

**MINUTES OF A MEETING
OF RESOURCES MEETING
COMMITTEE
HELD ON 18 JULY 2019
IN THE TOWN COUNCIL OFFICES, LEDBURY**

PRESENT Councillors Bannister, Harvey, Howells, Knight, Manns and Whattler

IN ATTENDANCE The Town Clerk- Angela Price
The Minute Taker- Olivia Bundy

R9. APOLOGIES

Apologies had been received from Councillor Morris, Eakin, Vesma

R10. DECLARATION OF INTERESTS

None received

R11. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF THE EXECUTIVE COMMITTEE HELD ON THE 19TH JUNE 2019

Members agreed that it would be useful to add another column to the action sheet under the heading 'status' to report actions as completed.

RESOLVED:

1. **That the minutes of the meeting of executive committee (now known as Resources) held on the 19 June 2019 be approved and signed as a correct record.**
2. **That The Town Clerk adds another column to the action sheet under the heading 'Status'.**

R12. TERMS OF REFERENCE

Members were requested to give consideration to the Draft Terms of Reference

Councillor Harvey suggested that the Resources committee should be responsible for handling complaints and grievances and advised that this needs to be added to the committees delegated responsibly and not deferred back to Full Council.

The clerk advised that she is dealing with the policies and is currently working with citation to complete these.

Members agreed that point 5 of the Draft terms '**To make decisions on the Training and Development budget process for staff and Councillors**' should be moved to "By Way of Recommendation" and that the Budget be added onto the Terms and Reference to be received and noted.

RESOLVED:

- 1. That the handling of Complaints and Grievances be added to the Terms of Reference under Delegated Powers**
- 2. To make decisions on the Training and Development budget process for staff and Councillors' be included in the "By way of Recommendation" section of the Terms of Reference**

R13.

**NATIONAL JOINT COUNCIL FOR LOCAL GOVERNMENT SERVICES,
NATIONAL AGREEMENT ON PAY & CONDITIONS OF SERVICE**

Members were requested to give consideration to signing up to the National Joint Council for Local Government Services- National Agreement on Pay and Conditions of Service (NJC Green Book)

RECOMMENDATION

That a recommendation be made to Full Council that the Council signs up to the National Joint Council for local Government Services – National Agreement on Pay and Conditions of Service

R14.

OCCUPATIONAL HEALTH PROVISION

Members were asked to consider joining an Occupational Health Service and authorise the Town Clerk to obtain 3 quotes for submission to committee.

RESOLVED

That the Town Clerk obtain 3 or more quotes for Occupational Health Provision in the future.

R15.

TIME OFF IN LIEU

Members were requested to receive and note the TOIL accrued by the Town Clerk for the period 18th April – 10th July 2019

Councillor Harvey suggested taking advise from other local councils of a similar size and meeting schedule and suggested Council may need to consider employing a member of staff to share meetings due to the current workload in the office.

The Town clerk advised that she will provide a TOIL report onto Resources Committee agendas as a matter of course.

Members suggested reviewing the Town Clerks TOIL in 6 months at their meeting on 16 January 2020.

RESOLVED:

That the Town Clerk contacts other Councils of a similar size and meeting capacity to establish alternative procedures and recommendations on

TOIL and submit a report to the Resources Meeting on the 16th January 2020.

R16. HEALTH AND SAFETY ISSUES

The Town Clerk updated members of a meeting with Ellis Whittam, the Councils Health and Safety Consultants who advised that a Legionella Risk Assessment be carried out in the offices.

Members agreed to incorporate a 'Project Plan' into the 2020/21 budget for all Health and Safety including PPE for the Groundsman and the costs of grounds maintenance equipment.

RESOLVED:

That Health and Safety is added to the 2020/21 Budget under 'Project Plan'

R17. LONE WORKING POLICY

Members advised that the following wording in red be added;

Duties of Employer

- i. 1. Ensure that the employee is provided with safe and adequate equipment and ensure that they are trained in the correct and safe of all equipment **as appropriate**
2. Ensure that the premises are safe and ensure that the employee is made aware of any potential hazards, as identified in the risk assessment **by the Health and Safety Officer**

Duties of Employee

- ii. 3. Wears PPE provided **as appropriate to task**

Communication Equipment

- iii. 4. **CCTV**
5. **Spare mobile phones for the Town Clerk and Deputy Clerk**
6. **Staff to send a message or call to The Town Clerk or Deputy Clerk if finishing late.**

Accidents

7. **Employees and Staff to report any incidents in the Accident Book**

RESOLVED:

That the Town Clerk adds the above points as highlighted to the Lone Working Policy prior to its referral to that Finance, Policy & General Purposes Committee.

