

Axminster Town Council

Office Hours
Monday, Wednesday, Thursday
10am – 12 noon

Mayor: Cllr Jill Farrow
Town Clerk: Paul Hayward

www.axminstertowncouncil.gov.uk



THE GUILDHALL
WEST STREET
AXMINSTER
DEVON
EX13 5NX

Tel. 01297 32088

Email: Clerk@axminstertowncouncil.gov.uk

Axminster Town Council: Minutes of the meeting of the Employment Committee

DRAFT MINUTES – YET TO BE APPROVED; Part ONE version (redacted).

Held in person on Tuesday 18th October 2022 at 7.30 p.m.

Members present as listed below, together with Clerk to the Council, Paul Hayward.

Chair welcomed all in attendance. Chair highlighted the building fire precautions and alerted those present to the fire exits.

Public Forum session.

No public speakers present.

Chair closed the Public Forum session at 7.35pm

Part ONE business.

EC22/100

To note members of the Employment Committee present at the meeting:

Present: Cllrs. Sedgewick (Chair), Holt (Vice-Chair), Birnie, Farrow, Spurway, Steadman and Walden. **(Meeting was quorate)**

EC22/101

To receive and, if thought fit, to note the absence and to approve the reasons given for the absence: (LGA 1972 s.85(1))

Apologies received:

Cllr. Leat (Conflicting engagement) – absence noted.

Cllr. Paice (Family commitment) - absence noted.

**Reasons for absence proposed for approval by Chair, seconded by Cllr. Walden.
Resolved unanimously.**

EC22/102

To note members of the committee who are neither present nor have given their apologies for absence:

None.

EC22/103

To note the recent addition of Cllr. Leat to the membership of the Employment Committee.

Noted.

Continued overleaf.

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EC22/104

To receive any declarations of interest from members of the committee in relation to items of business on this agenda and to note any dispensations previously afforded.

This does not preclude the need for members to declare any additional interests that may arise during the meeting.

No declarations of interest offered by members in relation to the business on the agenda for consideration.

EC22/105

To consider and, if thought fit, approve the minutes of the Employment Committee meeting held 19th July 2022.

And to consider matters arising from those minutes not otherwise listed on this agenda.

It was proposed by Cllr. Walden, seconded by Chair, that the minutes of that meeting be approved. Resolved unanimously.

No matters arising from these minutes.

EC22/106

To consider any matters listed on this agenda that Councillors consider should be dealt with as confidential business as per the provisions of The Public Bodies (Admission to Meetings) Act 1960 (see below).

No other matters to be considered in Part Two session other than that already listed on the agenda and the matter detailed above under EC22/112 to 116 inclusive.

EC22/107

To consider any matters considered as urgent by the presiding Chair for discussion:

None raised by Chair.

EC22/108

To consider arrangements, costs and priority for staff training provision:

It was proposed by Cllr. Walden, seconded by Cllr. Holt, that arrangements for operational (and/or safety) training courses should be delegated to the Clerk as he deemed necessary / appropriate with notification provided to the Chair of this committee at the time of booking and a subsequent report made to this committee thereafter on the nature, costs and outcome of such training up to the budgetary limits previously agreed upon by Council. Resolved unanimously.

Continued overleaf.

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EC22/108

To consider arrangements, costs and priority for staff training provision (continued):

It was further proposed by Chair, seconded by Cllr. Holt, that the Council should meet the costs for the attendance of the Council Administrator at the SLCC National Conference (in November); costs £385 (plus one additional night's accommodation and subsistence). Resolved unanimously.

EC22/109

To consider arrangements for forthcoming appraisal (performance review) training and the subsequent delivery of appraisals for Council employees:

It was acknowledged and noted that a training event had been arranged for the 1st November. Chair thanked Cllr. Holt for facilitating this training session. Chair outlined the Council's existing Performance Review Policy and strategy. It was unanimously agreed that the session (which would bring together Councillors, appraisers and appraisees alike) will be worthwhile and help the Council conduct this important employment duty to the best of its ability. Once event complete, all staff appraisals will be completed as soon as possible thereafter in accordance with the approved and adopted policy.

EC22/110

To consider matters pertaining to future scheduling of Employment Committee meetings:

Members expressed that frustration that the other hire bookings of the Guildhall meant that these meetings could not start until 7.30pm. Clerk was asked to investigate if 7pm starts could be accommodated or whether meetings would need to be held on a different day of the week. Noted.

EC22/111

Cllr. Holt proposed that, under the provisions of the Public Bodies (Admission to Meetings) Act 1960, (as amended by the Local Government Act 1972, the public, (including the press) be excluded from the meeting as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. Seconded by Cllr. Spurway. Resolved unanimously.

The Part One meeting recording was stopped and a separate recording commenced for Part Two.

Continued overleaf.

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Part TWO business.

Business to be considered in Part Two session; matters which are considered as confidential as they relate to Council employment.

EC22/112 (IC)

To consider matters pertaining to specific employee matters: probationary periods and subsequent remuneration.

Chair outlined the current situation with regards to staff probationary periods;

It was proposed by Chair, seconded by Cllr. Walden, that the probationary period for four members of staff be completed on the grounds of satisfactory performance. Clerk to write to those members of staff accordingly. Resolved unanimously.

Chair thanked all members of staff for their hard work and efforts over the last few months and acknowledged that they had all gone above and beyond expectations.

It was further proposed by the Chair, seconded by Cllr. Farrow, that the salary grading for two members of staff should be increased by one (1) increment to reflect the successful completion of their probationary period; that increment to be reflected in the salary payment for November. Resolved unanimously.

