



LEDBURY TOWN COUNCIL

TOWN COUNCIL OFFICES, CHURCH STREET, LEDBURY

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29 September 2023

TO: Councillors Bradford, Chowns, Hughes, l'Anson (Chair), Morris

Dear Member

You are hereby summoned to attend a meeting of the **Resources Committee** which will be held in the **Council Offices, Church Lane, Ledbury**, on **Thursday, 31 October 2023 at 7.00pm** for the purposes of transacting the business set out below.

Yours faithfully

Angela Price
Town Clerk

FILMING AND RECORDING OF COUNCIL MEETINGS

Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner. Whilst those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record or broadcast must respect the rights of other people attending under the Data Protection Act (GDPR) 2018

A G E N D A

- 1. To receive apologies for absence**
- 2. To receive declarations of interest and written requests for dispensations**
(Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by Ledbury Town Council's Code of Conduct for Members and by the Localism Act 2011)
(Note: Members seeking advice on this item are asked to contact the Monitoring Office at least 72 hours prior to the meeting)
- 3. To approve as a correct record the minutes of meetings of the Resources Committee held on 3 August 2023**
(Pages 130-135)
- 4. Action Sheet**
(Pages 136-139)

6. **Consideration on whether cover should be provided for staff on annual leave from external sources** (Pages 140-143)

7. **Date of next meeting**

To note that the date of the next meeting of the Resources Committee is scheduled for 7 December 2023.

8. **Exclusion of Press and Public**

In accordance with Section 12(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

9. **Staffing Matters** (Pages 144-150)

- i. Request received from Post Holder 69
- ii. Consideration of extension to paid sick leave – post holder 47
- iii. Staff Protection Measures

11. **Correspondence received from Ledbury resident** (Pages 151-153)

Distribution: Full agenda to: - Committee members (4)

Agenda front pages to all non-committee members (6)

LEDBURY TOWN COUNCIL

**MINUTES OF A MEETING OF THE RESOURCES COMMITTEE
HELD ON 31 AUGUST 2023**

PRESENT: Councillors Bradford, Hughes, l'Anson (Chair) and Morris

ALSO PRESENT: Angela Price – Town Clerk
Gwilym Rippon – GR Consultancy

R8. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Chowns.

R9. DECLARATIONS OF INTEREST

None received.

R10. TERMS OF REFERENCE

Members were requested to approve the amendment to the Terms of Reference as agreed at the Full Council Meeting held on 3 August 2023 (minute no. C82 refers).

RESOLVED:

That the Terms of Reference for the Resources Committee be recommended to Full Council for approval, with one abstention.

R11. TO APPROVE AS A CORRECT RECORD THE MINUTES OF MEETINGS OF THE RESOURCES COMMITTEE HELD ON 6 JULY 2023

RESOLVED:

That the minutes of the Resources Committee meeting held on 6 July 2023 be approved and signed as a correct record, with one abstention.

R12. ACTION SHEET

RESOLVED:

That the action sheet be received and noted.

R13. OUTCOME OF DSE REVIEWS

RESOLVED:

That the items listed within the report provided to the Committee as required following the recent DSE Assessments be purchased at an approximate cost of £965.89.

R14. INVOICES FOR PAYMENT (August final)

RESOLVED:

That the invoices for payment in the sum of £9,104.12 be approved.

R15. DATE OF NEXT MEETING

RESOLVED:

To note that the date of the next meeting of the Resources Committee meeting is scheduled for 5 October 2023 at 7.00 pm in the Council Offices.

R16. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

- 1. 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.**
- 2. That Mr Gwilym Rippon be permitted to remain in the meeting as he had been invited to attend the meeting to provide advice and support on agenda item 10(i).**

R17. STAFFING MATTERS

i. Letter received from post holder 49

Members were requested to give consideration to a letter received from post holder 49. Mr Rippon had been invited to attend the meeting to provide advice on what action the Council could legally take in respect of safeguarding staff.

Mr Rippon shared a draft of a document that Councillors may wish to consider for the future and Members requested 10 minutes to read and digest the document provided.

Members felt that the document needed more consideration and did not feel that this would be something they could use at this time to consider what, if any, safeguarding measures could be put in place.

