

Agenda

Employment Committee

Wednesday, 23 June 2021 at 7.30 pm

New Council Chamber, Town Hall, Reigate



This meeting will take place in accordance with Government guidance, Committee Members will assemble at the Town Hall, Reigate. Members of the public, Officers and Visiting Members should attend remotely.



Members of the public may observe the proceedings live on the Council's [website](#).

Members:

V. H. Lewanski
M. A. Brunt
T. Schofield

N. D. Harrison
P. Chandler

Substitutes:

Conservatives: J. P. King, R. S. Turner and K. Sachdeva
Residents Group: R. J. Feeney and R. Harper
Green Party: J. C. S. Essex and S. McKenna

Mari Roberts-Wood
Interim Head of Paid Service

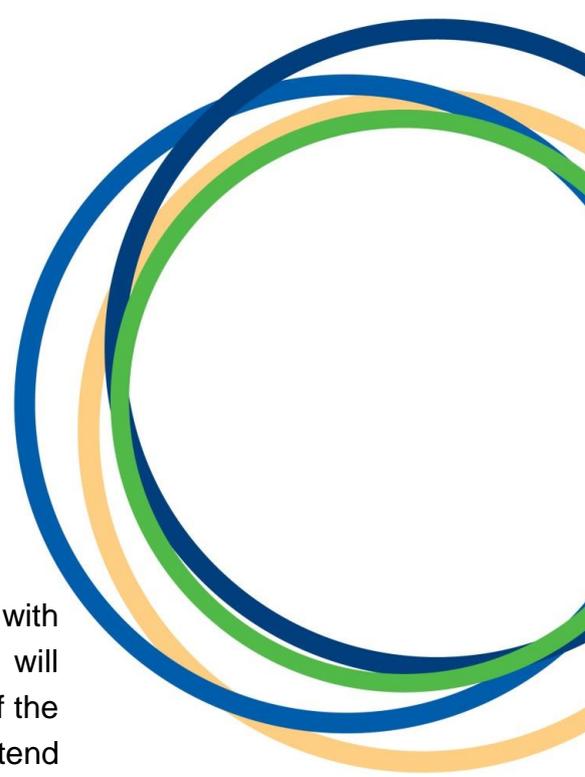
For enquiries regarding this agenda;

Contact: 01737 276182

Email: democratic@reigate-banstead.gov.uk

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Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate



1. Election of Chairman for 2021/22

To appoint a Chairman for the Municipal Year 2021/22.

2. Election of Vice-Chairman for 2021/22

To appoint a Vice-Chairman for the Municipal Year 2021/22.

3. Apologies for Absence and Substitutions

To receive any apologies for absence and notification of any substitutes in accordance with the Constitution.

4. Declarations of Interest

To receive any declarations of interest.

5. Minutes of the Last Meeting

(Pages 5 - 6)

To approve the minutes of the meeting of the Committee on 31 March 2021.

6. Employment Committee - Terms of Reference

(Pages 7 - 20)

To note the terms of reference of the Committee and the procedure rule relating to officer employment.

7. Workforce Data Summary and Organisational Development Update

Report to follow.

8. Pay Award 2022/23

To receive a verbal update on the anticipated timescales for 2022/23.

9. Employment Committee Member Training

To discuss training for Employment Committee Members.

10. Future Work Programme

(Pages 21 - 22)

To consider the draft 2021/22 Work Programme.

11. EXEMPT - Senior Management Update

RECOMMENDED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

12. Any Other Urgent Business

To consider any item(s) which, in the opinion of the Chair, should be considered as a matter of urgency – Local Government Act 1972, Section 100B(4)(b).

Note: Urgent business must be submitted in writing but may be supplemented by an oral report.



Our meetings

As we would all appreciate, our meetings will be conducted in a spirit of mutual respect and trust, working together for the benefit of our Community and the Council, and in accordance with our Member Code of Conduct. Courtesy will be shown to all those taking part.



Streaming of meetings

Meetings are broadcast live on the internet and are available to view online for six months. A recording is retained for six years after the meeting. In attending any meeting, you are recognising that you may be filmed and consent to the live stream being broadcast online, and available for others to view.



Accessibility

The Council's agenda and minutes are provided in English. However, the Council also embraces its duty to anticipate the need to provide documents in different formats, such as audio, large print or in other languages. The Council will provide such formats where a need is identified prior to publication or on request.



