

# NEWBURY Town Council

23 December 2019.

**To:** The Leader of the Council, the Deputy Leader of the Council,  
Councillors Jeff Beck, Elizabeth O’Keeffe, Andy Moore and Vaughan Miller

**Substitutes:** Councillors Billy Drummond, Nigel Foot, Sarah Slack and Jeff Cant.

Dear Councillor

You are required to attend a meeting of the **Staff Sub-Committee** to be held on  
**Tuesday 7 January 2020 at 6.15 pm** in the Elsie Kimber Room, Town Hall.

Yours sincerely,

**Hugh Peacocke**  
Chief Executive Officer

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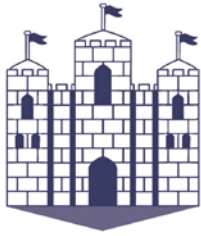
## AGENDA

- 1. Apologies for absence**  
*Chairperson*
- 2. Declarations of interest and dispensations**  
*Chairperson*  
**To receive** any declarations of interest relating to business to be conducted in this meeting and confirmation of any relevant dispensations.
- 3. Minutes of the Staff Sub- Committee meeting held on 3 December 2019**  
*Chairperson*  
To agree the minutes of the Staff Sub-Committee meeting held on 3 December 2019  
**(Appendix 1)**
- 4. Management and appraisal arrangements for the Council’s Chief Executive Officer**  
*Chairperson*  
**To appoint** a panel of the Staff Sub-Committee to deal with management and appraisals of the CEO. **(Appendix 2)**

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## 5. Exclusion of the press and public

### *Chairperson*

**To move:** That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for the following items of business because publicity would be prejudicial to the public interest by reason of the confidential personal and financial nature of the business to be transacted.

## 6. Finance and Corporate Services Manager

### *Chairperson*

**4.1 To consider** matters relating to the resignation of the Finance and Corporate Services Manager (**Appendix 2**)

**4.2 To approve** the attached Job Advertisement, Job Description, Person Specification, Contract of Employment and Recruitment Plan for the Post (**Appendix 3**)

**4.3 To appoint** a Selection Panel to process applications, interview applicants and make any consequent recommendations to the Staff Sub-Committee

**4.4 To recommend** that the Job Description, Person Specification and Contract of Employment for the Post are approved by the Policy and resources Committee.

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## Newbury Town Council

**Public Minutes of the Staff Sub-Committee held in the Town Hall, Newbury, at 7.30 pm on Tuesday 3 December 2019.**

**Present:**

Councillors Olivia Lewis (Deputy Chairman), Jeff Beck, Andy Moore, Billy Drummond and Elizabeth O’Keeffe.

**In Attendance:**

Hugh Peacocke, Chief Executive Officer (CEO)

**1. Apologies for absence**

Councillors Martin Colston (Councillor Billy Drummond, substitute) and Vaughan Miller.

**2. Declarations of interest and dispensations**

None declared

**3. Minutes of the Staff Sub- Committee meeting held on 5 August 2019**

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved** that the Chairman sign the minutes of the Staff Sub- Committee meeting held on 5 August 2019 as a true record.

**4. Review of Contract of Employment**

The meeting noted the advice received from the council’s personnel consultants, Ellis Whittam regarding recommended amendments to contracts of employment. It was agreed that these would apply for future contracts offered by the Council.

Paragraph 11.1 was amended as follows:

*11.1 You will ~~receive~~ participate in an annual appraisal.*

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved** that the Council’s contracts of employment be amended as recommended by Ellis Whittam.

**5. Member-Officer Protocol**

The meeting considered the Protocol as circulated. It was amended as follows:  
*Members should not use Town Council logos or letterheads on their personal correspondence.*

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved** that subject to the above amendment, the Council approves the member-Officer protocol as circulated.

**6. Finance and Corporate Services**

The meeting noted that the Finance and Corporate Services Manager had given notice of resignation to expire on 24 December. The CEO and the Corporate Services team had discussed this and recommended that the Council recruit to a similar role, for a 5-day week. The Subcommittee agreed this and also a recruitment plan aimed at filling the vacancy by 1 April 2020.

(The subcommittee to convene at 6.15 pm on 7 January 2020)

**7. Exclusion of the Press and Public**

**Proposed:** Councillor Elizabeth O’Keeffe

**Seconded:** Councillor Jeff Beck

**Resolved:** That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following item of business because publicity would be prejudicial to the public interest by reason of the personal and confidential nature of the business to be transacted.

**8. To confirm the permanent Appointment of Ms. Elisa Adams as Civic Manager**

The CEO advised the meeting that Ms. Adams had completed her probation period, including an induction programme and mandatory training. He reported that was happy to recommend her permanent appointment. He told the Members that in making this recommendation he had consulted with the Mayor, the Chair of the Civic Pride, Arts and Leisure Committee and that all of them also recommended this.

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved** that the Council confirms the permanent appointment of Ms. Elisa Adams as Civic Manager.

**9. Staff Salary review and awards**

The meeting considered the report of the CEO on annual appraisals and the overall performance of the Council’s staff. The meeting agreed that the council was very pleased with the work of the staff and the direction in which the council was going.