Following considerable discussion Members agreed on a three-stage plan, which they felt was one that could be implemented into Council procedures in any future documents and procedures.

RESOLVED:

1. **That the Mayor write to Councillor Sinclair, without delay, as per the resolution made at a meeting of Full Council held on 29 June 2023 (minute no. C33 refers):**
 1. *That Councillor Sinclair be asked to provide a written and public apology to councillors regarding his repeated and unsubstantiated allegations of fraud and criminal activity.*
 2. *That Councillor Sinclair be asked to make a written and private apology to The Clerk regarding his repeated and unsubstantiated allegations of fraud and criminal activity.*
2. **That the content of the letter to Mr Sinclair should include the following points:**
 - **That Councillor Sinclair should provide acknowledgement of receipt of the letter within 14 days of the date of the letter**
 - **That Councillor Sinclair should provide a written apology to the Clerk within 14 days of receipt of the letter**
 - **That Councillor Sinclair should make a public apology to the Councillors at the meeting of Council scheduled for 28 September 2023**
3. **That the letter will be sent via recorded delivery so as to provide evidence that the letter has been received.**
4. **That all future discussions on this matter will be held in Public Session and the identity of the Councillor will not be withheld from public record.**
5. **That a copy of the letter to Mr Sinclair will be provided to Councillors present at the Resources Committee meeting.**

RECOMMENDATIONS TO FULL COUNCIL

6. **That the Mayor be instructed to write a letter to Councillor Sinclair insisting that this matter is closed between himself and the Council and that any further allegations or**

accusations against staff or councillors should be directed to the Monitoring Officer.

7. That if no acknowledgement is received within 14 days and no action is taken to provide the appropriate apologies to Clerk or Councillors within the 14 days the Mayor instruct the Councils Solicitors to proceed with a cease-and-desist letter.

ii. **Letter Received from Post Holder 50**

Members were requested to endorse the actions of the Town Clerk, in which she had agreed to post holder 50 reducing their hours from 30 to 37 per week, in support of flexible working.

RESOLVED:

1. That the Clerks actions be endorsed in respect of a reduction of working hours from 37 to 30 for post holder 50.
2. That an item be included in the next Markets Working Party agenda to discuss employing someone on a 7-hour contract per week to provide a visible presence at the Saturday Market.
3. That the Community Development Officer provide an update report to Full Council meetings on what they have been doing between each cycle of meetings.

iii. **Other Staffing Matters**

Members were provided with an update on a number of staffing matters.

RESOLVED:

1. That Members receive and note the information provided within the report.
2. That an item to consider cover for staff when on annual leave be included on the next Resources Committee agenda.
3. That a Disciplinary Hearing Panel of three Councillors and the Clerk be stood noting that the following Councillors agreed to sit on the Panel:

Councillors Hughes, l'Anson, and Morris

4. That an Appeals Panel of three Councillors be stood up with Councillors other than those listed above:

Councillors Bradford, Chowns and one other to be agreed at Full Council.
5. That there be a trial period of six months whereby the Accounts Clerk provide additional support to the Clerk by taking on more tasks, in an attempt to reduce the work of the Clerk but noting that the Clerk will still oversee all of the additional tasks given to the Accounts Clerk.
6. That following the team building day the Clerk provide a report to the Resources Committee.

18. **CORRESPONDENCE FROM LEDBURY RESIDENT**

Members were provided with further correspondence from a local resident, which was in addition to previous correspondence. They were also provided with an email that had been received after the agenda despatch, dated 29 August 2023.

Members considered the content of the emails and following discussion it was agreed that the Clerk should be instructed to write back to the local resident in a similar manner to that of a local Ward Member.

RESOLVED:

That the Clerk be instructed to provide a response similar to that of a local Ward Councillor, as follows:

“The Council have attempted to engage with you on this matter and have, since April this year, provided you with responses to your questions wherever possible in an open and honest manner. An invitation for you to meet with the Chair of the Finance, Policy & General Purposes Committee was extended to you, which you declined, and a copy of the Council’s complaint form was provided to you on 15 April 2023, which you declined to return.