Notice is given of the intention to hold any part of this meeting in private for consideration of any reports containing "exempt" information, which will be marked accordingly.

BOROUGH OF REIGATE AND BANSTEAD

EMPLOYMENT COMMITTEE

Minutes of a meeting of the Employment Committee held as a Remote - Virtual Meeting on 31 March 2021 at 7.00 pm.

Present: Councillors V. H. Lewanski (Chair), C. M. Neame (Vice-Chair), M. A. Brunt, J. S. Bray and T. Schofield.

32. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

33. DECLARATIONS OF INTEREST

There were none.

34. MINUTES

The minutes of the meeting held on 15 December 2020 were approved.

35. KEY WORKFORCE DATA FOR 2020/21 (PART-YEAR)

The Head of Organisational Development and HR introduced the report which provided an indication of the organisation's health and workforce demographic.

Members heard that the number of sick days had reduced to 7.39 days per employee, continuing the downward trend both in sickness absence and the turnover of staff. Officers explained that due to the COVID-19 pandemic, greater emphasis had been placed on supporting staff wellbeing and mental health. Consequently, and in response to a question, the Interim Head of Paid Service explained that the full impact of the pandemic on organisational health would become clearer in 2021/22.

The approach to recruitment had been strengthened with the introduction of a full-time recruitment role to lead recruitment campaigns, improve processes and ensure consistency. The Committee expressed its support for the opportunities that had been created by the Apprenticeship Levy, and were pleased that the Council had employed 24 apprentices, of which 14 had started with the Council since March 2020.

RESOLVED that the Workforce Data summary Annex, comprising of key equalities workforce information, and organisational health measures including sickness absence, and employee turnover data, be noted.

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Employment Committee
31 March 2021

Minutes

36. PART EXEMPT - VERBAL UPDATE ON THE RECRUITMENT OF AN INTERIM STRATEGIC HEAD OF RESOURCES

RESOLVED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Committee received an exempt verbal update on the recruitment of an Interim Strategic Head of Resources.

37. EXEMPT - VERBAL UPDATE ON THE 2021/2022 PAY NEGOTIATION

RESOLVED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Committee received an exempt verbal update on the 2021/2020 Pay Negotiation.

38. EXEMPT - DISCUSSION ON RECENT EMPLOYMENT COMMITTEE TRAINING / MEMBER TRAINING

RESOLVED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act; and
- (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Committee discussed the training that they had recently received and reflected on the training offered to all Members over the last year.

39. ANY OTHER URGENT BUSINESS

There was none.

The Meeting closed at 8.04 pm

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Signed off by	Head of Legal and Governance
Author	Alex Berry, Deputy Democratic Services Manager
Telephone	01737 276815
Email	alex.berry@reigate-banstead.gov.uk
To	Employment Committee
Date	Wednesday, 23 June 2021
Executive Member	Portfolio Holder for Corporate Policy and Resources

Key Decision Required	N
Wards Affected	(All Wards);

Subject	Employment Committee - Terms of Reference
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Recommendations
The Committee is asked to note the Responsibility for Functions for the Employment Committee, set out in Part 3a of the Constitution (annex 1), and Procedure Rule 9 – Officer Employment, set out in Part 4 of the Constitution (annex 2).
Reasons for Recommendations
This report sets out the terms of reference and the procedure rule relating to officer employment.
The Committee has authority to note the above recommendations.

Key Information
Background
<ol style="list-style-type: none"> 1. The Responsibility for Functions and Procedure Rule 9 – Officer Employment were revised in 2019 following recommendations to Council from the Governance Task Group. 2. In revising these, the Governance Task Group noted the importance of the Council understanding, planning and developing its workforce requirements for the future, so

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as to provide excellent services to the community it serves and to support the Council's visions, aims and values.

3. Furthermore, the Employment Committee should have regard to the following:
 - The need to ensure the Council has access to the right skill sets in order to deliver its ambitious future objectives.
 - The importance of attracting a diverse future workforce to ensure an ongoing supply of suitable applicants across a broad range of occupations, tackling skills shortage areas and attracting the right people with the right skills and competencies at the right time.
 - Ensuring skills and capacity are in place to support change, focusing on future skill requirements to support service improvements, management and staff development and creating a more adaptable and flexible workforce.
 - Ensuring pay and reward policies are equitable, flexible and affordable, support the Council's performance management systems and are responsive to market pressures.
 - The need to enhance and clarify governance arrangements associated with Member involvement in senior officer recruitment, including functions relating to disciplinary / dismissal.
 - The importance of Member Learning and Development, especially in relation to the roles and responsibilities of the Employment Committee and Member involvement in recruitment.

