes of the meeting held on 25 May 2022 were approved as an accurate record.*

4. EXCLUSION OF PUBLIC AND PRESS

Resolved: *Items 5 - 10, under the Public Bodies (Admission to Meetings) Act 1960 (as extended by s.100 of the Local Government Act 1972), the public and accredited representatives of newspapers be excluded from the meeting for any of the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the item.*

PART 2 : ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

5. STAFFING UPDATE

Lead: Chief Officer

The Chief Officer updated the Committee on progress to date regarding the implementation of the Staffing Review and other staffing issues, including the appointment of a number of new starters. The Chief Officer reported that this was a very positive development for the Council but it would take a number of weeks before new staff were inducted and trained and that it remained a challenging environment particularly for the Council Management

team, who were continuing to work several additional hours and providing cover on a number of fronts to keep the Council operating efficiently.

6. ACCOMODATION ISSUES

Lead: Chief Officer

The Chief Officer fed back the accommodation issues affecting staff resulting from the temporary environment of the Town Hall. The Committee agreed that the project to research alternatives needed to be progressed quickly. The Chief Officer also updated the Committee about the ventilation survey which had been commissioned earlier in the year. This had highlighted many useful recommendations regarding ventilation risk, mitigation and cost. The Assets and Public Realm Manager had implemented some solutions in house and the Committee were advised that there was felt to be no immediate health risk to staff or users of the areas identified. The Chief Officer advised that measures outlined in the report should be considered once a permanent accommodation solution was established, to avoid unnecessary investment. The Committee agreed that the ventilation survey should be taken into account by the Fit for Purpose Accommodation Task and Finish Group in its development of suitable options.

Resolved: *that the Fit for Purpose Accommodation Task and Finish Group note the current accommodation issues and take account of the ventilation survey in its development of alternatives.*

7. CUSTOMER CARE, CONTACT AND COMPLAINTS POLICY APPLICATION

Lead: Chief Officer

the Chief Officer reported a case of potential vexatious complainant and outlined specific examples of vexatious behavior towards her and members of the team which had taken place since April 2022 from a member of the public. The Committee agreed that this behavior met the criteria for vexatious conduct, as outlined in the Council's Customer, Contact and Complaints Policy.

Resolved that;

- i. *All Members of the Personnel Committee would be authorised to constitute the Appeals Committee (of 5 members) based on availability and division of duty;*
- ii. *On the advice of the Chief Officer, a member of the public had met the criteria to be declared a Unreasonably Persistent and Vexatious Complainant (per the above policy) and that the Chief Officer is authorised to therefore stop this person's contact and access to the Council's offices and officers permanently. The Chief Officer has delegated authority to send the necessary correspondence. (Resolution unanimous).*

8. LEGAL ACTION UPDATE

Lead: Chief Officer

Resolved: *to support the Chief Officer's recommendation to take Counsel advice regarding treatment of Council staff, in line with the previous Personnel Committee resolution.*

9. REAL LIVING WAGE

Lead: Chief Officer

Resolved that;

- i) all casual staff to be paid the National Living Wage (outside London) of £10.90 per hour with effect from October 2022, in line with the previous Council Resolution in 2019;*
- ii) the Chief Officer is given delegated authority, in consultation with the Chair of Personnel Committee, to adjust the pay scales of lower graded staff, if required, to ensure that differentials are not eroded as result of the application of the living wage, once the 2022 NJC pay award had been implemented.*

10. ITEMS FOR NEXT MEETING

None identified at this stage.

11. DATE OF NEXT MEETING

To be confirmed subject to staffing issues – there is **NO** Personnel Committee to be held on 30 November as this is no longer required.

Meeting Closed at 8.25pm

Chair Cllr Laura Crane

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SANDBACH TOWN COUNCIL

PERSONNEL COMMITTEE: TERMS OF REFERENCE

Approved by Council: 18th January 2022

Latest Review Date: May 2023

This document supersedes the Terms of Reference of May 2018

9 Members of the Authority

Quorum = 3

Meetings: At least 2 Meetings per year or as needed.

All non-committee members may attend meetings of the Committee except for confidential items or matters relating to grievance or discipline and speak at the Chair's discretion, but are unable to vote.