Given that the Council have provided these responses and they have been met with your intention to pursue legal action against this Council, the Council no-longer feel able to correspond with you further on this matter.”

The meeting ended at 8.39 pm.

Singed Date

ACTION SHEET
EO RESOURCES COMMITTEE
06.07.2023

Minute No.	Action	To be Actioned by	Date Actioned	Comments	Status
Jan-23					
R188	That LTC support the proposal from GI to provide seminars locally on subjects relevant to the sector and they be asked which subjects have been well received by other groups, noting that seminars on subjects such as risk, asst and financial management would be beneficial to both senior officers and councillors	TC	Jan-23	Email sent to GI - telephone call booked for 20.02.2023 to discuss location and content of first seminar	no further communication from GI - Clerk will discuss with them at conference in Oct 2023
R189(2)	That officers prepare the following draft policies for consideration at FP & GP - Training Policy/Succession Policy	TC/DTC	23.03.2023	Draft policies to be prepared and added to FP & GP agenda in March	In progress
Jul-23					
R7(7)	That the Local Government Pension Scheme be referred to the Finance, Policy & General Purposes Committee for further consideration.	TC	21.09.2023	To be included on next FP&GP Ag	In progress
Aug-23					
R13	That the Items listed within the report provided to the Committee as required following the recent DSE Assessments be purchased at an approximate cost of £965.89.	TC	Sep-23	All equipment purchased with the exception of a chair for TG's and display screen riser - total to date £715.33	Chair to be purchased for TG's and one screen riser smaller than the standard size

R17(i)(1)	That the Mayor write to Cllr Sinclair, without delay, as per the resolution made at a meeting of FC on 29.06.23 (min no. C33)	Town Mayor	01.09.2023	Letter sent on 01/09/23 - no written apology received by TC awaiting to see if apologies given to cllrs at FC meeting 28.09.2023	Awaiting apologies accordingly
R17(i)(2)	That the content of the letter to Cllr Sinclair should include the following points: that Cllr Sinclair should provide acknowledgement of receipt of the letter within 14 days of the date of the letter - that Cllr Sinclair should provide a written apology to the Clerk within 14 days of receipt of the letter - That Cllr Sincioair should make a public apology to cllrs at the meeting of Council on 28.09.2023	Town Mayor	01.09.2023	Letter sent on 01/09/23 - no written apology received by TC awaiting to see if apologies given to cllrs at FC meeting 28.09.2023	Awaiting apologies accordingly
R17(i)(3)	That the letter will be sent via recorded delivery so as to provide evidence that the letter has been received	Town Mayor	01.09.2023	Letter sent recorded delivery and notification received that it was signed for on 02.09.2023	Completed
R17(i)(4)	That all future discussions on this matter will be held in public session and the identity of the Cllr will not be withheld from public record	Committee/minutes	all future meetings where this matter is discussed	To be discussed in open session on future agendas	ongoing
R17(i)(5)	That a copy of the letter to Cllr Sinclair be provided to Cllrs present at the Resources Meeting	Clerk	01.09.2023	Copy of letter emailed to Resources comm members	Completed
R17(i)(6)	That the Mayor be instructed to write a letter to Cllr Sinclair insisting that this matter is closed between himself and the council and that any further allegations or accusations against staff or councillors should be directed to the MO	Town Mayor	20.09.2023	Letter sent 20.09.2023	Completed