Legal Implications

4. There are no direct legal implications associated with this report.

Financial Implications

5. There are no direct financial implications associated with this report.

Equalities Implications

6. The Employment Committee needs to have regard to the Council's duties under the Equality Act 2010. This requires the Council to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share protected characteristics and those who do not.
7. The recommendation set out in this report relate to the terms of reference for the Employment Committee and carry no direct implications for the Council's general equality duty. However, the Committee should ensure that it addresses these duties by considering them within its work programme (enclosed in the agenda pack) as well as individual pieces of work.

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Communication Implications
8. There are no direct communication implications associated with this report.
Risk Management Considerations
9. There are no direct risk management considerations associated with this report.
Background Powers
None.

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Part 3a: Responsibility for Functions

Responsibility for Council Functions

Committee	Membership	Function	Delegation of Functions
Employment	5 Members of the Authority (politically balanced – to include at least one Member of the Executive)	<ol style="list-style-type: none"> 1. Appointment/Dismissal & Disciplinary Action and appeals in accordance with Procedure Rule 9 - Officer Employment 2. Employee matters requiring approval by Members or falling outside the personnel policies and procedures 3. Oversight and engagement (with relevant Officers) in respect of the development of the Council's Organisational Development Strategy – which includes the talent/attribution/development/retention strategy for staff and the Council's Management Structure. 4. Establishing a critical friend role in relation to ensuring the Council's Organisational Development Strategy is on track and is fit for purpose. This should include consultation around the annual Service and Financial Planning process and Pay Policy Statement. <p>Note: The application of 2, 3 and 4 (above) should be detailed in an annual work programme to be agreed at the start of each Municipal Year by the Employment Committee.</p>	Officer Delegation – see schedule “

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Procedure Rule 9 - Officer Employment

9.1 General

- 9.1.1 Each member of the Management Team is responsible to the Council for the management, training, welfare, health and safety and discipline of the employees under their direction.
- 9.1.2 He/she shall act in accordance with the Council's HR Policies and Procedures.
- 9.1.3 He/she shall liaise closely with the Head of Service with responsibility for HR over the interpretation and application of these matters.
- 9.1.4 The Head of Service with responsibility for HR shall be responsible for monitoring that the Council's HR Policies and Procedures are being implemented and Officers are acting within their terms.
- 9.1.5 The Head of Service with responsibility for HR shall also keep the Council informed of all significant developments in the HR field.
- 9.1.6 Each member of the Management Team shall ensure that the Head of Service with responsibility for HR is supplied with all the information necessary for corporate monitoring systems on human resource management and payroll.
- 9.1.7 Terms and conditions of employment are set out in individual contracts of employment and the Council's HR Policies and Procedures.

9.2 Recruitment and appointment

Declarations

- 9.2.1 The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council; or of the partner of such persons.
- 9.2.2 No candidate so related to a Councillor or an Officer will be appointed without the authority of the Chief Executive or an Officer nominated by him/her.

Seeking Support for Appointment

- 9.2.3 The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council.
- 9.2.4 The content of Procedure Rule 9.2.3 will be included in any recruitment information.
- 9.2.5 No Councillor will seek support for any person for any appointment with the Council.

9.3 Recruitment of Head of Paid Service and Statutory Chief Officers

Where the Council proposes to appoint the Head of Paid Service or a Statutory Chief Officer the Council will:

- 9.3.1 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- 9.3.2 make arrangements for a copy of the statement of qualifications or duties to be sought in the person to be appointed to be sent to any person on request.

9.4 Appointment of Head of Paid Service, Chief Finance (S151) Officer and Monitoring Officer (Statutory Chief Officer)

- 9.4.1 The full Council will approve the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer in accordance with Annex 1 to Procedure Rule 9.
- 9.4.2 The full Council may only make or approve these appointments where no well-founded objection has been made in accordance with Procedure Rule 9.8.

9.5 Other appointments

- 9.5.1 Appointment of Officers other than those listed in Procedure Rule 9.4 (and assistants to political groups) will be undertaken in accordance with Annex 1 to Procedure Rule 9.

