



## HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

**DATE:** Thursday, 26 November 2020  
**TIME:** 7.30 pm  
**VENUE:** Meeting will be held in accordance with Statutory Instrument 2020/392. Link to live stream available via <https://www.tendringdc.gov.uk/livemeetings>

**MEMBERSHIP:**

Councillor Chapman (Chairman)	Councillor Chittock
Councillor Griffiths (Vice-Chairman)	Councillor Clifton
Councillor Amos	Councillor Morrison
Councillor Broderick	Councillor M Stephenson
Councillor Calver	

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Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Ian Ford Email: [democraticservices@tendringdc.gov.uk](mailto:democraticservices@tendringdc.gov.uk) or Telephone: on 01255686584.

DATE OF PUBLICATION: Wednesday, 18 November 2020

## AGENDA

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 6)**

To confirm as a correct record, the minutes of the last meeting of the Committee, held on 21 October 2020.

### **3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

### **4 Questions on Notice pursuant to Council Procedure Rule 38**

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

### **5 Exclusion of Press and Public**

The Committee is asked to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 6 and 7 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 2, 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”

### **6 Exempt Minute of the Meeting held on Wednesday 21 October 2020 (Pages 7 - 8)**

To confirm as a correct record the exempt minute of the meeting of the Committee held on Wednesday 21 October 2020.

### **7 Report of the Chief Executive - B.1 - Market Forces Report for a Post within Legal Services (Pages 9 - 16)**

To put forward proposals for a Market Forces Supplement to support the recruitment of qualified Senior Planning Lawyer and applicability of equivalent market forces to other posts within Legal Services, which are required to be held by qualified solicitors with current SRA Practising Certificates.

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Human Resources and Council Tax Committee is to be held on Thursday, 25 February 2021.*

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**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX  
COMMITTEE,  
HELD ON WEDNESDAY, 21ST OCTOBER, 2020 AT 7.30 PM**

<b>Present:</b>	Councillors Chapman (Chairman), Griffiths (Vice-Chairman), Amos, Broderick, Chittock, Fowler, Morrison, Knowles and M Stephenson
<b>In Attendance:</b>	Ian Davidson (Chief Executive) Damian Williams (Corporate Director (Operations and Delivery)), Katie Wilkins (Human Resources and Business Manager), Debiante Messenger (Work Based Learning Manager), Keith Durran (Democratic Services Officer) and Pauline Lifton (HR and Business Advisor)

### **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillor Calver (with Councillor Fowler substituting) and Councillor Clifton (with Councillor Knowles substituting).

### **MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the meeting of the Human Resources and Council Tax Committee, held on 24 February 2020, be approved as a correct record.

### **DECLARATIONS OF INTEREST**

Councillor Griffiths declared for the public record that he was a member of the GMB Union.

### **QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

There were none on this occasion.

### **APPRENTICESHIPS AND CAREER TRACK - VERBAL UPDATE**

The Committee received a verbal update from Debiante Messenger (Work Based Learning Manager) in regards to apprenticeships in Tendring.

The Committee heard that at the present time the Council had 48 apprentices in a variety of programmes from level 2 to level 6, and they were in a wide range of services including human resources, arboriculture, customer service, property maintenance, internal audit and planning. Many of the Council's apprentices formed an important part of the Council's succession planning programme.

The Committee also heard that the Council had 2 members of staff undertaking a level 6 chartered surveyor apprenticeship as well as another training to be a leading executive at level 6. In addition, 3 managers had just started the operations departmental managerial apprenticeship at level 5. All of the Tendring apprentices had been supported by their training providers as well as their individual departments and managers despite the current COVID situation.

It was reported to Members that the majority of apprentices continued to work from home.

With virtual meetings and supported assessment activities, every apprentice had been able to continue their programme, regardless of the circumstances.

Members were reminded that Career Track was a training provider and that they had been established since 1983 and that they held a direct contract with central government under the ESFA (Education Skills Funding Agency) and that they provided apprenticeships in business administration, Customer Service, Team Leading and Public Service Operational Delivery. Career Track currently had 39 apprentices in the programme, with 9 due to start. Half of their apprentices were working within Tendring District Council with other apprentices embedded in Colchester, Braintree, Maldon and Epping Forest Councils. They had also started to work with small employers in the area.

