



# NEWBURY Town Council

8 March 2017

**To:** The Leader of the Council, the Deputy Leader of the Council,  
Councillors Jeff Beck, Elizabeth O’Keeffe, Tony Stretton and Julian Swift-  
Hook

**Substitutes:** Councillors Mike Johnston, Kuldip Singh Kang, Andrew Steel and Martha  
Vickers

Dear Councillor

You are required to attend a meeting of the **Staff Sub-Committee** to be held in  
Suite 2, Town Hall, Market Place, Newbury, on **Tuesday 14 March 2017 at 7.30 pm.**

Yours sincerely,

**Hugh Peacocke**  
**Chief Executive Officer**

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## AGENDA

1. **Apologies for absence**  
*Chief Executive Officer*

2. **Declarations of interest and dispensations**  
*Chief Executive Officer*

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 28 November 2016**  
*Chairman*

**To agree** the minutes of the Staff Sub-Committee meeting held on 28 November  
2016 (Appendix 1)

**4. Time Off In Lieu (TOIL) Policy**

*Chairman*

**To approve** a Town Council Policy for Employee's TOIL (Appendix 2)

**5. Terms and Conditions for the employment of a Part-time Project Support Officer.**

*Chief Executive Officer*

**To Approve** the terms and conditions for the employment of a Part-time Project Support Officer to assist with the Town Development Plan, as agreed in Budget 2017-18. (Appendix 3)

**6. Amended Job Title**

*Chief Executive Officer*

**To Approve** shortening the Title of the Post: *Responsible Financial Officer and Corporate Services Manager* to *Finance and Corporate Services Manager* (There will be no change to the duties and responsibilities or the terms and conditions of employment for the Post Holder)

**7. Exclusion of the press and public**

*Chairman*

**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 personal and confidential nature of the business to be transacted.

**8. Confidential Staff Matters**

*Chief Executive Officer*

**Newbury Town Council**

**Public Minutes of the Staff Sub-Committee held in Suite 2, Town Hall, Market Place, Newbury, at 7.30 pm on Monday 28 November, 2016**

**Present:**

Councillors David Goff (Chairman), Anthony Pick, Elizabeth O’Keeffe and Julian Swift-Hook

**In Attendance:**

Hugh Peacocke, Chief Executive Officer

**8. Apologies for absence**

Councillors Jeff Beck and Tony Stretton.

**9. Declarations of interest and dispensations**

None

**10. Minutes of the Staff Sub- Committee meeting held on 25 July 2016**

**Proposed:** Councillor Elizabeth O’Keeffe

**Seconded:** Councillor Anthony Pick

**Resolved** that the Chairman sign the minutes of the Staff Sub- Committee meeting held on 25 July 2016 are a true record.

**11. Employees’ Health and Safety Policy**

The Policy had not been updated since March 2010. The Review reflected the current workforce, which was more office-based. For ease of use it also listed the “Enforcing Authority” and contact details for HSE. Sample forms for RIDDOR reporting were also attached. Staff had been consulted on the proposed amendments.

The Sub-committee asked if the 7 day injuries in RIDDOR were working days or calendar days and if the forms could be formatted for NTC use. It was also suggested that BALC or SLCC might have an employee H & S manual that could be checked for the next Review.

**Proposed:** Councillor Anthony Pick

**Seconded:** Councillor Julian Swift-Hook

**Resolved** that the Employees’ Health and Safety Policy, as amended, be approved.

**12. Annual Leave Policy (to account for the Christmas to New Year Closure)**

The Annual Leave Policy was reviewed to provide for the Christmas to New Year Closure and to prescribe minimum levels of office cover.

Staff had been consulted on the proposed amendments.

Paragraph 5 of the review was amended by the addition of the following words:  
*“excluding public holidays, until the end of the Annual Leave Year.”*

In paragraph 1 b) “book” was changed to “take”.

In paragraph 7 a) “Leave” was changed to “Holidays”

**Proposed:** Councillor Anthony Pick

**Seconded:** Councillor Elizabeth O’Keeffe

**Resolved** that the Annual Leave Policy be amended as above.

### **13. Training and Development Policy for Members and Officers**

The sub-Committee noted that this was a new policy and designed to support and encourage training and development for members and officers.