9.6 Disciplinary action/dismissal against Statutory Chief Officers

- 9.6.1 No disciplinary action (except suspension for the purpose of investigating the alleged misconduct occasioning the action) may be taken by, or on behalf of, the Council against the Head of Paid Service, Monitoring Officer or Chief Finance Officer other than in accordance with the Local Authorities (Standing Orders) (England) Regulations 2015.
- 9.6.2 Any suspension of Officers for the purpose of investigating an alleged misconduct occasioning the action must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.
- 9.6.3 In the case of a proposed disciplinary action against a statutory officer the council is required to invite independent persons who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011 to form an independent panel.
- 9.6.4 An independent panel will be formed if two or more independent persons accept the invitations, and councils should issue invitations in accordance with the following priority order:
 - An independent person who has been appointed by the council and who is a local government elector,
 - Any other independent person who has been appointed by the council, and
 - An independent person who has been appointed to another council or councils.

- 9.6.5 Any decision in relation to disciplinary action against a statutory officer will be taken transparently by full council, who must consider any advice, views or recommendations from the independent panel, the conclusions of any investigation into the proposed dismissal, and any representations from the officer concerned.

9.7 Disciplinary action/dismissal against other Officers

- 9.7.1 Dismissal or disciplinary action against any Officer other than those listed in Procedure Rule 9.4 (and assistants to political groups) will be undertaken in accordance with Annex 1 to Procedure Rule 9.

9.8 Notification of proposed appointment of Head of Paid Service, Chief Finance (S151) Officer and Monitoring Officer (Statutory Chief Officers)

- 9.8.1 The Proper Officer will notify every Member of the Executive of:

- (i) the name of the person concerned;
- (ii) any other particulars relevant to the appointment; and
- (iii) the date by which objections must be made.

- 9.8.2 An Executive Member wishing to make an objection must notify the Leader in sufficient time to enable the Leader to lodge an objection in accordance with Procedure Rule 9.8.3 below.

- 9.8.3 Objections must be material and well founded and must be made by the Leader on behalf of the Executive to the Proper Officer in writing within 5 working days unless specifically extended.

9.9 Conduct of employees

- 9.9.1 Employees should adopt high standards of personal conduct at work and should do nothing which would bring the Council into criticism or disrepute.
- 9.9.2 They must follow the Council's codes of conduct and regulations stated in the Constitution and elsewhere.
- 9.9.3 Only the Communications Unit, the Chief Executive, and Management Team, in consultation with the Communications Unit, may talk to the press, or otherwise make public statements on behalf of their Services unless otherwise designated under the Council's Emergency Plan.

9.10 Conditions of employment

- 9.10.1 All employees of the Council must be engaged on Contracts of Employment agreed by the Head of Service with responsibility for HR and in accordance with the Council's approved Terms and Conditions of Employment.
- 9.10.2 The Council will follow Advisory, Conciliation and Arbitration Service (ACAS) guidance for any changes to terms and conditions of employment.

9.11 HR Plans

- 9.11.1 The Head of Service considering variations to the approved Human Resource Plans or structure of their operating unit(s) shall, at the earliest opportunity, discuss the proposals with the Head of Service with responsibility for HR, who will advise on the procedure to be followed.
- 9.11.2 The Head of Service with responsibility for HR shall be notified immediately of all changes to staffing in order that the necessary processes and documentation may be undertaken.

9.12 Training and development

- 9.12.1 The Head of Service shall be responsible for the training and development of employees under his/her direction in order to meet the needs of the Council and those of the employee, within the resources made available for the purpose. He/she shall liaise closely with HR in the execution of this responsibility.
- 9.12.2 The Chief Executive or Head of Paid Service shall be responsible for monitoring the business benefit provided through the training and learning opportunities afforded for all employees and that employees have the skill necessary to deliver the Council's services.

9.13 Discipline, performance and grievances

- 9.13.1 Disciplinary action will be taken in line with Annex 1 to Procedure Rule 9.
- 9.13.2 Performance related matters will be dealt with in accordance with HR Policies and Procedures.
- 9.13.3 Grievance matters will be dealt with in accordance with the Council's grievance and appeal procedures.
- 9.13.4 The Head of Service with responsibility for HR shall be informed of all grievances formally raised by employees and of all cases where any Officer is planning to take disciplinary or capability action.
- 9.13.5 The Head of Paid Service, Monitoring Officer and Chief Finance Officer in addition to the Head of Service with responsibility for HR will be informed where disciplinary action is planned in cases of misappropriation by an employee of funds and/or property belonging to the Council or any other form of gross misconduct.