The Committee was informed that for large employers, apprentices were funded by the apprenticeship levee. Tendring had been successful in using up all of its levee funds and was then being 95% co-funded by the Government. Large employers used their levee to fund their apprentices, small employers used their digital account to access their funds that came from the Government. The Government had also just released additional incentives to support apprenticeship employers until January 2021.

The Committee was also informed that since March, Career Track had continued working virtually without any negative impact on their apprentices. All of their apprentices had progressed as normal and indeed some had even finished their apprenticeships during the COVID pandemic and had secured employment. In addition, one former apprentice had just started at university.

It was reported that as of August 2020 Career Track had started recruiting again.

Members also noted the following Career Track related statistics:-

- 90% of apprentices stay on in their place of employment after they have finished their apprenticeships.
- 92% of apprentices successfully achieve their apprenticeship.
- 100% are satisfied with the report they receive from Career Track.

Following discussions it was **RESOLVED** that the contents of the report be noted.

**REPORT OF CORPORATE DIRECTOR (OPERATIONS & DELIVERY) - A.1 -  
WORKFORCE AND CONTRACT DOCUMENTATION UPDATE REPORT**

Members of the Human Resources & Council Tax Committee were provided with an update on the then current staffing statistics and were informed of the agreed changes to the Council's Employment Contract Documentation, in line with an update to employment legislation.

**Staffing Statistics**

The Committee was presented with the analysis of workforce data with statistics relating to the staff employed within the Council and how that compared to the Tendring district and national averages. This was a standard report that was provided to the Human Resources Committee as part of each meeting.

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Tendring District Council currently had 484 FTE (full time equivalent) employees. The FTE figure equated to 777 employees in total (including casual workers and Career Track learners) and this was made up of 366 full time, and 411 part time staff.

#### **Update to Council's Employment Contract Documentation**

Members heard that as a result of the [Independent Taylor Review of Modern Working Practices in 2017](#), the Government had produced its 'Good Work Plan'. The plan had set out several proposed changes to Employment Legislation which were intended to improve the rights of both employees and workers. The first of those Employment Legislation changes ([Employment Rights \(Miscellaneous Amendments\) Regulations 2019](#)) had come into effect as of 6th April 2020.

From that date, the right to a written statement of terms and conditions of employment extended to casual workers as well as employees. There were also two other important changes ([as outlined in the Employment Rights \(Employment Particulars and Paid Annual Leave\) \(Amendment\) Regulations 2018](#)) to written statements as follows:

1. Employees and casual workers must be provided with their written statement on or before their first day of employment (previously, an employer had two months from the date an employee/casual worker starts work to provide them with a written statement of their terms and conditions).
  
2. Written statements must now include the following additional information:
  - How long a job is expected to last (or end date of a fixed term contract);
  - How much notice is required;
  - Details of eligibility for sick leave and pay;
  - Details of other types of paid leave (e.g. maternity/paternity leave);
  - Duration and conditions of any probationary period; Page 11 Agenda Item 6 Remuneration and benefits (not just pay);
  - Which specific days of the week the worker is required to work, and whether or not such hours or days may be variable, and if they may be how they vary or how that variation is to be determine; and
  - Details of training entitlements, training requirements and details of any training that will not be paid for by the employer.

The Council's Statement(s) of Written Particulars of Employment (including the Apprenticeship Programme Agreement) and Agreement for Casual Work had now been updated to reflect those legislative requirements.

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As was outlined in the Council's Constitution, the Corporate Director, Operations & Delivery, in consultation with the Acting Head of People, Performance and Projects had approved those changes for implementation with immediate effect.

After a short discussion it was **RESOLVED** that the contents of the report be noted.

**REPORT OF CORPORATE DIRECTOR (OPERATIONS & DELIVERY) - A.2 - SICKNESS ABSENCE MANAGEMENT POLICY & PROCEDURES REVIEW**

It was reported to the Committee that the purpose of the review of the Council's Sickness Absence Management Policy and Procedures was principally to reflect changes of procedure in accordance with ACAS, employment legislation and the TDC Constitution (regarding delegated powers).

