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Human Resources and Council Tax
Committee

6 July 2023

**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX
COMMITTEE,
HELD ON THURSDAY, 6TH JULY, 2023 AT 7.30 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Chapman BEM (Chairman), Calver (Vice-Chairman), Amos, Davidson, Skeels Jnr. and G Stephenson
Also Present:	Councillor Gina Placey (Portfolio Holder for Partnerships)
In Attendance:	Anastasia Simpson (Assistant Director (Partnerships)), Katie Wilkins (Head of People), Carol Magnus (Organisational Development Manager), Ian Ford (Committee Services Manager), Jo Williams-Lota (Human Resources Manager), Debianna Messenger (Work Based Learning Manager), Bethany Jones (Committee Services Officer) and Emma Haward (Leadership Support Assistant)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were given from Councillor Guglielmi with no substitution and Councillor Morrison (with Councillor Davidson substituting).

2. MINUTES OF THE LAST MEETING

It was moved by Councillor Amos, seconded by Councillor Calver and:-

RESOLVED that the minutes of the last meeting of the Committee, held on Thursday, 23 February 2023, be approved as a correct record.

3. DECLARATIONS OF INTEREST

Councillor G Stephenson stated for the public record that she was a member of the Communication Workers Union (CWU) but that she had no involvement with Tendring District Council in that capacity.

4. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

5. INTRODUCTION TO THE HUMAN RESOURCES TEAM

Following the recent District Council elections and for the benefit of new Members, the Committee received an introduction to the Council's Human Resources Team via a presentation from the Head of People, Katie Wilkins.

The presentation covered the following matters:-

- (i) Human Resources – Governance

- (ii) TDC as an Employer
- (iii) The HR Team
- (iv) HR Functions
- (v) Workforce Planning
- (vi) Terms & Conditions
- (vii) East of England Local Government Association (EELGA)

The Committee noted the contents of the presentation.

6. APPRENTICESHIP UPDATE

The Committee received a presentation (including videos) from the Work Based Learning Manager (Debianne Messenger) and Carol Magnus (Organisational Development Manager) updating it on the work of the Council's Career Track and Apprenticeship provision section.

The presentation covered the following matters:-

- (i) What is an Apprenticeship?
- (ii) Two Aspects to apprenticeships in TDC
- (iii) Career Track
- (iv) Apprenticeships – Funding, Governance and Service Provision
- (v) Priorities for 23/24 and 24/25.

The Committee noted the contents of the presentation.

7. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.1 - WHISTLEBLOWING POLICY & PROCEDURE

The Committee had before it a report of the Assistant Director (Partnership) (report A.1) which was a review of the Council's Whistleblowing Policy in line with identified best practice and employment legislation.

Members were told that Tendring District Council had committed to high standards of openness, integrity, and accountability in the provision of quality services for the benefit of the local community and was fully committed to being fully accountable for those services.

Members were made aware that the Council had set in place rules, regulations, quality standards and procedures to ensure that high standards of conduct and commitment to service were observed, but it recognised that malpractice could occur.

The Committee heard that whistleblowing was an action that someone took to report wrongdoing at work. An example was, where there had been suspected misconduct, illegal acts, or failure to act within the Council's established governance framework.

It was reported that the Whistleblowing Policy and Procedure document made it clear that employees could raise concerns without fear of victimisation, subsequent discrimination, disadvantage, or dismissal. It was intended to encourage and enable employees to raise serious concerns within the Council rather than overlooking the problem or "blowing the whistle" outside of the organisation.

The Committee was informed that the Policy applied to all:-

- *Employees of Tendring District Council;*
- *Employees of contractors working for the Council, for example agency staff;*
- *Employees of suppliers;*
- *Those providing services under a contract or other agreement with the Council; and*
- *Voluntary workers working within the Council.*

Any disclosures against Elected Members were dealt with under a separate procedure and the Council's Monitoring Officer should be contacted directly in that regard.

Members were made aware of the recently published "*Lessons from Public Interest Reports and other interventions Report*" (Part II) by Grant Thornton (*a professional services network which provided assurance, tax and advisory services to privately held businesses, public interest entities, and public sector entities*) which outlined a number of recommendations to encourage best practice and mitigate risk.