R17(i)(7)	That if no acknowledgement is received within 14 days and no action is taken to provide the appropriate apologies to the Clerk or Cllrs within 14 days the Mayor instruct the Councils solicitors to proceed with a cease and desist letter.	Town Mayor	Oct-23	Awaiting full council meeting 28.09.2023 - if no apology given at meeting Mayor and Clerk will meet with solicitors - costs for this work have been provided for consideration at full council	In progress
R17(ii)(2)	That an item be included on the next markets wp agenda to discuss employing someone on a 7-hour contract per week to provide a visible presence at the Saturday market	TC	05.09.2023	Discussed at MWP and referred onto PET's committee - That the Market Operative job description be considered as part of the Markets Strategy	In progress
R17(ii)(3)	That the CDO provide an update report to FC meetings on what they have been doing between each cycle of meetings	CDO	FC agendas	To be included as part of CDO report (officers report)	Ongoing
R17(iii)(2)	That an item to consider cover for staff when on annual leave be included on the next agenda	TC	Oct-23	Report on agenda	Completed
R17(iii)(3)	That a Disciplinary Hearing Panel of three Cllrs and the Clerk be stood up noting that the following Cllrs agreed to sit on the Panel: MH, HI, NM	TC	If required	Panel established to enable meeting to be called without delay if/when required	Completed
R17(iii)(4)	That an appeals panel of three cllrs be stood up with cllrs other than those listed above: Cllrs AB, SC, and one other to be agreed	TC	If required	Panel established to enable meeting to be called without delay if/when required	Completed
R17(iii)(5)	That there be a trial period of six months whereby the Accts Clerk provide additional support to the Clerk by taking on more tasks, in an attempt to reduce the work of the Clerk, but noting that the Clerk will continue to oversee all of the additional tasks undertaken	TC/AC	Review Feb 2023	Additional tasks given to A/C	In progress

R17(iii)(6)	That following the team building day the Clerk provide a report to the committee	TC		December meeting	Report to be included on agenda for meeting 07.12.23	In progress
R18	That the Clerk be instructed to provide a response to local resident similar to that of local Ward Cllr Stef Simmons	TC		10.09.2023	Email sent and brief response received - further communications received and to be presented at October meeting for consideration	In progress

RESOURCES COMMITTEE	5 OCTOBER 2023	AGENDA ITEM: 6
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Report prepared by Angela Price – Town Clerk

CONSIDERATION ON WHETHER COVER SHOULD BE PROVIDED FOR STAFF ON ANNUAL LEAVE FROM EXTERNAL SOURCES

Purpose of Report

The purpose of this report is to provide Members of the Resources Committee with information for consideration as to whether there would be any merit in securing external cover for staff when on annual leave.

Detailed Information

During a conversation at the last Resources Meeting, held on 31 August 2023, Councillor Morris asked whether holiday cover is arranged for when staff are on annual leave. Following a brief discussion it was resolved that the Clerk would provide a report to this meeting on this issue.

Currently, most members of staff take annual leave for either one or two weeks in the summer months, some staff also take a week or two off during the remainder of the year, but many staff take occasional days off throughout the year.

The current practice that is in place for cover for staff on annual leave for up to two weeks is as follows:

- Clerk/Deputy Clerk cover for each other and meet prior to the leave period to ensure they are up to speed on projects and outstanding tasks that will require attention during the leave period
- Receptionist/Administrator cover for each other and meet prior to the leave period to go over any work streams that will need to be managed in their absence – however if the receptionist is on annual leave the administrator does not tend to sit at the reception desk, however they do have cctv in their office and a bell is connected in the reception area
- Accounts Clerk – as the RFO the Clerk would provide any cover required for the accounts Clerk, however the accounts clerk does ensure that all month end, VAT and other such requirements are completed prior to annual leave
- Burial issues – the Deputy Clerk would provide cover for this area in the absence of the burial clerk, and they would meet prior to the leave period to discuss any issues around forthcoming burials etc.
- CDO – this role is covered by the Receptionist and Administrator and overseen by the Clerk in the CDO'S absence – a pre-leave meeting is held with all parties to ensure that everyone is aware of workstreams that will need to be dealt with in the CDO's absence.
- Cemetery groundsman – if required the Maintenance Operative would provide cover for grass cutting etc.

- Maintenance Operative – the cemetery groundsman would be asked to undertake any tasks that occur during their absence

All staff are aware of their roles in respect of holiday cover, and this is written into their job descriptions as part of the requirements of their role and they are aware of the need for at least one of them to be in work at any given time to ensure the relevant cover is required.

All staff are conscientious enough that they ensure as much of their work is up to date before going on annual leave, and letting the staff member who is their designated cover know of any issues or workstreams that will need to be managed in their absence.

If the absence was likely to extend to three weeks or more, then senior officers would review the situation and consider whether it would be appropriate and necessary to employ agency staff to cover, which in these instances it would more than likely be necessary, as the impact on other staff would be more significant than that for a couple of weeks.

