

# MAGOR WITH UNDY COMMUNITY COUNCIL

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Minutes of Human Resources Committee meeting of Magor with Undy Community Council held remotely via Zoom on Monday 25<sup>th</sup> April 2022 at 2.00pm

**COUNCILLORS:** Cllr S Bailey, Cllr M Bisi (left 3.05pm), Cllr S Raggett (Chair),  
Cllr F Taylor,

**IN ATTENDANCE:** Cllr J Crook (*ex-officio*),  
Beverly Cawley – Clerk,

**APOLOGIES:** Cllr Hopkins, James, Wilson

Mins  
2021-2022

## **17 Chair's Announcements**

### **13.1 To receive and accept apologies for absence from Councillors**

Apologies received as noted above

## **18 Declarations of Interest**

### **18.1 To note any declarations of interest in items on the agenda – Forms to be completed**

There were no Declarations of Interest

## **19 To Note, that if deemed necessary this Committee will Resolve to Exclude the Press and Public:- *by virtue of The Public Bodies (Admission to Meetings) Act 1960, the press and public may be excluded from discussions on the following items on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted***

### **19.1**

**Resolved:** *To exclude the Press & Public from the following agenda items, pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960*

## **20 Personnel Issues**

### **20.1 To note that a formal complaint against the Clerk, by a Councillor, is still outstanding from 25/11/21. To consider how to proceed under the Council's Disciplinary & Grievance Policy, and make any recommendations to Full Council either to resolve informally or undertake an investigation.**

Members noted that the complaint was still outstanding, and noted that the clerk was still in the meeting. Details of the complaint were not discussed, but members agreed this issue should have been dealt with at the time of the complaint. Members also noted that the Council's Complaint policy did not govern this internal complaint, and that no time constraints for responses were included in the Council's Disciplinary & Grievance Policy.

**Resolved:** *To write to both the complainant Councillor and the Clerk advising that members had discussed the process, and that they would aim to resolve the issue as a matter of priority on an informal basis.*

**Resolved:** *To review the Complaints Policy and Disciplinary & Grievance Policy at or following the Annual Meeting to ensure both were both fit for purpose.*

20.2 **To note that the review of the Clerk’s Occupational Health Assessment by this Committee is still outstanding. To understand the issues behind the delay, and agree any actions, and/or close off the issue.**

The Chair advised members that whilst she had commissioned the Occupational Health Assessment as requested by Council, she had been excluded from following up the matter by the previous Council Chair (refers OM 13/09/21 Min No 125). Cllr Raggett detailed some of the recommendations from the report e.g. IT equipment and reduced hours, which had been discussed with the previous Chair, and members acknowledged that some actions in respect of IT equipment had been resolved by the then Vice Chair Cllr Crook. Cllr Raggett asked the Clerk if she felt Council had let her down, albeit Full Council nor the HR Committee had been aware of the assessments contents. The Clerk confirmed that she had, and that all that was required, was for Council and/or the HR Committee to acknowledge that the commissioned report had been received, and to close the matter down.

**Resolved:** *To acknowledge that following commission of the Occupational Health Assessment, the report had been received, some actions had been taken, and that the matter should now be closed off.*

**21 Employment Contracts**

21.1 **To note and consider a proposed draft employment contract in respect of the Council’s Litter pickers, to bring them from a casual contract on ad hoc hours onto a permanent contract, and agree any actions.**

Members noted the draft employment contract, and the clerk confirmed the Litter pickers current hours.

**Resolved:** *To recommend to Full Council that they accept the draft employment contracts in respect of the Litter pickers and that they be placed at Spinal Column Point 1 for rate of pay purposes.*

21.2 **To note that the contract for Clerk to the Council and RFO is in line with the National Agreement on Salaries and Conditions of Service as agreed by the National Association of Local Councils, and the Society of Local Council Clerks, and does not need amendment.**

Members noted that the model contract for the Clerk & RFO was still fit for purpose. Clerk to forward members another copy of the model contract.