Finally, it was noted that the FY22-23 NJC pay settlement negotiations were still ongoing. Clerk was asked to keep the Employment Committee apprised of developments and decisions in that regard but to implement any award settlement without further delay as the Town Council was contractually obliged to implement such awards and to back date the same to 1st April 2022 (or the employees start date whichever was later).

EC22/113 (IC)

To further consider a request for a variation to wording of employment contracts for members of staff holding elected roles at other local authorities:

This matter had previously been considered by members of the committee but it had been deferred to allow for further discussion between the Chair of EmployComm, the Clerk and other staff affected by the proposed wording variations. After further debate, Cllr. Holt proposed an additional clause containing the wording as follows:

“ As an employee of Axminster Town Council, priority will always be given to work associated with Axminster Town Council and all such works undertaken though other employment or democratic duties as in 7.1 will not interfere with the employee’s agreed objectives and strategic plans of Axminster Town Council ”

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Furthermore, it was suggested that a similar wording be applied as a contract variation in the future if, and when, an employee also took on a democratically elected role at another local authority. The complete wording of the contract variation is as follows:

7. DECLARATION OF OTHER EMPLOYMENT

7.1

You shall not undertake other employment without the Council's written consent. Such consent shall not be unreasonably withheld especially where the other employment commenced prior to the start of this contractual employment.

7.2

As an employee of Axminster Town Council, priority will always be given to work associated with Axminster Town Council and all such works undertaken through other employment or democratic duties as in 7.1 will not interfere with the employee's agreed objectives and strategic plans of Axminster Town Council.

7.3

Axminster Town Council recognises that when and if an employee of The Council holds an elected role on East Devon District Council or Devon County Council, the duties of that role may occasionally conflict with the decisions, aims, objectives and views of the Town Council. It is agreed that any such conflict will not result in any action under the Council's Disciplinary and Grievance Policy (albeit the Council would have recourse to the EDDC or DCC Code of Conduct Policy if deemed appropriate).

7.4

Furthermore, the Town Council recognises that the employee holding an elected role within East Devon District Council or Devon County Council may, from time to time, be in possession of information relevant to the Town Council or the parish of Axminster that they are unable to share with the Town Council by virtue of their responsibilities and duties as an elected member of that Council, as per the Member Code of Conduct applicable to that local authority. Failure to divulge or share any such information shall not be considered a breach of their employment contract with the Town Council in line with 7.2 above.

**This wording was proposed by Cllr. Holt and seconded by Cllr. Farrow.
Resolved unanimously.**

Clerk was asked to convey this decision to the employees concerned and to bring the matter back to the Employment Committee if it was considered unacceptable or requiring further amendment/revision whereupon an extraordinary meeting of the committee would be required given the urgency of the subject matter. Noted.

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EC22/114 (IC)

To consider a matter pertaining to a former Council employee which requires the attention of the employment committee:

Clerk outlined recent correspondence received.

After debate, **it was proposed by Chair, seconded by Cllr. Farrow, that the Council will (via the Clerk) respond to that correspondence.**

The exact nature of the correspondence and the content of Council's reply has been redacted as the matter is confidential on the basis that it relates to a private employment matter.

EC22/115 (IC)

To consider matters pertaining to recruitment of new member of the grounds-staff team; timing, remuneration and recruitment process.

Members were unanimous in their satisfaction with the performance of the two existing grounds-staff members and the noted improvement in the delivery of services and amenity to the town as a result. However, it was agreed that any further recruitment should be delayed until the New Year (January 2023) so that the job description and role of any additional employees could be properly and carefully considered by the committee membership. Noted. Clerk: please add to first agenda for 2023.

EC22/116 (IC)

To consider matters pertaining to a specific matter of employee remuneration:

After debate, **it was proposed by Cllr. Holt, seconded by Chair, that the Employment Committee will meet by January 2023 at the latest to further consider matters pertaining to this subject. Resolved unanimously.**

The exact nature of this agenda business has been redacted as the matter is confidential on the basis that it relates to a statutory employment matter.

Furthermore, it was proposed by Cllr. Farrow, seconded by Cllr. Walden, that the RFO/Clerk be directed to calculate the overtime hours attributed to the Guildhall AB(+) works and arrange for these to be paid as salary in November for all employees who had gone beyond their contractual obligations to deliver this project and enable the events at the Guildhall to proceed. Resolved unanimously.

Clerk: please note and action accordingly. Please provide Chair with a schedule of these payments accordingly.

Continued overleaf.

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Cllr. Farrow stated (for the minute record) that the payment of such overtime was a necessity given the efforts of the staff involved and the fact that – had such overtime not been freely provided – the costs for the completion of the project would have been inordinately greater as it would have necessitated the involvement of external contractors in order to deliver completion by the 3rd party deadlines imposed upon the project group.

At this point, the Clerk (to avoid any conflict of interest arising) was asked to leave the room so that members could consider a matter of remuneration related to the project above.

Recording was stopped at 9pm.

After debate and discussion amongst committee members, it was proposed that a “merit / completion” bonus be paid to all Town Council staff as part of their usual salary payment in recognition of their efforts with regards to the Guildhall project. Proposed by Chair, seconded by Cllr. Steadman. Resolved unanimously.

The value of this bonus award has been redacted as the matter is confidential on the basis that it relates to a statutory employment matter.

Clerk to be directed to execute this resolution in his role as RFO/payroll manager.

Clerk was invited to re-join the meeting and the previous resolutions/decisions were conveyed to him. Clerk thanked members for their kindness and thoughtfulness and assured them that he would pass on their thanks and gratitude to all members of his team.

With no further items to discuss the Chair closed the meeting at 9.15pm.

Signed Date:

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