

MINUTES OF THE **MEETING** OF THE **POLICY & RESOURCES COMMITTEE** HELD ON **WEDNESDAY 14th FEBRUARY 2024** AT 7.00 P.M. AT NEWTON'S PLACE, WOLBOROUGH STREET, NEWTON ABBOT

PRESENT: Councillor M Joyce (Chairperson) Presiding
P Bullivant (Vice Chairperson)

Councillors B Bailey A Hall
L Cooke C Parker
D Corney-Walker M Ryan
C Davieson L Wood

Councillor R Buscombe attended the meeting.

In attendance: Phil Rowe – Town Clerk
Sam Scott – Deputy Town Clerk & RFO
Linda McGuirk – Principal Administrator
Sally Henley – Town Development Manager
Nigel Canham - Communications Advisor

400. **APOLOGIES FOR ABSENCE**

None received.

401. **INTERESTS**

None declared.

402. **MINUTES**

The Minutes of the Meetings of the Policy and Resources Committee held on 25th October 2023 were received and signed as a correct record.

403. **PUBLIC PARTICIPATION**

There were no members of the public present. Cllr L Cooke advised that members of the public who had attended the recent Community & Heritage Committee meeting reported they had struggled to hear the meeting. The Clerk was asked to consider improvements to sound provision.

404. **REPRESENTATIVES ON OUTSIDE BODIES**

The Chairperson, Councillor M Joyce invited members that are representatives on outside bodies to report on meetings they had attended.

Cllr C Parker reported that he had attended a Citizens Advice Bureau (CAB) meeting on the 25th January 2024. The meeting had discussed the current financial situation of the organisation, staffing levels and issues which they are supporting residents with which included benefits, housing, debt, family and employment issues. Members were informed that Teignbridge CAB responds to national calls as well as local. In Teignbridge It was

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noted that the Buckland & Milber Ward has the highest volume of enquiries, many include multiple issues.

405. **POLICIES**

The Chairperson introduced the policy documents, previously circulated, and invited the Town Clerk to give a brief outline of the proposed changes.

- a) The Equality & Diversity Policy has been extensively revised to reflect changes in legislation.
- b) The Training & Development Policy required minor changes as highlighted in the draft document.
- c) The Recruitment Policy required changes as highlighted in the draft document. Members suggested the following additional amendments:

Page 2 – include Care leavers and Carers.
Page 6 – Include Proof of authority to work in the UK e.g., Passport.
Page 7 – Replace Elected members with Members.
- d) The Mobile Phone Policy required one minor change.
- e) The GDPR Policy had been revised to reflect changes in legislation.

Accordingly, it was:

RESOLVED that the policies in relation to the:

- Equality & Diversity Policy
- Training & Development Policy
- Recruitment Policy
- Mobile Phone Policy
- GDPR Policy

be hereby, approved and adopted subject to the above minor amendments.

406. **HEALTH & SAFETY AT WORK ACT 1974**

Councillor R Buscombe reported that he had attended the Staffing Sub Committee meeting held in December to raise concerns about the threatening and aggressive behaviour exhibited by a District Councillor during the Full Council meeting held on the 15th November 2023. Councillor Buscombe advised that in accordance with the Health and Safety Act 1974 the Council has a duty to protect employees from work-related violence and aggression.

In accordance with minute number 23/12(S06), Members were asked that the Council seeks legal advice under the Health and Safety Act 1974 on powers available to it, to remove or ban from its premises any individual who it deems to be a risk to the welfare of its staff, councillors and visitors.

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The Town Clerk referred Members to a briefing note, as circulated prior to the meeting, regarding research he had carried out into the powers available to the Council to remove/ban any individual who it deems to be a potential risk to the welfare of its staff, councillors and visitors. During the discussion Councillors L Cooke and L Wood advised on the benefits of conflict resolution and de-escalation training.

Arising from the discussion, it was:

RESOLVED that the Town Clerk investigates suitable conflict resolution training appropriate for all staff and Councillors.

Councillor R Buscombe thanked Members for their consideration and left the meeting at 7:30pm.

407. **LEGAL SUPPORT**

Members considered the report on legal support available to the Council, as circulated prior to the meeting. The Town Clerk reported that he had approached a number of legal practices locally and further afield to identify the services offered.

The Town Clerk asked the Council to consider a proposal submitted by a practice with offices in Exeter, Teignmouth and Newton Abbot.

Arising from discussions, it was:

RESOLVED that the Town Clerk be hereby authorised to engage a provider of legal services as reported to the Committee.

408. **SUB COMMITTEES/WORKING PARTIES/FORUMS**

The Minutes of the Meeting of the Staffing Sub Committee held on 6th December 2023, as presented by the Chairperson, Councillor D Corney-Walker were noted.

Cllr M Ryan abstained from participating in discussion or voting.

409. **STAFFING SUB COMMITTEE – TERMS OF REFERENCE**

- a) Members discussed and considered establishing a Staffing Committee to replace the current Staffing Sub Committee.
- b) The draft Staffing Committee terms of reference, as circulated prior to the meeting, were considered. Amendments were agreed as outlined in the document appended to these minutes.

Arising from discussions, it was:

RESOLVED that the Policy & Resources Committee recommends that the Council establishes a Staffing Committee and adopts the Staffing Committee Terms of

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Reference, subject to the suggested amendments, to commence from Annual Meeting, to be held in May 2024.

Cllr M Ryan abstained from participating in discussion or voting.

410. ACCOUNTS INCOME & EXPENDITURE

The Committee received and noted the overview of Income and Expenditure statements for the Policy and Resources Committee for the Period 1st April to 31st December 2023. Accordingly, it was:

RESOLVED that the Income and Expenditure Statements for the Policy and Resources Committee for the Period 1st April – 31st December 2023 be hereby approved.