**22 Employee Handbook**

22.1 **To note and adopt the proposed Employee Handbook drawn up in collaboration with Ellis Whittam**

**Resolved:** *To recommend to Full Council that they accept the proposed handbook for*

*employees, and that each member of staff be issued with a copy.*

**23 Recruitment of, and Handover to new Clerk & RFO**

**23.1 To note that the closing date for applications was midnight on 8<sup>th</sup> April 2022**

Noted.

**23.2 To note that the interview panel (for sifting applications and interviewing) was: Cllr S Raggett (Chair of Panel), Cllr F Taylor, Cllr D James and Cllr M Bisi.**

Members noted that Cllrs Taylor and James had stepped down from the interview and sifting panel on 21<sup>st</sup> April 2022, as they had concerns regarding the involvement of One Voice Wales in the recruitment process.

**23.3 To note that due to a technical issue the sifting/shortlisting of applications could not take place on the 11<sup>th</sup> April, and was rescheduled for 2.30.pm on 21<sup>st</sup> April, subject to approval by Full Council at its Extraordinary Meeting of 21<sup>st</sup> April 2022 at 2pm.**

Noted.

**23.4 To receive feedback from the shortlisting panel, and agree any recommendations of actions required for/by full council.**

As Cllrs Taylor and James had stepped down from the sifting and interviewing panel, the remaining members were unable to consider the two job applications received, as the panel did not meet the requirements of the resolution - a named panel (refers OM 28/3/22 Min No 311.3) to undertake the recruitment process.

Members noted that whilst the Recruitment and Selection Policy states on the matter of 'Selection and Interview': "The interview panel should consist of two (2) members of the Human Resources Committee, plus one other Councillor and/or the professional HR consultant (if applicable), and such other panel members as Council deems necessary."

Naming the panel had meant that the remaining panel could not co-opt another member to undertake the sift.

***Resolved:*** *To call an Extraordinary Meeting of Full Council on 3<sup>rd</sup> May 2022 to consider how to address the problem, and appoint a new panel if necessary.*

**23.5 To note receipt of a letter from the current Clerk and RFO, confirming the change to her last day of employment under contract (as accepted by Full Council 28/3/22 Min No.311.4), and an offer to work on an ad hoc basis to handover to the new Clerk if one is not in place by the 31<sup>st</sup> May 2022, and to keep the Council's finance ticking over until such time that the new Clerk is in place, and agree any actions.**

Members noted the change of date, and acknowledged the offer to keep the Council's finances ticking over until such time that a new Clerk is in place and trained on the Finances.

**23.6 To consider what options are available to Full Council if a suitable candidate is not found/forthcoming, and if a clerk cannot be appointed before 31<sup>st</sup> May 2022, and agree any actions.**

Members discussed Council's options briefly, and agreed that there were a few options available to Council.

- i. Negotiate with the existing Clerk and RFO, to keep the finances ticking over, on an ad hoc hours basis.
- ii. Members could minute meetings.

- iii. Contact local Council's with a view to 'buying in' clerking services for meetings.
- iv. A combination of the above options.

## **24 Committee Terms of Reference**

- 24.1 **To note the current Terms of Reference for the Human Resources Committee and consider whether any changes are required for the future, and agree any actions.**

### **CLLR BISI LEAVES MEETING AT 3.05PM**

### **MEETING BECAME INQUORATE**

Item deferred

The Chair apologised to the remaining Councillors, noting that this and following agenda items could be picked up at future meetings, and closed the meeting.

## **25 Actions Still Outstanding for Human Resources Committee**

- 25.1 **To note actions still outstanding from previous meetings.**

- 25.1.a **In respect of the resignation of the Administration Assistant, an action from OM 14/06/21 Min 28.2.b.iv that: *That a decision on the need to employ or appoint a replacement be deferred until the outcome of the Occupational Health Report on the Clerk, when members would be in a better position to know what role/jobs a new employee would need to undertake to support the clerk in any restricted role going forward.***

Deferred

- 25.1.b **An action from EXOM 24/01/22 Min No 241.4, *That the Human Resources Committee look at developing a robust system of 'performance management' for senior staff.***

Deferred

### **MEETING CLOSED AT 3.07PM**