R18. NEW STARTER INDUCTION PACK

Members were asked to approve the new 'Line Manager Induction Pack' for new Staff joining the Council

Members agreed that it would be beneficial for new Staff and Councillors to read the Councillor Procedures and Policies as part of their induction.

RESOLVED:

That the induction pack be noted and received and that the Town Clerk add a 'received and understood' document to the pack for staff and Councillors to sign.

Olivia Bundy, the Minute Taker left the meeting.

R19. BUDGET MONITORING REPORTS 1 APRIL – 30 JUNE 2019

Members were requested to receive and note the Budget Monitoring Reports for 1 April to 30 June 2019.

RESOLVED:

That the Budget Monitoring Reports be received and noted, noting that on future reports some of the information is not relevant to the Resources Committee.

RECOMMENDATION

That a recommendation be made to the Finance, Policy & General Purposes Committee that a virement of funds from Nominal Codes 4016 (Town Cleaner) and/or 4017 (Deputy Groundsman) to Nominal Code 4001 (Temporary Staff Salaries) be made

R20. EXCLUSION OF PRESS

RESOLVED: That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest, that the press and public are excluded from the remainder of the meeting.

R21. UPDATE ON STAFFING MATTERS

Members were requested to give consideration to an interim report in respect of staffing matters.

Members were provided with a number of job descriptions for consideration and following some considerable discussion it agreed that the Town Clerk would compile one complete Job Description for the role in question utilising the proposed job description provided by a previous member of staff, which provides details of all tasks required of the role.

RESOLVED:

That the Town Clerk compiles one complete Job Description for the role in question utilising the proposed job description provided by a previous member of staff and the current job description

R22.

OUTCOME OF MEETING WITH CITATION

Members were provided with a report from Citation following a recent meeting with the Clerk and Deputy Clerk.

RESOLVED:

- 1. That it be noted that progress is being made with HR issues**
- 2. That the report from Citation be deferred to the next meeting of the Resources Committee due to it only being made available at the meeting.**

R23.

POST HOLDER 35 - SALARY REVIEW

Members were provided with a report in respect of post holder 35 requesting them to consider a review of the post holder's salary in recognition of the position held by the post holder.

RESOLVED:

That a recommendation be submitted to a meeting of the Finance, Policy & General Purposes Committee that post holder 35 be placed on SCP 23 with immediate effect and that they be awarded an increment for each unit of the CiLCA qualification as and when they are completed, which will result in them being placed on SCP 29 once they have completed their CiLCA qualification.

R24.

POST HOLDER 04 - REVIEW OF ROLE AND SALARY

Members were requested to give consideration to a report in respect of a salary review for post holder 04.

Members were advised that the post holder was due to be appraised in the near future and they felt that any decision to increase the post holder's salary should be deferred until such time the appraisal has been undertaken.

RESOLVED:

- 1. That the decision on a salary increase for post holder 04 be deferred until such time an appraisal has been undertaken and a report back to this committee advising of the outcome of that appraisal has taken place.**

2. That a review of the needs of resources in the Painted Room be undertaken at the end of the 2019/20 season.

The meeting closed at 9.20 pm

Signed Date
(Chairperson)

ACTION SHEET

**RESOURCES COMMITTEE
EXTRA ORDINARY
18-Jul-19**

Minute No.	Action	To be Actioned by	Date Actioned	Comments	Status
R11(2)	That the TC adds another column to the action sheet under the Heading "Status"	TC	all future agendas		Ongoing
R12(1)	That the handling of complaints and grievances be added to the Terms of Reference under Delegated Powers	TC	19.07.19	To be presented to Full Council at its meeting on 01.08.19	Completed
R12(2)	To make decisions on the training and development budget process for staff and councillors be included in the "By Way of Recommendation " section of the Terms of Reference	TC	19.07.19	To be presented to Full Council at its meeting on 01.08.19	Completed
R13	That a recommendation be made to Full Council that the Council signs up to the National Joint Council for Local Government Services - National Agreement on Pay and Conditions of Service (also known as the Green Book)	TC		To be considered as a recommendation at full council on 01.08.19	Agreed at full council on 01.08.19
R14	That the TC obtain 3 or more quotes for occupation health provision in the future	TC	08.10.19	Requests made to three companies - awaiting quotes	
R15	That the TC contacts other town and Parish councils of a similar size and meeting capacity to establish their procedures and recommendations on TOIL and submit a report to the Resources Meeting on 16 January 2020.	TC		Various policies looked at - report on agenda	17.10.19
R16	That Health & Safety is added to the 2020/21 Budget under "Project Plan"	TC/DTC/ Council		To be included in 2020/21 budget	
R17	That the amendments as listed in the minutes be made to the Lone Working Policy prior to it's submission to FP&GP Committee	TC	01.08.19	Amendments made and agreed by FP&GP at meeting on 26.09.12	Completed

