

HEREFORD CITY COUNCIL
GOVERNANCE AND PROCEDURES MEETING 30th April 2019

MINUTES OF MEETING

Present: Councillors Marcelle Lloyd-Hayes, Kath Hey, Sharon Michael, Brian Wilcox, Paul Stevens and Mark Dykes and Sue Boulter

Attending: Steve Kerry, Town Clerk, Julie Davis, Hoople HR Adviser

At the start of the meeting the Chair, Councillor Lloyd-Hayes reminded members of the fire procedure and thanked members for the coffee and cake which had been provided to mark her last meeting upon retirement from the City Council.

GP2019/20.01 APOLOGIES FOR ABSENCE

Apologies were noted from Councillors Chris Chappell and Len Tawn.

GP2019/20.02 SUBSTITUTIONS

The Chair thanked Councillor Mark Dykes for substituting for Councillor Tawn

GP2019/20.03 DECLARATIONS OF INTEREST

No declarations were made.

GP2019/20.04 MINUTES OF PREVIOUS MEETINGS

Members considered the status of the discussion recorded by Tony Ford as acting locum clerk at the last meeting. After consideration it was decided that these notes should be retained by the members who took part in what may be considered as an employer's side meeting. The confidential notes taken at this meeting have been retained by current committee members and a copy will be retained in the Town Clerk's personal file for future reference. The published minute was the action plan, which was now no longer confidential, although the process by which it had been resolved would remain so.

It was then proposed by Councillor Wilcox, seconded by Councillor Michael and

RESOLVED That the minutes of the meeting of 26th March, and the minutes of the confidential business are agreed as an accurate record and were signed according by the Chair.

GP2019/20.05 STAFF CONTRACTS, JOB DESCRIPTIONS AND CONDITIONS OF SERVICE

Councillor Lloyd-Hayes gave a resume of recent meetings with staff and the HR adviser around new job descriptions and contracts. She began by paying a warm tribute to the work done by Julie Davis to support the exercise which had been handled very professionally. She was also pleased with the willing engagement of staff who had responded with many helpful comments. The lengthy process has enabled work loads to be much better balanced than they had been and for important new work to be assigned to staff who had the capacity and ability to deliver for the City Council. As a result, she felt that the Council was more fit for purpose than it had been with up to date procedures, job descriptions and contracts in place. Some work remains,

including the fine details of the job descriptions for the Deputy and Assistant Clerk upon which helpful discussions had taken place with staff.

Councillor Lloyd-Hayes added that she had met with members of the Youth Council who felt that they were now in a position to take a fuller part in Council matters, possibly through co-option to Council and that having received excellent support for the Deputy Clerk in their formative stages were now able to operate with less council officer support. The Clerk advised that co-option in the strict sense could only be applied to a person over the age of 18 as it had to be someone who was eligible to stand for election. An alternative might be to invite the Youth Council to nominate someone to attend meetings in the same way the Civic Society does for Planning Committee.

More efficient planning of council meetings, which is referred to elsewhere on the agenda and a review of the opportunities to be more flexible around some civic and parish events such as the Annual Parish Meeting had also been highlighted as issues for the future.

The demise of Visit Herefordshire and the urgent need to co-ordinate work to promote the City of Hereford as a destination, together with work to promote and enhance the standing of the City Council in the community created an opportunity to use entrepreneurial and presentational skills held by the Deputy Clerk which had not been used fully because she had been engaged in other tasks which had been redistributed in the revised job descriptions.

Julie Davis reported that contracts had been prepared which were up to date and fully legally compliant and would be issued to staff in the next few days. The Clerk reported that in response to a demand for a five day week working over 25 hours, the Mayor's Secretary had sent a very well thought out response asking for consideration of compression of the 25 hours required into four working days to assist with her work-life balance. The Clerk commended the response made for the Committee's consideration. Julie Davis confirmed that this could be dealt with by a variation to the permanent contract for the trial period suggested and that she would work with the Clerk to complete this. The Deputy Mayor confirmed that she was confident that the proposed hours were well thought out and were suitable for a trial period.

The report was noted with thanks.

GP2019/20.06 FLEXIBLE WORKING AND TOIL

The Clerk introduced the report and reminded members that with the rescission of the decision in November the Council had not had a policy for some time. He had instructed staff who claimed accumulated balances at that point to hold them, not take significant TOIL but to ensure they did not accumulate any more time, effectively freezing the situation until a means by which claims would be resolved had been agreed by Committee. The actual process attached to the report was the same as had been agreed in November and staff consultation on that had only brought up one issue around excess hours above whatever was considered a standard operating allowance in exceptional circumstances. The Clerk clarified the reasoning behind allowing part-time staff to be paid at plain time rates for additional hours when these were established as necessary, and that such a need might arise at quite short notice

for example if someone was off sick. Prior approval in every case by Committee would be impractical. Additional hours was not the same as overtime at enhanced rates which was not paid at the Council.