The report to the Subcommittee included recommendations for merit awards and salary progressions. It was noted that the merit awards are usually paid in December, which would result in an over expenditure on salaries this year which would be brought to the attention of the Policy and Resources Committee in January. Salary progressions normally apply from 1 April the following year.

The CEO offered to leave the meeting while members discussed this. The meeting accepted all of the recommendations en bloc.

**Proposed:** Councillor Jeff Beck

**Seconded:** Councillor Billy Drummond

**Resolved:**

1. That the Council makes the following Merit Awards:

Private

2. Other payments:

Private

3. Pay increases (From 1 April 2020)

Private

**10. The staff salary budget for 2020-21.**

**Proposed:** Councillor Olivia Lewis

**Seconded:** Councillor Andy Moore

**Resolved** that the Subcommittee recommends a salary budget of £467,682 which allows for the increases in pension contributions and cost of living pay awards mentioned above, an additional part time post for a climate change assistant, a full time Finance and Corporate Services Manager and contingency of £5,000. Further amendment will be required to cover the 2 salary progressions approved at 9 above.

**11. Future Work Programme**

**11.1** In the interests of transparency, accountability and fairness to staff, the Subcommittee would like to formalise the process for Merit Awards

**11.2** It was agreed that the Subcommittee should establish a panel for the annual appraisal of the CEO, rather than just the Leader of the Council (Noted that both the Leader and the CEO support this proposal)

The meeting closed at 8.43 pm.

Signed: \_\_\_\_\_  
Chairman

Date: \_\_\_\_\_

## Public Report

To: Staff Subcommittee

Meeting Date: 7 January 2020

**Agenda item 4:** Management arrangements for the Council's Chief Executive Officer

**Recommendation:** To approve the proposed arrangements for managing and performance appraisals for the Council's Chief Executive Officer

### Current Position

The CEO's current contract appoints the Leader of the Council as the "Line Manager" for the CEO. This role is not within the Terms of Reference for the Leader of this Council and does not accord with best practice.

This has come to light following the induction training for Councillors and from the recommendations in "The Good councillors' Guide" (NALC):

*"Remember the clerk is employed by the council and answers to the council as a whole. Other staff, although employed by the council, are usually managed by the clerk. No one councillor can act as the line manager of either the clerk or other employees. These rules and principles should build on mutual respect and consideration between employee and employer." (Page 24)*

It is recognised that the Leader of the Council and The CEO work extensively together and that this will continue to be a key working relationship within the Council. This oversight will continue through the Leader's ex-officio role as Chair of the Staff Subcommittee, as set out in the Council's Standing Orders.

### Objective

It is proposed to bring the Council's arrangements for managing the CEO into line with the recommendations of The National Association of Local Councils (NALC) and the legal powers of Parish Councils.

### Managing the Council's Chief executive Officer

NALC has published further guidance in this matter (The Good Employers' Guide), which states as follows:

*The council as the body corporate is the employer for all its employees. Decisions about employment matters cannot be delegated to individual councillors, including the chairman. They can be delegated to employees such as the clerk. It is recommended that management matters are dealt with by a committee appointed for such a purpose. Where a council is dealing with disputes (e.g. grievance and disciplinary matters), it is essential that they are dealt with by a committee or sub-committee with appropriate terms of reference. (Page 29)*

### **Who should manage the clerk?** (Page 30)

*The management of the clerk differs from the management of other employees because the clerk is the council's most senior employee. As such, line management of the clerk cannot be delegated to another employee. Management of the clerk by full council is generally*

*ineffective and cumbersome and should be delegated to a personnel committee to which council should give clear terms of reference. Personnel committees should adopt relevant standing orders for lawfully authorising clerks' sick leave, annual leave and the discussion of sensitive matters such as informal grievances and disciplinary matters. They would also be responsible for any decisions relating to recruitment or termination of clerks' employment contracts. Any appeals arising from disciplinary or grievance matters should be made in accordance with the council's disciplinary policy.*

### **Appraisals**

*What is an appraisal? Management is a continuous process. A regular review of an employee's performance is an effective tool. It also allows an employee to give their views to the manager*

*Who undertakes appraisals? Clerks and other employees with management responsibilities may conduct appraisals for other employees. A clerk's appraisal will be best undertaken by a small committee rather than full council. Relevant councillors and employees should receive training in appraisals.*

**Consultation (if any):** Both the Leader of the council and the CEO are satisfied that this is the appropriate arrangement for managing and appraising the CEO.

### **Implications Addressed:**

- **Legal**

See above.

- **Financial**

There are no financial implications

- **Council Strategy**

O3.15: We will exercise best practice as an employer, promoting fairness and equality for our employees and volunteers

### **Recommendation:**

1. To comply with best practice and the NALC guidelines, the Staff Subcommittee appoints a Panel of 3 members of the Subcommittee to deal with management, grievance and appraisal issues regarding the Council's Chief Executive Officer
2. The Chair of the Staff Subcommittee should be one of the 3 members and should also chair the Panel
3. That the CEO's contract of employment is amended to reflect these changes.

**Report Author: Hugh Peacocke, CEO**

**Date: 20 December 2019**