Members requested the following changes to the draft as presented:

- Improve presentation by numbering each section and sub-listing paragraphs
- Training and Development for Staff: Paragraph 2 to be amended by including the words in italics:
  - Within 3 months of employment, all staff must complete *any* mandatory training *required* to ensure they gain an awareness of the Council’s standards in key subjects such as equalities, health and safety and handling data, *to a standard acceptable to their Manager and as required in their contract of employment*. Mandatory training often has to be refreshed on a regular basis, at least every 3 years
- Training and Development for Elected Members: Paragraph 4, change “required” to “expected”
- Paragraph 5: add the words “ ... at the Annual meeting of the Council”
- In the last paragraph of the draft Policy change “Clerk” to “CEO”

**Proposed:** Councillor Anthony Pick

**Seconded:** Councillor Julian Swift-Hook

**Resolved:** That the Training and Development Policy for Members and Officers, as amended, be approved.

### **14. Exclusion of the press and public**

**Proposed:** Councillor Anthony Pick

**Seconded:** Councillor Elizabeth O’Keeffe

**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 items of business because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

### **15. Long Service Awards for Officers of Newbury Town Council**

i) Mrs Joyce Lewis would have 25 years’ service by 2017. It was agreed to make a suitable presentation in 2017.

ii) Granville Taylor, Caroline Edmunds and Joanne Lempriere would all have 10 years’ service by January 2017. It was agreed to make a suitable presentation to all three of these officers at the meeting of Full council on 30 January 2017 and that the officers be invited to attend to receive these awards.

**Proposed:** Councillor Julian Swift-Hook  
**Seconded:** Councillor David Goff

**Resolved** that the above awards be made

## **16. Payment of Overtime in holiday pay**

The meeting considered the report received from the Responsible Financial Officer outlining the Council's position following the Bear Scotland case dealing with the payment of non-guaranteed overtime in holiday pay and the options available to the Council.

**Proposed:** Councillor David Goff  
**Seconded:** Councillor Julian Swift-Hook

### **Resolved**

- i) That the Council settle the liabilities in full
- ii) That the liability and future arrangements be calculated using the 3 months rolling average, as set out in the legal case
- iii) That the RFO calculates the liabilities, having consulted fully with the Council's HR advisers, Ellis Whittam
- iv) Before making any settlement that the RFO consults the CEO
- v) That the terms of the settlement be explained fully to any officers concerned and they be notified that if they are unhappy with the settlement that they may appeal to the Staff sub-committee
- vi) That the RFO advise other staff that the Council is settling these liabilities, as required by law.

## **17. Salary Revisions and Awards**

The meeting considered the report of the CEO, setting out proposed salary increases for 2017-18 and other awards following the annual staff appraisals.

It was noted that the proposed salary increases agreed for next year are a rise of 1% from 1 April, applicable to all staff.

The Meeting closed at 9.20 pm

**Newbury Town Council**

**Public Report**

**Staff Sub-Committee, 14 March 2017**

**Agenda Item No 4:**

Time Off In Lieu (TOIL) Policy

**Background**

In January 2014 Chris Rolley Associates produced A STAFFING REVIEW FOR NEWBURY TOWN COUNCIL (CONFIDENTIAL) which made 27 recommendations, most of most of which have now been addressed.

The Report noted that the Council has extensive guideline policies for most aspects relating to staff employment, and policies are well written, but there is nothing specifically documented in respect of Time-off-in-Lieu.

The Report noted:

*TOIL is clearly a problem at Newbury, though to be fair the situation is most certainly not unique. The arrears are no greater than to be found in other local councils, and less than in some.*

The Report goes on to say:

*8.3.6 The Council's treatment of TOIL is a generous one. Other council's surveyed give TOIL at plain time rates for hours worked Mondays to Fridays but at time and a half for Saturdays and either time and a half or double time on Sundays. This is duly recorded in individual contracts for the avoidance of confusion and doubt. This is not the case at Newbury. Contracts state that "Attendance at Council meetings will be recompensed by time-off-in-lieu." There is no reference to the rate at which it will be accrued but historically this rate has been time and a half at Newbury. This relates not only to the period worked during the meeting but also in any interim period between the normal finishing time and the start of the meeting should the employee choose not to return home. Accordingly the Council receives less working hours overall than would be the case were the Council to reimburse at plain time rates as applies in every other Council surveyed.*

*8.3.7 Whilst logically it would be sensible to formalise a TOIL policy around plain-time rates (Petersfield Town Council's staff contracts require those working in excess of the 37 hours per week to be either reimbursed those hours at their standard hourly rate or take them off as TOIL at a mutually convenient time, in line with the recommended NALC/SLCC contract), the Council would need to take specialist HR advice as a 'custom and practice arrangement' may have been created for existing staff. Should that be the case there would certainly be nothing to stop contracts for new staff being more robust than currently.*

The review went on to recommend (recommendation No. 23) that the Council's Staffing Sub-Committee should establish a detailed TOIL and Overtime policy based on the content of this review, following discussions with the Council's workforce.