Function of Committee Column 1		Delegation of Functions Column 2
1.	To agree the overall Staffing structure and approval of additional posts under scale 27	<ul style="list-style-type: none"> Final approval remains with Council for posts over scale 27
2.	To agree the pay and conditions of service for staff	<ul style="list-style-type: none"> Town Clerk reserved for Council Staff above scale 27 to Council Staff below scale 18 to Town Clerk Annual increments to Town Clerk Payment of honoraria within agreed budget to Committee.
3.	Approval of personnel policies & Employee Handbook	<ul style="list-style-type: none"> Committee, including discretionary provisions of National Joint Agreement. Committee to monitor
4.	Management and Appointment of Staff (Local Government Act 1972 s112-119)	<ul style="list-style-type: none"> Recommend appointment of <u>Town Clerk</u> to be endorsed by Council. Selection of long list and preliminary interview by Recruitment Panel from Personnel Committee + Mayor Final Interview-Committee + Mayor Appointment of other Staff Scale Point 27 and above to Council. Appointment of Staff below Scale Point 18 to Town Clerk within budget Town Clerk for contract, casual staff and temporary appointments to approved positions within budget Decision on whether to fill vacant positions is delegated to Town Clerk. Decision on recruitment of consultants to Committee within budget. Recruitment of Locum or Acting Town Clerk after decision in principle by Council or Committee is delegated to Mayor, Deputy Mayor and Personnel Chair. Management of staff in accordance with Council policy, procedures and budget to Town Clerk.
5.	Disciplinary matters under the Council's Disciplinary Procedure.	<ul style="list-style-type: none"> Town Clerk with appeal to Personnel Committee Personnel Committee in the case of the Town Clerk

		<p>with appeal to Appeals Committee (only members on Personnel Committee not previously involved)</p> <ul style="list-style-type: none"> Dismissal of Town Clerk to be ratified by Council
6.	Determination of individual grading issues and job evaluation	<ul style="list-style-type: none"> Committee, except Town Clerk reserved to Council
7.	Issues relating to the Local Government Pension Scheme as it affects individual employees and administration of retirement.	<ul style="list-style-type: none"> Committee (Council in case of Town Clerk) Administration of retirement in cases of permanent ill health, after appropriate medical advice via Cheshire Local Government Pensions to Committee Pensions Discretions Policies to Committee
8.	Approval of job descriptions & person specifications.	<ul style="list-style-type: none"> Committee (except Town Clerk reserved for Council) Town Clerk for under scale 18
9.	Absence issues under the Council's Attendance Management Guidelines.	<ul style="list-style-type: none"> Town Clerk except Committee in the case of Town Clerk
10.	Appeals Procedure.	<ul style="list-style-type: none"> Appeals Committee.
11.	To place staff at the disposal of other local authorities for the purpose of joint arrangements or Partnership working	<ul style="list-style-type: none"> Council
12.	Competence Procedure	<ul style="list-style-type: none"> Town Clerk except Committee in the case of Town Clerk Appeals to Appeals Committee
13.	Issue of Contracts of Employment	<ul style="list-style-type: none"> Town Clerk except Committee in the case of Town Clerk Model Contract approved by Committee
14.	Redundancy & Redeployment.	<ul style="list-style-type: none"> Committee (Council to ratify in case of Town Clerk)
15.	Training and Development	<ul style="list-style-type: none"> Policy to Council Implementation to Town Clerk
16.	Approval of Officer Codes of Conduct, supplements & Member-Officer Protocol	To Council
17.	Health & Safety (including Stress Policy)	<ul style="list-style-type: none"> Committee for approval of Policy other than General Statement which is reserved for Council Committee to oversee responsibilities for Council within budget and policy Town Clerk for operational management
18.	Grievance Procedure	<ul style="list-style-type: none"> Hearing Panel from Personnel Committee Appeals to Appeals Committee (non involved members)
19.	Administration of other Personnel procedures	<ul style="list-style-type: none"> Town Clerk except Committee in the case of Town Clerk
20.	Employee Development Review and assessment at end of Probationary period	<ul style="list-style-type: none"> Town Clerk and Management team for all staff Mayor, Personnel Chairman & Deputy Mayor for Town Clerk
21.	Consultation and negotiation with Trade Unions	<ul style="list-style-type: none"> Committee (Council to ratify for Town Clerk) Committee Quarterly overview Town Clerk and appointed managers for

		operational matters
22.	Volunteers Policy	<ul style="list-style-type: none"> • Town Clerk to administer • Committee to recommend policy to Council & monitor • Town Clerk to administer
23.	Child & Vulnerable Adult Policy	<ul style="list-style-type: none"> • Town Clerk to administer • Committee to monitor & recommend to Council
24.	To administer the Council's Equality Policy	<ul style="list-style-type: none"> • Town Clerk to administer for employees, services, volunteers and democratic processes • Committee to monitor & recommend to Council
25.	Decision how to implement necessary actions to deal with offensive communications or other forms of intimidation	<ul style="list-style-type: none"> • Committee in line with Dignity at Work Policy
26.	First Line of Contact for Town Clerk	Hierarchy: <ul style="list-style-type: none"> • Mayor • Chair of Personnel Committee • Employer – Personnel Committee