411. LATE CORRESPONDENCE

None.

412. DATE OF NEXT MEETING

The next meeting would be held on Wednesday 19th June 2024.

Meeting closed at 7:50 pm

Chairperson.....Date.....

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APPENDIX – Draft (NEW) Staffing Committee Terms of Reference.

NEWTON ABBOT TOWN COUNCIL



Staffing Committee Terms of Reference

New draft Policy reviewed by Policy & Resources Committee	14 th February 2024. Minute number 24/02(409b)
Date of adoption at Full Council Minute Number	13 th March 2024. Minute Number 24/03(
Reviewed (Annually)	

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STAFFING COMMITTEE TERMS OF REFERENCE

Powers, Duties and Functions of the Staffing Committee are as follows: -

1. Purpose

To provide effective and professional management of all matters related to the employees of the council. To provide a duty of care to employees and to take steps to protect the wellbeing of employees.

To maintain the staffing levels necessary to efficiently discharge the work required by the Council and to review the workloads periodically and report any recommendations for change to the Full Council.

The Staffing Committee has delegated powers to act on the behalf of the Council in relation to the defined terms of reference only; any recommendations outside the Staffing Committee's terms of reference shall be made to the Full Council.

To consider all aspects of the Council's staffing establishment, including:

- All aspects of the recruitment, retention, remuneration, training and health and safety aspects of the Council's staff in accordance with the Council's Recruitment Policy. Elected Members will be responsible for recruitment of the Town Clerk and may be involved in the recruitment and succession planning for other senior members of staff, at the discretion of the Town Clerk.
- Carry out an annual review of the Council's staffing establishment.
- Be responsible on an annual basis for the review of salaries.
- To review and monitor the training and development needs of staff, including monitoring and supporting staff who are undertaking training and development.
- To ensure that annual appraisals for all staff are carried out, agree and monitor any associated actions and outcomes.
- Reporting back to Council the outcome of the Town Clerk's annual appraisal undertaken by the Mayor or in their absence the Deputy Mayor.
- To deal with all matters relating to staff conduct, disciplinary matters and appeals.
- Consider and implement any changes which are required to comply with Employment Law, Health & Safety Law and Terms and Conditions of Service.
- To consider and implement any changes which are required to comply with legislation and Terms and Conditions of Service as laid down by the National Joint Council (Green Book) and recommended by the National Association of Local Councils and Society of Local Council Clerks.
- Responsible for the preparation and submission of budget proposals in respect of salaries and employees training to **Finance & Audit Committee/Full Council**.
- To receive reports from the Town Clerk in respect of attendance, short and long-term sickness, return to work interviews, annual leave, maternity leave, paternity leave, adoption leave, compassionate leave, and flexible leave requirements and with delegated powers to resolve any associated matters.
- Review employment policies/procedures for recommendation to **Finance & Audit Committee/Full Council** for approval.

Chair initials.....

- Review pay awards and increments for recommendation to **Finance & Audit Committee/Full Council** for approval.
- Disciplinary matters referred to the Staffing Committee by the Town Clerk.
- Overseeing an employee's formal grievance(s) in line with the Council's grievance procedures.
- To deal with all matters relating to staff conduct
- Ensuring that confidentiality is maintained over all staffing matters under the Data Protection Act 1998 and the Code of Conduct by all members of the Council.

The Committee shall meet as and when required, but at least once annually.

2. Constitution, Membership and Quorum

The Constitution of the Staffing Committee shall be those Members of the Council duly appointed by the Council. The Committee Chairperson **and Vice Chairperson** will be ~~the Deputy Mayor~~ elected annually. ~~the Committee shall be responsible for the appointment of the Committee Vice-Chairperson annually.~~

Membership to be a maximum of 6 Councillors to be appointed annually (there will be no ex-officio Committee Members). The Mayor should not be a member of the Staffing Committee, they should not be actively involved in early-stage grievance/disciplinary discussions or investigations. This will ensure they remain impartial and able to take an active part in any disciplinary or grievance appeals/hearings.

A member will not be eligible for nomination to the committee – or if already a member must step down – if they have been the subject of an upheld grievance or finding of a breach of the Code of Conduct by, or relating to, a member of staff during the previous 12 months. A Member must also not be eligible for nomination to the committee if they have a declarable interest in staffing matters.

Three or a third of the Members shall constitute a quorum of the Committee. If the number of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned, and business not transacted shall be transacted at the next meeting or on such other day as the Chairperson may agree.

3. Attendance at meetings

All members of the authority may attend all meetings of its committees and speak thereat with the permission of the Committee Chairperson but may not vote unless they are a member of the Committee.

4. Delegated Power

The Staffing Committee is authorised to make binding decisions on behalf of Newton Abbot Town Council with regard to all aspects of paragraph 1, subject to such decisions being in accordance with the Council's adopted policies and approved budget and provided that in all cases the meeting is quorate.

The Town Clerk ~~has delegated authority to oversee the day-to-day~~ **is responsible for the** overall performance, welfare and recruitment of the staff.

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5. Sub Committee's and Working Groups

The Staffing Committee shall be able to form Sub Committees and Working Groups to study any aspect of the Committee's sphere of activity, as it considers appropriate.

6. Limitations

The Local Government Act 1972 section 112 gives local councils the powers to employ staff to enable it to carry out its statutory functions and powers.

Local council staff will work regularly and directly with individual councillors, but it is the council (as a corporate body), not its councillors, that is the employer.

7. Review

These terms of reference are to be reviewed annually by the Staffing Committee.