Julie Davis confirmed that the policy is sound in HR terms and that staff must always be asked why they wish to work flexible hours and demonstrate that it serves the employer's needs, not just their personal preferences. Flexible working arrangements and variations of hours must be formally agreed in advance. She suggested members consider how to account for training days.

After deliberating on the question for some time members agreed that the procedure be amended to include a section on hours for training and some recognition of traveling time after the first hour in each direction.

Members identified the need for a fall back position in truly exceptional circumstances to vary the standards allowance of accumulated time, which would be set at 7 hours 24 minutes, representing one fifth of 37 hour working week. This value for a day would be used throughout the procedure. To clarify, all references to a manager or a line manager would be altered to read "Town Clerk".

It was then proposed by Councillor Wilcox, seconded by Councillor Dykes and

RESOLVED That members endorse the report and the policy as amended and that it be issued to all staff for immediate implementation.

At this point the Chair presented Julie Davis with flowers to thank her for her tireless work in assisting members to bring a number of inter-locking staffing matters to a successful conclusion.

GP2019/20.07 FREQUENCY OF MEETINGS

The Clerk introduced the report and explained that the effect was to reduce to six council meetings a year from eight, each one built around a key decision to be made apart from anything referred from committees or arising ad hoc.

Members commented that the report was particularly clear and were happy to support it.

It was proposed by Councillor Lloyd-Hayes, seconded by Councillor Hey and

RESOLVED

That the Committee agrees the proposals set out above in principle and refers them to the next meeting of Governance and Procedures Committee to enable new members joining after the elections to have their say.

That the results of the Committee's further deliberations are reported to council in the new administration for final approval.

GP2019/20.08 BUSINESS PLANNING

The Clerk introduced the report and explained that one of his tasks from his recent appraisal had been to develop a comprehensive business plan of the Council by October. The report sets out how that can be achieved, involving all members and all

four committees in producing a plan in time to be the major factor in determining the budget for the following year when the plan would be delivered. The timescales were tight given the lack of a comprehensive plan at present. The place of the Community Led Plan was a factor, and it may well be that Community Development Committee would rely on it as the source of much of that Committee's input, but it was never going to cover internal organisational development, financial management, resources and asset planning or the work of Planning Committee as these tended to be outside the scope of the public consultation responses that informed the Community Led Plan.

After a brief discussion it was proposed by Councillor Lloyd-Hayes, seconded by Councillor Stevens and

RESOLVED

That the Committee approves the process for delivering a comprehensive business plan by the end of October 2019.

That the Committee urges all Councillors, whether newly elected or not, to attend the two training days partly to be brought up to date with all relevant information and also to take part in the business planning process.

That the Committee agrees to the arrangements for aligning staff appraisals with a comprehensive business plan.

That the Committee agrees to the review timetable as provisionally set out in the report above.

GP2019/20.09 STAFF AND MEMBER RELATIONS

The Clerk introduced the report and explained that the recent complicated exercise of consulting staff on several policies and procedures at the same time as reviewing job descriptions and contracts had strained the generally understood boundaries for contacts between staff and members. With a new administration imminent too, it was timely to reassert what those boundaries ought to be and have an up to date agreement on them.

Councillor Lloyd-Hayes commented that she found the report very well written and clear and commended it to the Committee.

It was then proposed by Councillor Michael, seconded by Councillor Dykes and

RESOLVED

That staff will be instructed not to send members their personal opinions of observations about matters under discussion by members other than in formal reports which will meet the expected standards of best professional advice.

That staff will be advised that any concerns about the conduct or actions of a colleague must be sent to the Clerk, and not copied to any members of Council, and that the Clerk will determine how to deal with them, including making the subject of concern aware of the matter that has been raised if this is necessary to resolve it.

That concerns of this nature about the Clerk should be communicated only to the Chair of Governance and Procedures Committee.

That Councillors will not seek to contact members of staff outside their normal working hours except for matters of genuine urgency which will be communicated to the Clerk.

That staff will be instructed when formal consultations are taking place as to the time within which they are expected to respond and the person to whom response should be sent. This will normally either be the Clerk or an external HR consultant.

That nothing in this series of resolutions in any way restricts the rights and duties of staff to operate the whistle blowing procedure when it is appropriate to do so.

That routine contacts between councillors and staff on matters of ongoing work are entirely acceptable within normal working hours.

That this series of resolutions be communicated to staff in writing and will be included in members briefing packs.

GP2019/20.10 ITEMS FOR FUTURE MEETINGS

Youth Council – access to Committee and Council for member of the Council and the scale of ongoing Council staff involvement.

Training for staff and members

HALC and NALC Relationship

The meeting closed at 7.35 pm with the presentation of flowers to the Chair by members in recognition of her final meeting after many years on the Council and with good wishes for the election to all involved.

Signed

Date