## **Objective**

To agree a TOIL policy with existing staff for managers to implement and give guidance to employees. This will help to regulate the process and reduce unacceptable accumulations of TOIL in the future.

## **Financial and Legal implications**

There are little financial implications; there may be minor savings but there will not be any increased costs arising from this.

## **Consultation:**

Staff have been consulted and responses are due by 10 march. All responses received will be brought to the attention of the meeting.

## **Other information**

The proposed policy is attached. It largely reflects the current arrangements. The main points to note are as follows:

1. In any interim period between the normal finishing time and the start of the meeting, should the employee choose not to return home, TOIL will continue to accrue at current rates, but there will be a deduction of 30 minutes refreshment break.

(It is considered unreasonable to expect that Officers would work from lunchtime until the end of a meeting, normally about 9.30 pm, without a break).

2. TOIL must be taken within 2 calendar months of the Line Manager approving it. Except with prior approval of the Line Manager, which can be given in exceptional circumstances, such as Christmas, any TOIL in excess of 20 hours will not be allowed in any one month.

(Since all posts have now been filled, TOIL is not being accumulated at the previous high rates reported in the 2014 Review. However, the Council needs to control this in order to ensure officers are available for the efficient running of the Council. Managers feel that these levels of control are appropriate to our needs)

## **Benefits:**

Approval of this policy will regulate the process and reduce unacceptable accumulations of TOIL in the future. It will enable managers to better control the current arrangements for TOIL, leading to a more efficient allocation of staff time.

## **Recommendation(s)**

That the Staff sub-Committee approves the Time Off In Lieu (TOIL) Policy attached, with effect from April 2017, for current employees of the Council.

**Signed:** Hugh Peacocke, Chief Executive Officer

8 March 2017.

# NEWBURY TOWN COUNCIL

## Time Off In Lieu Policy

### Introduction

Full time members of staff are required to work 37 hours a week (8.45am to 5.15pm Monday to Thursday and 8.45am to 4.45pm on Fridays, with an hour for lunch). Due to the nature of the work, Town Council events and meetings occur outside these hours and a system of Time of in Lieu (TOIL) has therefore been developed to cover this out of hours working.

### Evening Meetings

When members of staff are required to attend evening meetings, then TOIL will be allowed for 15 minutes before the meeting commences and as long as it takes after the meeting to finish business and clear away papers, in addition to the duration of the meeting. In the case of Planning and Highways Committee Meetings a member of staff is required to be present from 6.40pm, and can therefore claim TOIL from then. If a member of staff is working between the normal end of the working day and 15 minutes prior to the meeting they may claim TOIL at time, *less a 30 minutes refreshment break*

### Events at Weekends

When members of staff are required to be available for events at weekends then TOIL will be allowed which will include any setting up time and dismantling time as well as the time at the event.

### When time is taken

Time taken at meetings and events must be recorded on the monthly time sheet, which is signed by the line manager. *TOIL must be taken within 2 calendar months of the Line Manager approving it. Except with prior approval of the Line Manager, which can be given in exceptional circumstances, such as Christmas, any TOIL in excess of 20 hours will not be allowed in any one month.*

TOIL will be credited as follows:

Time of Day	Detail	Amount of TOIL
Weekday Evenings	From the end of the normal working day up to 15 minutes prior to start of meeting:	<i>Time, less 30 minutes refreshment break</i>
	15 minutes prior to start time and Duration of meeting (see above for different arrangements for Planning And Highways meetings.)	Time and a half
Saturdays		Time and a half
Sundays and public holidays		Double time

Approved by Staff Sub Committee

...March 2017

## Newbury Town Council

### Public Report

Staff Sub-Committee, 14 March 2017

#### Agenda Item No 5:

Terms and Conditions for the employment of a Part-time Project Support Officer.

