



Minutes of the Meeting of the Staffing Committee on Friday 7th January 2022 at 12.30 pm in the Bonvalot Room of the Downton Memorial Centre.

Present: Cllr Cornell (Chair) and Cllrs Brentor and Mace.
Bev Cornish, Parish Clerk.

Three members of the public were present.

18.21 Public Question Time

No questions or statements were received.

19.21 Apologies

The Clerk advised that no apologies had been received.

20.21 Declarations of Interest:

- a. **To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers.**

No declarations of interest were received.

- b. **To consider any Dispensation Requests received by the Parish Clerk and not previously considered.**

The Clerk advised that no dispensation requests had been received.

21.21 Minutes

Cllr Cornell proposed, Cllr Mace seconded and it was RESOLVED that the Minutes of the meeting held on Monday 5th July 2021 be approved as a correct record and signed by the Chair.

22.21 Annual Leave and Bank Holiday Entitlement Policy

Following a discussion, Cllr Brentor proposed, Cllr Mace seconded and it was RESOLVED that a recommendation be made the Parish Council that it be approved.

23.21 Clerk's Job Description

Following a discussion, Cllr Brentor proposed, Cllr Mace seconded and it was RESOLVED that the Clerk should submit suggested changes to her job description to the Committee which would better reflect her current role which was changed on 1st April 2020 and in line with guidance from the Society of Local Council Clerks and National Association of Local Councils.

Part 2 – CONFIDENTIAL INFORMATION – EXEMPT MATTERS - STAFFING

24.21 The Chair to proposed the following resolution – ‘That in view of the confidential nature of the business about to be transacted on personal employee matters, it is advisable in the public interest, that the press and public be temporarily excluded and they be instructed to withdraw’
Cllr Cornell proposed, Cllr Brentor seconded and it was RESOLVED that the meeting be closed to members of the press and public.

25.21 Training

- (i) For the Administrative Officer
Following a discussion and comments from Cllrs Cornell and Brentor that training for the Certificate in Local Council Administration qualification was not appropriate for the role and that any training for the clerking of meetings should be provided by the Clerk through mentoring, Cllr Brentor proposed, Cllr Cornell seconded and it was the RESOLVED, with an abstention from Cllr Mace, that a recommendation be made to the Council that the proposed training for CiLCA is not approved.

The Clerk advised that as the Chair of the Staffing Committee and the Chair of the Council had requested repeatedly that the Administrative Officer clerk Committee meetings since she had joined the Council in 2020 and also Parish Council meetings whilst she was on sick leave, there was a risk of unlawful decisions being taken by the Committee or Council if the Staffing Committee was not providing the officer with the necessary training and knowledge of legislation for the tasks it wanted her to undertake.

- (ii) For the Clerk
Cllr Mace proposed, Cllr Cornell seconded and it was RESOLVED that it be recommend to the Council that the sum of £80 be allocated to training for the Clerk to complete the necessary online training courses during the 2022/23 financial year to bring her up to a minimum training level in health and safety.

The following online basic courses for a minimum cost of £20 per course were provided as examples. These can be found by looking at the following links:

<https://www.whatnosafety.co.uk/health-and-safety-e-learning>

<https://www.ihasco.co.uk/courses/type/health-safety-training>

26.21 Clerk’s Job Evaluation

Following a discussion, Cllr Cornell proposed, Cllr Brentor seconded and it was RESOLVED that Spinal Point 26 be recommended for approval by the Council and that the pay due, but as yet unpaid, be backdated to April 2020 and April 2021 respectively.

Following a question from the Clerk, Cllr Brentor confirmed that in determining the spinal point level the Committee had taken into account all of her experience and qualification uplifts in accordance with her contract of employment.

27.21 Administrative Officer Post - Hours Increase

Following a discussion and recognition that additional hours would be required in the next two months but the view was that they may not be required after October 2022, Cllr Cornell proposed, Cllr Mace seconded and it was RESOLVED that a recommendation be made to the Council that it approves:

- (i) An increase in hours by 5 hours per week from 1st February 2022 until 31st October 2022 taking the post up to 15 hours per week;
- (ii) The budget for 2022/23 includes funding for those hours for the whole financial year; and
- (iii) A review be carried out in September 2022 to consider whether there was justification for an extension to that term.

The Clerk agreed to send a letter confirming the change to the Administrative Officer once a decision had been taken by the Council on 10th January 2022.

28.21 Overtime

Following a discussion and brief consideration of the proposed process put forward by Cllr Cornell with regard to the approval of overtime payments for the Administrative Officer, she proposed from the Chair and it was RESOLVED that this be deferred to the next meeting for the Clerk to consider and comment on that proposed process.

29.21 Clerk's Leave and TOIL

Following a brief discussion and In view of the limited amount of time there had been to consider the written proposal, Cllr Cornell proposed from the Chair and it was RESOLVED that this be deferred to the next meeting.

30.21 Payments to the NEST Pension Scheme

Following a discussion, Cllr Brentor proposed, Cllr Cornell seconded and it was RESOLVED that the Clerk would be registered with the NEST Pension Scheme by Cllr Brentor in order to enable the pension payments to be made by the Clerk as authorised by the Council.

31.21 Recommendations from MUSE

Following an explanation from Cllr Cornell of the need to draft a Pension Policy Process document, she proposed from the Chair and it was RESOLVED that this would be brought to a future meeting after being shared with the Clerk before it is taken to the Council. This was to address MUSE's recommendation that the Council 'consider, confirm and document its pension scheme administration duties to prevent such a situation arising in future, both for the administration of its ongoing LGPS provision and in respect of any automatic-enrolment provision requirements'.

32.21 One to One Meetings with the Clerk

Cllr Cornell proposed, Cllr Brentor seconded and it was RESOLVED that this item be deferred to a meeting after the 'Way Forward' Report had been received.

33.21 Independent Dispute Resolution Process

The Clerk planned to leave for this part of the meeting but was asked to stay to answer a question from the staffing committee. She advised that it was not reasonable for members of the staffing committee to ask her questions on a matter which was now in legal dispute without prior notification and when her advisers were not present.

Despite re-stating her concerns Cllr Cornell asked whether the Clerk was prepared to answer a question about why the Clerk considered the matter of her pension still unresolved to ask a question about why the Clerk considered the matter of her pension still unresolved and therefore the Clerk reiterated the points which she had made previously in her email of 5th November 2021 which were that:

- The Adjudicator had specifically excluded NEST from his determination and did not confirm that it is the scheme to which the Council must make the backdated pension payments.
- These considerations were governed by employment law, ie the pension terms contained in her employment contract with the Council and its contractual obligations to her as an employee when complying with its duties under auto-enrolment in March 2016.
- These same obligations were set out in her pension report sent to councillors in October 2020 and formed the basis of the letter sent by her employment lawyer to the Council in August 2021 regarding a breach of her contract.

The Clerk left the meeting.

Cllr Brentor proposed, Cllr Mace seconded and it was RESOLVED that, in the view of the Staffing Committee members, the two investigations carried out and the Independent Dispute Resolution Process has appropriately addressed the issues raised by the Clerk in her letter to Cllr Cornell dated 15th February 2021.

34.21 Next Meeting

No date was agreed for the next meeting.

With no other business, the meeting closed at 2.20 pm.