As was outlined in the Workforce Profile Report, the Chartered Institute of Personnel and Development (CIPD) recommended that organisations adopt the following approach when effectively managing sickness absence namely to:-

- Identify and tackle the root causes of ill health;
- Build a more robust framework to promote good mental health;
- Strengthen the capability of line managers;
- Ensure a holistic approach: physical, mental, emotional, lifestyle and financial.

It was felt that the revised Sickness Absence Management Policy and associated Procedures provided both employees and managers with a robust framework for managing sickness absence.

The Policy set out:-

- Objectives;
- Responsibilities – both Managers and Employees;
- Types of sickness absence;
- Process for managing sickness absence;
- Outcomes at each stage.

The implementation of the revised Sickness Absence Management Policy and associated Procedures would allow the Council to more effectively manage sickness absence in the workplace, with a view to minimising the effect on service delivery and the impact of associated costs to the staffing establishment.

It was **RESOLVED** that the contents of the report be noted.

**REPORT OF CORPORATE DIRECTOR (OPERATIONS & DELIVERY) - A.3 - THE COUNCIL'S RESPONSE TO COVID-19 FOR THE WORKFORCE**



Councillors heard how in response to the COVID-19 Pandemic and resulting containment measures, the Council had been required to move 'at pace' to make significant changes to the way it operated in order to ensure the delivery of essential services.

In March 2020, the Council had initiated its GOLD and SILVER command arrangements in line with its protocols for the command and control of emergencies under the Civil Contingencies Act 2004 and other associated legislation. The two-tier command and control structure had developed robust plans and processes in line with Government guidance, e.g. to protect the most vulnerable residents and ensured that the Council's response aligned with national requirements.

It was reported that the Council's strategic response continued to be led by the Chief Executive at GOLD level, with senior officers (Corporate Directors and Assistant Directors) taking responsibility for specific elements of the Council's response.

The tactical SILVER group focused on the delivery of three key functions:

- Response & Recovery
- Welfare
- Information & Support

It was reported to the Committee that Human Resources officers had led the Welfare Cell at both the strategic (GOLD) and tactical (SILVER) levels throughout the height of the Pandemic and continued to do so. The primary role of the Welfare Cell was to ensure staff welfare was protected throughout the Council's response.

Throughout those exceptional circumstances, the Council had worked hard to maintain communication in order to ensure that staff were kept informed and key advice was provided in order to keep both them and local residents safe.

Members heard how by Officers working with Union colleagues, key policies and procedures had been updated in line with Government guidance and measures had been put in place to ensure staff safety and well-being. That had included ensuring sufficient levels of Personal Protective Equipment (PPE), appropriate risk assessments for safe working, a suite of online well-being initiatives and a timetable of online fitness classes (via Zoom), delivered by the Council's Fitness Instructors, to support both physical and mental well-being.

Managers continued to be supported with key people related issues such as attendance at work, pay, time off work to care for dependents, enhanced flexible working arrangements and the significant shift to managing remote teams.

As the Council prepared to reopen its buildings, albeit on a revised and reduced basis, a working party had been brought together to lead on those preparations, with their agenda informed by the findings of the recent staff survey.

After some discussion it was **RESOLVED** that the contents of the report be noted.

NOTE: Councillor Mark Stephenson requested that a formal letter of gratitude and support be sent on behalf of the Committee to the Human Resources team for all of their amazing work during the COVID 19 crisis. The Chairman of the Committee (Councillor Jayne Chapman) concurred with this request.

**EXCLUSION OF PRESS AND PUBLIC**

The Committee **RESOLVED:**

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 10 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 2 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”

**REPORT OF CORPORATE DIRECTOR (OPERATIONS & DELIVERY) - B.1 - A  
MARKET FORCES REPORT FOR THE PLANNING SERVICE**

After some discussion the Committee **RESOLVED** that the Market Forces Supplement applied for all qualified (first degree in Planning or the Postgraduate degree in Planning) Planning Officers be continued until the anticipated service review is completed (up to a maximum of 6 months from the date of agreement).

The meeting was declared closed at 9.00 pm

**Chairman**

By virtue of paragraph(s) 2, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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