#### Background

It is an objective of the Town Council Strategy to prepare a Newbury Town Plan. The Planning and Highways Committee has agreed the process whereby the Plan will be prepared and set up a Steering Group to take it forward. The Steering Group has in turn established 10 Working Groups to deal with a range of issues which the Plan needs to address.

It is accepted that this is a major undertaking for the Town Council and additional resources may need to be deployed to progress it so as to meet the deadlines set by the Planning and Highways Committee.

The Council recognised this at the budget-setting meeting in January when £10,000 was allocated towards this project and the Town Design Statement.

#### Objective

The Council is aiming to produce a draft Town Plan for public consultation before the end of 2017. This is in order to meet the deadlines set by the Planning and Highways Committee. In setting these deadlines the committee had regard to the stated programme of work of West Berkshire District Council's Planning Officers, who are aiming to review the Local Plan by 2019. The Town Plan is intended to inform and influence the Local Plan and therefore will be more effective the earlier it is submitted to the Planning Authority.

#### Options

A great deal of work has already been carried out on this project. However, as the Working Groups meet to consider their particular briefs and start to produce their reports, the volume of work will increase substantially. If the Council does not engage extra resources the process may be delayed beyond the set deadlines, losing its impact and effectiveness.

This will be continuously monitored and resources, if approved, will be applied only as considered necessary by the Chief Executive Officer, in consultation with the Chairman of the Steering Group for the Town Plan.

#### Financial implications

The Council has allocated £10,000 towards this project in the 2017-18 budget. It is difficult to forecast the volume of work which will be generated, but the arrangements as set out in the attached details for the terms and conditions of the part-time support officer will not exceed this amount.

**Reference to Council Strategy, where relevant**

It is an objective of the Council's strategy to prepare a Town Plan:

TL4. **Prepare** a Newbury Town Plan which fully meets the objectives of Newbury Town Council's Strategy.

**Consultation:**

The Council's HR advisors have been consulted on the nature of the employment contract to be offered.

Other Council's websites have been viewed to establish a fair rate of pay for this role.

**Recommendation(s)**

**To Approve** the terms and conditions for the employment of a Part-time Project Support Officer, as attached, to assist with the Town Development Plan, as agreed in Budget 2017-18.

**Signed:** Hugh Peacocke, Chief Executive Officer.

8 March 2017.

## **Project Support Officer, Newbury Town Council**

Newbury Town Council has set up a Steering Group to prepare a Town Plan for Newbury. The Steering Group has established 10 Working Groups to address a range of issues to be covered by the Town Plan.

The role of the Project Support Officer is to support the Steering Group and the 10 Working Groups preparing the Newbury Town Plan and any other relevant duties, agreed with the Chief Executive Officer

You will work with the Chief Executive Officer and the Chairs of the Working Groups to manage the co-ordination, planning and control of the meetings, actions and reports of the Working Groups.

**The duties of the role** include:

- Ensure the agreed meetings, minutes, reports and actions are completed on time throughout the project lifecycle.
- Assist the CEO and Working Group Chairs in the production of reports.
- Develop and maintain the meetings library, filing, recording and reporting systems.
- Prepare all agendas, minutes and reports of the Working Groups
- Attend the Working Group meetings and take minutes of same
- Advise and assist the Working Groups in progressing their work programmes.
- Develop and support effective communications between the Working Groups and the Steering Group.

The following **experience** is desirable:

- Knowledge and experience of meetings and diary management
- Competence in the MS Office Suite
- Experience of minuting meetings
- Experience of preparing actions and follow-up to achieve the outcomes from meetings
- Report writing experience

Experience in the local government sector would be an advantage.

**Skills:**

- Good communication skills, both written and verbal
- Time management skills
- Good Interpersonal skills
- Ability to analyse and present information
- Ability to work on your own initiative

**Conditions:**

Remote working, except when required to be present at meetings, which will always be in Newbury, normally in the Town Hall.

Up to 80 hours per month Maximum, no minimum hours can be guaranteed.

Paid at £12 per hour; zero hours contract or self-employed, to be agreed.

Any contract will be until 31 March 2018, when the future of the role will be reviewed in the context of the Council's budget for 2018-19.

The role is likely to require evening work (attending meetings), with some meetings in the daytime.