As part of preparing this report the Clerk has asked all staff members for their feedback on the suggestion to provide external cover for them when they are on annual leave.

The general feeling from staff is that the current process works, and outsourcing leave cover would be impractical for the following reasons:

- If cover were to be provided via a recruitment agency this cover would be a different person on each occasion and therefore not consistent. This would then mean that each time a staff member is due to go on annual leave they would either have to prepare a comprehensive hand-over report on their tasks, or the cover would need to be taken on for a couple of weeks before they go on leave to provide training for the role. This would take more time than it currently takes for each staff member to ensure their work is at a stage whereby their colleagues can cover
- If the individual brought in to provide cover was only brought in to cover the period of annual leave and not prior to this date, the time it would take senior officers to go through the role of the post they are covering would not only be taking senior officers away from their own workload, but the time spent by the individual providing the cover would not be productive during the short period the post holder is on annual leave
- It would not be cost effective – as mentioned above to ensure that an individual being brought in to provide annual leave cover is able to do provide effective cover they would need to be engaged prior to the post holder going on annual leave. As a result the cost to the council would be for a period of two weeks plus the annual leave period, whilst still paying the salary of the employee who is on annual leave, in addition to this there would agency costs.

The Clerk would support the comments above from staff and would also add the following concerns:

- The accounts system and processes used by Parish Councils, are not the same as that which are used in private businesses and cannot be learnt in a short period of time. Part of the Accounts Clerks role is to submit payments via the councils bank account, which for obvious reasons would not be something that a temporary agency member would be able to take on.
- They would not be able to learn the cost centre and nominal codes for everything that needs to be entered onto the accounts system in such a short time, and as a result would require input from the Clerk or Deputy Clerk, which means it would increase the work of senior officers, which would inevitably be ineffective as a solution.
- On occasions there will be confidential work to be undertaken by senior officers, which may require assistance from other staff members. This should not be something that is undertaken by external cover and as a result senior officers would either have to manage the workload around this themselves or ask another member of permanent staff to assist, therefore this would have an impact on other staff and negate the need for temporary cover.
- By having in-house staff to cover each other during short periods of annual leave it reduces the possibility of errors being made, as they would be used to doing the work and if an error is made the main post holder could have a discussion around this so as to ensure their colleagues are aware and know how to avoid such errors in the future. It is unlikely that the same person would be engaged to cover each member of staff from an external recruitment agency on each occasion, which increases the possibility of errors and time spent "teaching" someone the requirements for cover provision for each role.
- Providing cover for the Clerk is not straightforward. There are locums available to cover Clerk roles, however these are extremely difficult to obtain due to a shortage of locums and it would be impractical for a locum to cover a Clerk from a council for such a short period of time. If there is anything urgent that needs to be dealt with, the Clerk would ensure that this is dealt with as far as is possible and practicable prior to going on annual leave and ensure that the Deputy Clerk is up to speed on the issue and able to deal with it in the Clerk's absence, or that they would leave it for the Clerk to deal with on their return, after all two week's absence is not going to make that much difference to a project.
- The same as above would apply in respect of the Deputy Clerk's and CDO's absence. The Clerk should be abreast of everything that officers are working on, which in turn would mean that they can pick up any issues during their annual leave.

The only time that it might be helpful to get cover in for staff on annual leave would be:

- Someone to cover reception – to greet visitors to the reception/TIC and to answer telephone calls. However, if the cover was not local to Ledbury they may not have knowledge of the area or matters being raised and would ultimately have to disturb other staff members for assistance
- If a member of staff were to request annual leave (Paid or unpaid) for more than three weeks

Annual leave cover for short periods of time is currently managed by senior officers and all staff are happy that the current system works. This is a matter for officers to

manage and should the current system not be working, then the Clerk will provide a report to Members advising of issues being experienced.

The Clerk does not consider there is a need for external cover to be brought in for normal short term annual leave and Members should take this into account when considering this report.

Recommendation

That Members of the Resources Committee consider the information provided within this report, noting that senior officers considered that there is no need to engage external cover for staff on short term annual leave at this time and that as an operational matter this is for the senior staff to manage as part of their roles.