A number of the recommendations from the report specifically related to 'Whistleblowing' and the Council's Policy on those matters was as follows:-

- *"Cultivate an open and transparent culture;*
- *Ensure staff can raise concerns/whistle blow, and that this practice was encouraged and was independently investigated. Formal channels would be in place for the involvements of both the s151 and Monitoring Officers;*
- *Embed an active review of all complaints and a zero-tolerance approach to inappropriate behaviours;*
- *Undertake regular training to ensure officers are aware of the Officer code of conduct and that they understand their roles;*
- *If it was not already in place, councils should consider the introduction of regular reviews of key governance policies such as their whistleblowing and confidential reporting, fraud prevention and anti-corruption policies."*

The Committee was reminded that the review of the Council's Whistleblowing Policy, considered those recommendations, specifically the reporting and investigation mechanisms for dealing with, and responding to, Whistleblowing concerns, and the roles and responsibilities of those involved, as outlined under the 'Procedure for Making a Disclosure' heading.

Members were informed that the 'Monitoring & Review' heading outlined the Council's approach to the monitoring of disclosures, including the introduction of regular reporting of the number of disclosures made to the Audit Committee as part of the usual Table of Outstanding Issues reporting process.

As a result, the Audit Committee would evaluate the effectiveness of this policy to ensure that the Policy fulfilled its objective of providing a clear, transparent, and robust procedure to deal with disclosures and that Whistleblowers were supported and confident in the procedure.

Finally, the Committee was told that the information held in the central disclosure record would be evaluated and reviewed periodically by the Council's Statutory Officers, to

establish whether current policies, procedures and protocols needed to be reviewed and whether any further action would need to be taken by the Council.

It was moved by Councillor G Stephenson, seconded by Councillor Amos and:-

RESOLVED that the Council's updated Whistleblowing Policy & Procedures be approved and adopted.

8. **REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.2 - WORKFORCE UPDATE REPORT**

Members had before them the latest analysis of workforce data that provided them 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 periodically provided to the Human Resources and Council Tax Committee.

Members were told that at the time of writing the report, Tendring District had 486 full-time equivalent (FTE) employees. The FTE figure equated to 681 workers in total (including casual worker and learners). This was made up of 377 full-time and 304 part-time staff.

As previously reported to Members, amongst the fully contracted staff there were several employees who were undertaking external apprenticeships, including those at degree level (Level 6) and above.

Members heard that over the last 12 months, officers had achieved degrees in the following areas:-

- Human Resources
- Chartered Surveying
- Chartered Management
- Digital & Technology Solutions.

Other professional apprenticeships included Accountancy, Audit, Town Planning (*Technical Support*), and Operational Management. The above were only examples; that list was not exhaustive.

It was reported to the Committee that Tendring District Council had always encouraged organic progression (*growing our own*). However, TDC had several vacancies (*technical and non-technical*) that remained unfilled due to a lack of suitable candidates.

The Committee heard that the recruitment challenge was also a growing trend nationally and had been recognised by EELGA (East of England Local Government Association), who reported that 78% of Councils had recorded recruitment and retention challenges.

Some posts required qualified individuals that were increasingly scarce or where the market attracted higher pay scales than those currently adopted by Tendring District Council. This would have a detrimental impact on the retention of the Council's existing staff and future recruitment opportunities.

The Committee was made aware that the Council worked with the EELGA last year to carry out an independent review of its pay structure. This led to some options to support best use of the NJC pay spine in alignment with the employment market. Those included, salary and benefits benchmarking, improved marketing of vacancies and employment offer and expanding the well-established “grow your own” ethos. Those options had been considered as part of the Assistant Director change programme.

The Committee was reassured that the commitment of Tendring District Council employees ‘to go the extra mile’ continued despite the challenges identified above and should be noted.

It was moved by Councillor G Stephenson, seconded by Councillor Skeels and:-

RESOLVED that the contents of the report be noted.