R18	That the induction pack be received and noted and that the TC add a "received and understood" document to the pack for staff and Cllrs to sign	Ongoing		To be provided to all staff/councillors when asked to read new policies/governing documents	ongoing
R19	That a recommendation be made to Full Council that a virement be made from NC 4016/4017 to NC 4001	TC/FP&GP Comm	25.07.19	On FP&GP Agenda for consideration	Agreed at full council on 01.08.19
R21	That the TC compiles one complete JD for the role in question utilising the proposed JD provided by a previous member of staff, which provides details of all tasks required of the role				
R22(1)	That it be noted that progress is being made with HR issues	Comm			Completed
R22(2)	That the report from Citation be deferred to the next meeting of the Res Comm due to it only being made available at the meeting			To be included on agenda in January 2020	on agenda
R23	That a recommendation be submitted to a meeting of the FP&GP comm that post holder 35 be placed on SCP 23 with immediate effect and that they be awarded an increment for each unit of the CiLCA qualification as and when they are completed, which will result in them being placed on SCP 29 once they have completed their CiLCA qualification	25.07.19	TC	submitted to a meeting of FP&GP comm on 25.07.19	Agreed at full council on 01.08.19
R24(1)	That the decision on a salary increase for post holder 04 be deferred until such time an appraisal has been undertaken and a report back to this committee advising of the outcome of that appraisal has taken place.				
R24(2)	That a review of the needs of resources in the Painted Room be undertaken at the end of the 2019/2020 season			Review to be carried out from October 2019	

LEDBURY TOWN COUNCIL

RESOURCES COMMITTEE	17 OCTOBER 2019	AGENDA ITEM: 4
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Report prepared by Angie Price – Town Clerk

TOWN CLERK TIME OFF IN LIEU (TOIL) ACCRUED

Purpose of Report

The purpose of this report is to advise Members of the Resources Committee of TOIL accrued by the Town Clerk due to attending meetings, conferences, events and workload pressures for the period 11 July – 9 October 2019.

Detailed Information

The Town Clerk’s contract states that any hours worked in addition to the normal 37½ hour working week will be managed as follows:-

Hours worked Monday – Friday in addition to normal working hours will be reimbursed as Time off in Lieu (TOIL)

Hours worked on Saturday, Sunday and Bank Holidays will be reimbursed as overtime at basic rate.

As a result of this the Clerk has worked the following additional hours, to be recorded and reimbursed as TOIL for the period 11 July – 9 October 2019:-

	11-31 July	1-31 Aug	1-30 Sept	1-9 Oct	Total
				Carried Forward	33:45
Time Worked	23:00	20:45	46:00	5:30	95:15
Time Taken	18:15	18:00	8:30	0	44:45
July – October totals	4:45	2:45	37:30	5:30	50.45

Carried forward 33.45
 July – Oct outstanding total 50.45
Overall total TOIL hours owed 84:30 (as at 09.10.2019)

In addition to the above TOIL the Clerk also has also accrued the following overtime due to attending events and working at weekends and the Mop Fair:-

September 2019 16hrs 45 mins (paid in September salary)
 October 2019 18 hrs 30 mins (to be paid in October salary)

At the previous meeting of the Resources Committee the Town Clerk was asked to find out what other Parish Councils do in respect of TOIL with a view to the Council introducing a TOIL policy.

At the meeting of the Committee held in July 2019 it was agreed that Ledbury Town Council would sign up to the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (The Green Book) for its standard terms and conditions.

The Green Book provides that:-

- Posts where staff are paid at Spinal Column Point (SCP) 28 or below staff have a choice whether to claim overtime for additional hours or they can opt for TOIL.
- Posts where staff are paid at SCP 29 or above TOIL will be granted for members of staff working above their contracted weekly hours. TOIL is accrued at single time (regardless of when it is worked)

However, when investigating the issue of TOIL and how other Councils manage it, it became apparent that many councils recognise that the above approach is difficult to follow due to the greater demands on their senior staff in the current working week than was the case when this agreement was conceived.

