

# Axminster Town Council

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

Mayor: Cllr Jill Farrow  
Town Clerk: Paul Hayward

[www.axminstertowncouncil.gov.uk](http://www.axminstertowncouncil.gov.uk)



THE GUILDHALL  
WEST STREET  
AXMINSTER  
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EX13 5NX

Tel. 01297 32088

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## 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 Monday 23<sup>rd</sup> January 2023 at 7pm.

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 7.05pm

### **Part ONE business.**

#### **EC22/117**

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

Present: Cllrs. Sedgewick (Chair), Birnie, Farrow, Leat, Paice, Spurway, Steadman and Walden. **(Meeting was quorate)**

#### **EC22/118**

**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. Holt (Conflicting engagement) – absence noted.

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

**Resolved unanimously.**

#### **EC22/119**

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

None.

*Continued overleaf.*

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## EC22/120

**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.

## EC22/121

**To consider and, if thought fit, approve the minutes of the Employment Committee meeting held 18<sup>th</sup> October 2022**

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

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

No matters arising from these minutes.

## EC22/122

**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 EC22/131 to 135 inclusive.

## EC22/123

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

None raised by Chair.

## EC22/124

**To consider date for next scheduled meeting of the Employment Committee:**

Meeting scheduled for Monday 3<sup>rd</sup> April 2023 at 7pm. members agreed that if any pressing or urgent business arose before that date, an extraordinary meeting could be convened by the Chair. Noted.

*Continued overleaf.*

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## EC22/125

**To consider update on staff training arrangements/program from Clerk and to consider a proposal that a specific part of the working week be set aside for staff training provision.**

Update received. It was agreed that officers would set aside Friday mornings for the purposes of staff training (whenever necessary) as the Town Council offices were not ordinarily open on a Friday and disruption to public access and services could be kept to a minimum. Noted.

## EC22/126

**To consider a proposal by Cllr. Birnie that this Council should implement a new Duty of Care Policy in respect of both its employees, and its members, to safeguard them in the event that they do not attend work/meetings as anticipated; Cllr. Birnie to speak on this matter.**

Cllr. Birnie outlined her thoughts on this matter and set out her proposal.

After discussion, it was not resolved to create a formal policy/protocol in this regard but, instead, for Clerk to contact all members and offer a template form for completion by those who wished to complete it. This would be on a voluntary basis and members would not be compelled to complete it. Clerk would maintain the data file in accordance with Council's Data Retention Policy. Noted and agreed. Council's Duty of Care to its employees remains unchanged.

## EC22/127

**To consider whether this committee wishes to proceed with approaches to local educational establishments regarding the possible introduction of workplace apprenticeships at this time.**

After discussion, it was agreed that this Council was not yet at the stage that it could offer apprenticeships as a employment option given the ongoing constraints on officer, and member, time. It was agreed to defer this matter until 2024 for further review. Similarly, on the subject of Work Experience placements, it was felt that Council should not actively seek out candidates for such placements but would, instead, deal with any applications from local schools on a case-by-case basis. Agreed.

Clerk: please diarise for 2024 (Spring) accordingly for a review.

*Continued overleaf.*

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## EC22/128

**To consider this committee's Terms of Reference and, if thought fit, to recommend their adoption by FULL Council.**

After revision and editing, it was proposed by the Chair that the substantive Terms of Reference be approved by Employment Committee subject to final approval by the Town Council. Seconded by Cllr. Paice.

Clerk: please circulate revised and approved TOR to all members of FULL Council for their perusal and review.

## EC22/129

**To consider the timetable for the review and possible revision of this Council's extant Employment Policies and to consider any additional policies that may be required.**

It was suggested by Chair that the all existing adopted policies be reviewed and the document clearly annotated with the date of adoption and the proposed review date if not already present. The documents could then be entered into a matrix to determine the schedule for review by this committee. It was also noted that, should this Council decide to seek accreditation under the NALC Local Council Quality Award Scheme, a full review of all such policies would be necessary as part of the application and assessment process. Noted.

Clerk: Please note and liaise with Admin. team to action as above.

## EC22/130

**Cllr. Farrow 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.**

### EC22/131 (IC)

**To consider matters pertaining to a specific employee; to include resolution on their probationary period, their hours of employment and subsequent remuneration.**

It was proposed by Cllr. Farrow, seconded by Chair, that the completion of this employee's probationary period (as at the 13<sup>th</sup> December 2022) be approved.

It was further proposed by Cllr. Farrow, seconded by Cllr. Walden, that a further employment matter relating to this employee be resolved upon. Resolved unanimously.

Clerk: please note and action accordingly. Please prepare a letter confirming both matters.

### EC22/132 (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 re-tabled for debate to allow for further discussion between the Chair of EmployComm, the Clerk and other staff affected by the proposed wording variations. After further revisions, the complete wording of the contract variation is as follows:

#### 7. DECLARATION OF OTHER EMPLOYMENT (proposed revised wording – JAN2023)

##### 7.1

You shall not undertake other employment without the Town 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 must always be given to work associated with Axminster Town Council during the working day. All other works undertaken during the working day (relating either to other employment or to the democratic duties and obligations outlined in 7.2 & 7.3) should not negatively impact upon the strategic goals of the Town Council.

*Continued overleaf.*

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## 7.3

Axminster Town Council recognises that when, and if, an employee of the Town Council holds an elected role on East Devon District Council or Devon County Council or any other Local Authority, 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 or any other Local Authority 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 other Council(s), 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 & 7.3 above.

**This wording was proposed by Chair and seconded by Cllr. Walden. Resolved unanimously.**  
Clerk: Please integrate this wording into the contracts of those employees currently affected by the wording revision.

### **EC22/133 (IC)**

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

Correspondence received was noted by committee members.

Clerk: Please keep members abreast of any further developments in this respect.

### **EC22/134 (IC)**

**As per the minutes of the meeting held 18th October 2022, to further consider matters pertaining to recruitment of new member of the Grounds-staff team; possible timing, remuneration and the anticipated recruitment process.**

**It was proposed by the Chair, seconded by Cllr. Leat, that, at this time and mindful of the Council's recent decision on the FY23-24 budget, no additional recruitment of grounds-staff members be considered. Resolved unanimously.**

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## EC22/135 (IC)

To receive an update from Chair and Clerk on the outcome of the recent Staff Performance Review (Appraisal) exercise and to note the date of the next cycle of formal staff appraisals.

Clerk provided update to members on the recent interim appraisals completed.

It was agreed that anything deemed contentious or untoward would be reported to the committee without delay by the Chair (after consultation with the Clerk).

It was also proposed that – in the absence of the Chair of the Employment Committee – the Clerk's annual (or interim) appraisal could be undertaken by the Vice-Chair of this committee.

Chair thanked the Clerk for reviewing the Performance Review template forms and refining and editing them to improve the appraisal process and experience for the staff involved.

Clerk was subsequently asked to leave the room at 19.57hrs whilst the subject of his performance review was discussed. **The minutes of this discussion are considered confidential due to the nature of the business being discussed and are therefore redacted in this minute record.**

Clerk was invited to return to the meeting at 8.08pm.

With no further items to discuss the Chair closed the meeting at 8.10pm.

Signed ..... Date: .....

**Axminster Town Council: Minutes of the meeting of the Employment Committee  
23/01/2023**

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

## Recommendations of the Employment Committee:

Part One:

EC22/128

That the revised Terms of Reference for this Committee are adopted.