9. **REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS - A.3 - HUMAN RESOURCES SUB-COMMITTEE PANEL - APPOINTMENT OF THE NAMED SUB-COMMITTEE MEMBER AND NAMED SUBSTITUTE SUB-COMMITTEE MEMBER FROM A POLITICAL GROUP THAT IS NOT REPRESENTED ON THE CABINET**

The Committee was reminded that the Council had in place a Sub-Committee Panel of the Human Resources Committee, which was duly constituted to form part of the recruitment, dismissal, and disciplinary process for the appointment of Senior Officers. This included the Chief Executive and other Statutory Chief Officers (Section 151 and Monitoring Officer posts), Chief Officer posts (Corporate Directors, Directors and Assistant Director (Partnerships)) and all Deputy Chief Officers (Assistant Directors and other such Senior Officers as defined within the Regulations).

The Committee heard that the Panel would undertake the final interview of those applicants for Senior Officer posts who had successfully been shortlisted and had undertaken the necessary technical interviews and assessments. Having considered the views and professional advice given by the relevant officers, the Panel would notify the Assistant Director (Partnerships) of the name of the person to whom the post was to be offered and any other matter relevant to the appointment. In the case of the Chief executive and the Monitoring Officer, the Panel would recommend to Council to approve the appointment before an offer was made.

Members were told that the Panel was comprised of three members normally consisting of:-

- 1) A Portfolio Holder, as determined by the Leader of the Council;
- 2) The Chairman (or in their absence or unavailability the Vice-Chairman) of the Human Resources & Council Tax Committee; and
- 3) A named committee member from a political group that was not represented on the Cabinet.

Following the District Council Elections held in May 2019 the Committee had appointed Councillor Calver as the named member from a political group that was unrepresented on the Cabinet and Councillor Morrison as the named substitute member from a political group that was not represented on the Cabinet. They had served throughout that four-year term.

Members were informed that following the District Council elections in May 2023 the Committee was now required to re-appoint the named committee member and the named substitute committee member from a political group that was unrepresented on the Cabinet.

The Committee was told that in making the appointments that they were therefore permitted to choose from the following members of the Committee:-

Councillor Chris Amos
Councillor Carlo Guglielmi
Councillor Mick Skeels

It was moved by Councillor Amos, seconded by Councillor Skeels and:-

RESOLVED that the Committee -

- (a) appoints Councillor Guglielmi as the named committee member from a political group not represented on the Cabinet on the Human Resources Sub-Committee Panel; and
- (b) appoints Councillor Skeels as the named the substitute committee member from a political group not represented on the Cabinet on the Human Resources Sub-Committee Panel.

10. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Skeels, seconded by Councillor Amos and:-

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 Items 11 and 12 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.

11. REPORT OF DIRECTOR (PLANNING) - B.1 - A MARKET FORCES REPORT FOR POSTS WITHIN THE PLANNING SERVICE

RESOLVED that the Human Resources and Council Tax Committee agrees that the Market Forces Supplement applied for all qualified (*first degree in Planning or the Postgraduate degree in Planning*) Planning Officers be continued for a period of two years from the point of agreement, at which point a review will be undertaken in line with the Council's Discretionary Market Forces Policy.

12. REPORT OF CORPORATE DIRECTOR (OPERATIONS AND DELIVERY) - B.2 - MARKET FORCES REPORT FOR POSTS WITHIN THE PROPERTY & PROJECTS TEAM

RESOLVED that the Human Resources and Council Tax Committee agrees that:-

- (a) the Market Forces Supplement be applied with immediate effect to the posts within Property and Projects Services, requiring either an appropriate L6/7 Degree in Surveying and holding or working towards chartered status or other higher level

- membership of an appropriate professional body such as the Royal Institution of Chartered Surveyors;
- (b) the Market Forces Supplement is discretionary, to be decided by the Assistant Director, Partnerships in consultation with the Chief Executive as Head of Paid Service; and
 - (c) the Supplements be applied for a period of up to two years or until the outcome of the Council's pay audit is implemented.

The meeting was declared closed at 8.52 pm

Chairman

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