9.14 Health and Safety Policy

- 9.14.1 All employees are required to follow the principles of Health and Safety as set out in the Council's Policies and Procedures which forms part of the Council's Conditions of Employment.
- 9.14.2 Members of the Management Team are responsible for the maintenance of the policy within their service areas and shall liaise closely with the Head of Service with responsibility for Health & Safety.

9.15 Equal opportunities and dignity at work

- 9.15.1 Reigate and Banstead Borough Council is committed to providing a working environment in which any employee, volunteer or client/customer:
- (i) is treated with dignity, respect, courtesy and fairness and is free from harassment, bullying or victimisation.
 - (ii) does not experience any form of discrimination on any basis including his or her age, disability, gender reassignment & sexual orientation, marriage & civil partnerships, pregnancy & maternity, race, religion & belief, sex or responsibilities for dependants.
- 9.15.2 The Council is also committed to ensuring that its services are available to all members of the Community.
- 9.15.3 Members of the Management Team are responsible for ensuring that the policy is implemented and that all employees observe their responsibilities towards each other and service delivery.

ANNEX 1 - OFFICER EMPLOYMENT RULES RESPONSIBILITY FOR FUNCTIONS

OFFICER	RECRUITMENT	DESIGNATION (where already an employee of the Council)	DISCIPLINARY / DISMISSAL	APPEAL AGAINST DISCIPLINARY / DISMISSAL
Head of Paid Service Chief Finance Officer Monitoring Officer Chief Executive (if not also Head of Paid Service)	COUNCIL (on recommendation of Employment Committee)	COUNCIL	COUNCIL (who must consider any advice, views or recommendations from an independent panel, the conclusions of any investigation and representations from the officer concerned)	COUNCIL
Deputy Chief Executive	Employment Committee (taking into account the advice of the Head of Paid Service)	N/A	Employment Committee	COUNCIL
Direct Reports to the Chief Executive	Employment Committee (taking into account the advice of the Head of Paid Service)	N/A	Head of Paid Service or Officer(s) nominated by him/her Employment Committee to be consulted and briefed on the disciplinary / dismissal arrangements (including any compensation agreements)	Head of Paid Service or Officer(s) nominated by him/her <i>(must be different to the person undertaking disciplinary / dismissal process)</i>
Heads of Service	Head of Paid Service or Officer(s) nominated by him/her	N/A	Head of Paid Service or Officer(s) nominated by him/her	Head of Paid Service or Officer(s) nominated by him/her <i>(must be different to</i>

	The lead Member of the Executive to be consulted and briefed in the recruitment of any Head of Service under their Portfolio			<i>the person undertaking disciplinary / dismissal process)</i>
Other Employees	Head of Paid Service or Officer(s) nominated by him/her	N/A	Head of Paid Service or Officer(s) nominated by him/her	Head of Paid Service or Officer(s) nominated by him/her <i>(must be different to the person undertaking disciplinary / dismissal process)</i>

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**Employment Committee
Work Programme 2021/22**

Meeting 1 (23 June 2021)	Meeting 2 (15 September 2021)	Meeting 3 (8 December 2021)	Meeting 4 (30 March 2022)	Meeting 5 (22 June 2022)
<p>Election of Chair/ Vice-Chair</p> <p>Committee Terms of Reference</p> <p>Senior Management Update</p> <p>Pay Award Preparations 2022/23</p> <p>Workforce Data Summary and Organisation Development Update (including high level update on Future Hybrid Working)</p> <p>Employment Committee Member Training</p> <p>Future Work Programme</p>	<p>Future Hybrid Working</p> <p>Senior Management Update</p> <p>Pay Award Update 2022/23</p> <p>Future Work Programme</p>	<p>Draft Pay Policy Statement</p> <p>Workforce Data Summary (6 Month Update)</p> <p>Future Hybrid Working</p> <p>Senior Management Update</p> <p>Pay Award Update 2022/23</p> <p>Future Work Programme</p>	<p>Future Hybrid Working</p> <p>Senior Management Update</p> <p>Pay Award Update 2022/23</p> <p>Future Work Programme</p>	<p>Election of Chair/ Vice-Chair</p> <p>Committee Terms of Reference</p> <p>Senior Management Update</p> <p>Pay Award 2022/23</p> <p>Workforce Data Summary and Organisation Development Update</p> <p>Employment Committee Member Training</p> <p>Future Work Programme</p>

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