Members have suggested that the Clerk should, where possible, come in late on the days when meetings are held and possibly the following day. However, due to there being meetings held most weeks, the Clerk's workload does not always allow for this, as when one meeting is over the preparation for the next starts. Also the workload is such that at 2/3 evenings a week the Clerk finds it necessary to work late to ensure that the follow-up tasks from meetings, reports for the next meeting and other work-streams are being undertaken, which can often be interrupted during the working day due to meetings and other issues. The accrual of TOIL by the Town Clerk as detailed above is not due to inefficiency, but rather the demands of the position and the need to undertake tasks that have been "side-lined" over the past few years due to the issue that the Council have had to deal with. Add to this the fact that the Deputy Clerk and admin staff are only employed to work 30 hours a week and the pressure placed on the Clerk is intensified.

As stated above whilst looking at other council's TOIL policies and talking to other clerks at the recent SLCC National Conference, it became apparent that this is an issue that many councils are facing. As a result, many Clerks and senior staff who are only able to accrue TOIL, rather than be paid overtime, are accruing in excess of 50 hours and in some cases 100 hours during any given year. Comments gathered into how other councils manage TOIL for their senior officers were mixed in so far as some councils only allow TOIL, others provide a mix of paid overtime and TOIL. There was no set way in which this is being dealt with within the sector, but it is apparent that it is a problem and Councils, even those adhering to the Green Book, are managing it via either of the above two methods.

Currently Ledbury Town Council do not have a policy in place detailing the contractual requirements on the Clerk to take TOIL. Council need to give consideration to this but when setting it should be mindful of the current workload of a number of issues that arise in respect of the management of the Clerks TOIL:

- The current workload all staff, but in particular the Clerk, is too high to be sustained – the council may wish to review staffing capacity prior to embarking

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on any significant projects. Members may wish to consider making some of the part-time roles within the council full time. However, this would have a direct cost implication on the Council's budget and would also involve a change to current staff contracts and careful consideration should be given to this approach, with the legal consultation periods entered into should this be an agreed way forward;

- Is there a need for the Council to recognise the workload of the Clerk is at such a level that paying a proportion of hours worked in addition to the 37½ contracted hours as paid overtime is necessary since taking off the accrued TOIL may not be possible? However, this would have a direct cost implication on the Council's budget and would need careful consideration.

Recommendation

1. That Members note the Clerks accrued TOIL with effect from 11 July – 9 October and that current hours owed to the Clerk equal 84 hrs 30 mins.
2. That Members give consideration to a possible future approach and policy in respect of additional hours being worked by the Town Clerk, noting that currently the Clerk is paid for any additional hours worked at weekends and Bank Holidays, but can only claim TOIL for additional hours worked during the working week.
3. That Members give consideration to possible changes in contractual hours currently being worked by other members of staff.

LEDBURY TOWN COUNCIL

RESOURCES COMMITTEE	17 OCTOBER 2019	AGENDA ITEM: 7
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Report prepared by Angie Price – Town Clerk

HOLIDAY PAY FOR PERMANENT PART-TIME WORKERS

Purpose of Report

The purpose of this report is to make Members of the Resources Committee of a change in legislation in respect of permanent, part-time workers and their annual leave entitlement.

Detailed Information

In April 2020 new legislation in respect of employees who work irregular working hours. Currently, annual leave for employees who work irregular hours is calculated by averaging the number of hours worked over the previous 12 weeks (known as 'the pay reference period'). Under the new regulations, from 6 April 2020, the pay reference period will be 52 weeks or, for those workers who have been working for less than 52 weeks, the total number of weeks they have worked. This change is designed to avoid workers losing out where their working hours are subject to fluctuations such as seasonal variations.

Currently, Ledbury Town Council employ staff to provide a Tour Guide service in the Painted Room and the Market House who fall into the category of permanent part-time workers who work irregular hours. The Guides commence their seasonal working pattern circa Easter of each year and work until the end of October and their annual leave allowance is calculated using the 12 week pay reference period method. When they recommence their duties in 2020 with effect from 6 April 2020 their leave entitlement will be calculated by taking into account the number of weeks they have worked up to 52 weeks.

Due to the Guides only working part time for a seasonal period, whilst they accrue annual leave, they do not generally take the leave, but are paid it as part of their contract. Due to this the changes in legislation will inevitably have a financial effect on the Council, however due to the Tour Guides having worked varying times in each week is difficult to predict what the cost of these changes will be. However, it should be possible to provide an estimated figure for the following year when setting the Council budget as the Tour Guides seasonal employment come to a close at the end of October.

Recommendation

Members of the Resources Committee are requested to give consideration to the above legislation update, noting that it will impact on the Council's budget with effect from 6 April 2020.