NB. Any financial, operational or managerial action delegated to the Town Clerk may in his/her absence be undertaken by the Deputy Town Clerk, if the matter cannot wait until the Town Clerk returns

Town Clerk equates to Chief Officer or other lead Officer title.

DRAFT

SANDBACH TOWN COUNCIL

APPEALS COMMITTEE

Adopted by Council: 18th January 2022.

Latest Review Date: May 2023

5 available Members of Personnel Committee.

Quorum = 3

Meetings: Meetings will take place as and when required.

Non-committee members may not attend meetings of the Committee or have access to documentation.

The Committee is responsible for:

- Considering and deciding whether individual appeals have established grounds for appeal, according to the Council's policies and Procedures.
- To gather further evidence at appeal committee hearings and to decide, on the basis of that information, whether an appeal should be upheld or rejected.

Function of Committee Column 1		Delegation of Functions Column 2
1.	To determine whether any appeal made by a member of staff under any of the Council's Human Resources policies are valid.	<ul style="list-style-type: none"> • Committee,
2.	To hold appeal hearings under the Disciplinary, Grievance, Competence, Redundancy and Redeployment Policies	<ul style="list-style-type: none"> • Committee to determine the appeal under the appropriate procedure. (NB. Any Councillor who has previously been involved in the Procedure prior to the appeal may not sit on the Appeal hearing.) • Only Council may uphold a decision to dismiss the Town Clerk
3.	To determine any appeals under the Council's Customer Contact Care and Complaint Procedure which is delegated to it.	<ul style="list-style-type: none"> • Committee to determine the appeal under the Procedure. (NB. Any Councillor who has previously been involved in the Procedure prior to the appeal may not sit on the Appeal hearing.) • Committee to make redress up to the value of £500 for financial matters. • Town Clerk to make redress up to the value of £300 for financial matters.

GUIDANCE FOR SUCCESSFUL OFFICER-COUNCILLOR ENGAGEMENT

This document has been produced to provide guidance on successful engagement between Councillors and Officers. It is not set in stone and common sense must be applied dependent on the circumstances and in the knowledge of the personality you are working with – there is no such thing as a ‘Typical Councillor’ or indeed a ‘Typical Officer’.

Councillors and Officers are indispensable to one another and a mutual respect is essential for good government. Together they bring the skills, experience and knowledge to effectively manage a local Council. Whilst it is essential to work together, it is important to recognise the difference between the two roles.

COUNCILLORS

Accountable to the Electorate
Community Leader for his/her ward
Adds a political dimension
Sets high level policy/strategy
Involved in senior appointments

OFFICERS

Accountable to the Council
Serves the whole Council
Politically Impartial
Ensures operational delivery
Day to day management of staff

Despite this separation, there are many occasions when leadership is defined by the close pairing of Councillors and Officers, when they come together to address challenges within their community; this is about understanding the strengths that both bring to the table.

EXPECTATIONS

What Councillors should expect from Officers:

- A commitment to the Council and not to any individual Councillor.
- A working partnership.
- A timely response to enquiries.
- Professional advice, not influenced by political views or preference.
- Integrity, mutual support and appropriate confidentiality.

What Officers should expect from Councillors:

- Leadership and direction.
- A working partnership.
- Compliance with ethical standards and probity requirements.
- Non-involvement in the day to day management, unless requested.
- No special considerations.

Interpersonal Tactics for Good Relations:

- Be yourself, without defensiveness or hidden agenda.
- Describe what you see without being judgemental, eg “based on what you have said.....”
- Show you understand other people’s situation, needs and feelings.
- Maintain assertiveness, but avoid outbursts of emotion, eg counter-attacks or talking over people.
- Keep people and problems separate, understanding that people are not trying to be difficult but doing their job.
- Be open to ideas, explore options and work in collaboration to achieve an outcome.
- Listen first and talk second – if you are to stand any chance of influencing others, you first must understand where they are coming from, before ‘defending’ your own position.
- Focus on getting the support of others, quite often other support can be influential in changing the view of resistant people.