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**To:** HR Cllrs; Crisfield (Vice-Chair), Ducker, Hale (Chair), Harrison, Kennedy, Mayall  
All other recipients for information only.

**21 September 2022**

Dear Councillor

### Summons

You are summoned to a meeting of the Human Resources Committee HR of Shepton Mallet Town Council for the transaction of the business shown on the agenda below. To be held at 7 pm on **Tuesday, 27 September 2022** in the Council Chamber, Mendip District Council

### Public Participation

Members of the public and press are entitled to be at the following meeting in accordance with the Public Bodies (Admission to Meeting) Act 1960 Section 1 extended by the Local Government Act 1972 Section 100 unless precluded by the Town Council by resolution during the whole or part of the proceedings. Such entitlement does not however include the right to speak on any matter except at the beginning of the meeting providing that prior notice has been given by noon on the day of the meeting on: [info@sheptonmallet-tc.gov.uk](mailto:info@sheptonmallet-tc.gov.uk) or 01749 343984.

Any issues raised during the public session should relate to the remit of the committee. No resolution for action can be taken unless already identified on the agenda. A record of public participation shall not be included in the Minutes, but as an appendix note to the Minutes of the meeting.

The public question time shall not exceed 30 minutes unless by resolution to suspend standing orders or at the discretion of the chairman. If a member of public wishes to share a document with council, these documents must be submitted to [Info@sheptonmallet-tc.gov.uk](mailto:info@sheptonmallet-tc.gov.uk) by noon on the day of the meeting.

### The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Members are reminded of their duty under the Code of Conduct.

Yours sincerely

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Claire Commons FdA (Comm Gov), Fellow SLCC, Town Clerk

### Encs

(document name and page number where it is referenced)

# HUMAN RESOURCES COMMITTEE

**A one minutes silence will take place at the beginning of the meeting, In honour of Her Majesty the Queen.**

## Agenda

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	To declare interests relating to the business of the meeting and receive dispensation requests from the Clerk. ....	(1 min)
	<i>(Shepton Mallet Town Council Code of Conduct, 2019)</i>	
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	<i>(Local Government Act 1972 Sch 12)</i>	
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	<i>(Local Government Act, 1972 s.112)</i>	
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	To consider which members of the committee will carry out the clerk's probation review and appraisal.....	(5 mins)
	<i>(Local Government Act, 1972 s.112)</i>	
HR2.9	CONFIDENTIAL BUSINESS .....	13
	To consider entering confidential session to discuss staffing matters. ....	(1 mins)
	<i>(Local Government Act 1972 Sch 12)</i>	
HR2.10	BUDGET .....	15
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HR2.11	STAFFING MATTERS .....	17
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	<i>(Local Government Act 1972 Sch 12)</i>	

Anticipated meeting end time 8:30pm

### Date of next meeting:

13<sup>th</sup> December 2022

## **HR2.1** Apologies

To receive and consider for acceptance, apologies for absence

(1 min)

*(Local Government Act, 1972 s.85)*

Report Author: Town Clerk

### **HR2.1.1** Background

- a The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.
- b Councillors are holders of public office and summoned to the meetings of the Council and its committees.

### **HR2.1.2** Apologies received and reason

- a Councillor Roth due to personal commitments.

### **HR2.1.3** Recommendation

- a That the meeting accepts or rejects each of the apologies presented. A press release is not required for this decision.

### **HR2.1.4** Reason for Recommendation

- a Accepting apologies resets the six-month absence rule.

(End)

## HR2.2 Declarations of Interest

To declare interests relating to the business of the meeting and receive dispensation requests from the Clerk. (1 min)

*(Shepton Mallet Town Council Code of Conduct, 2019)*

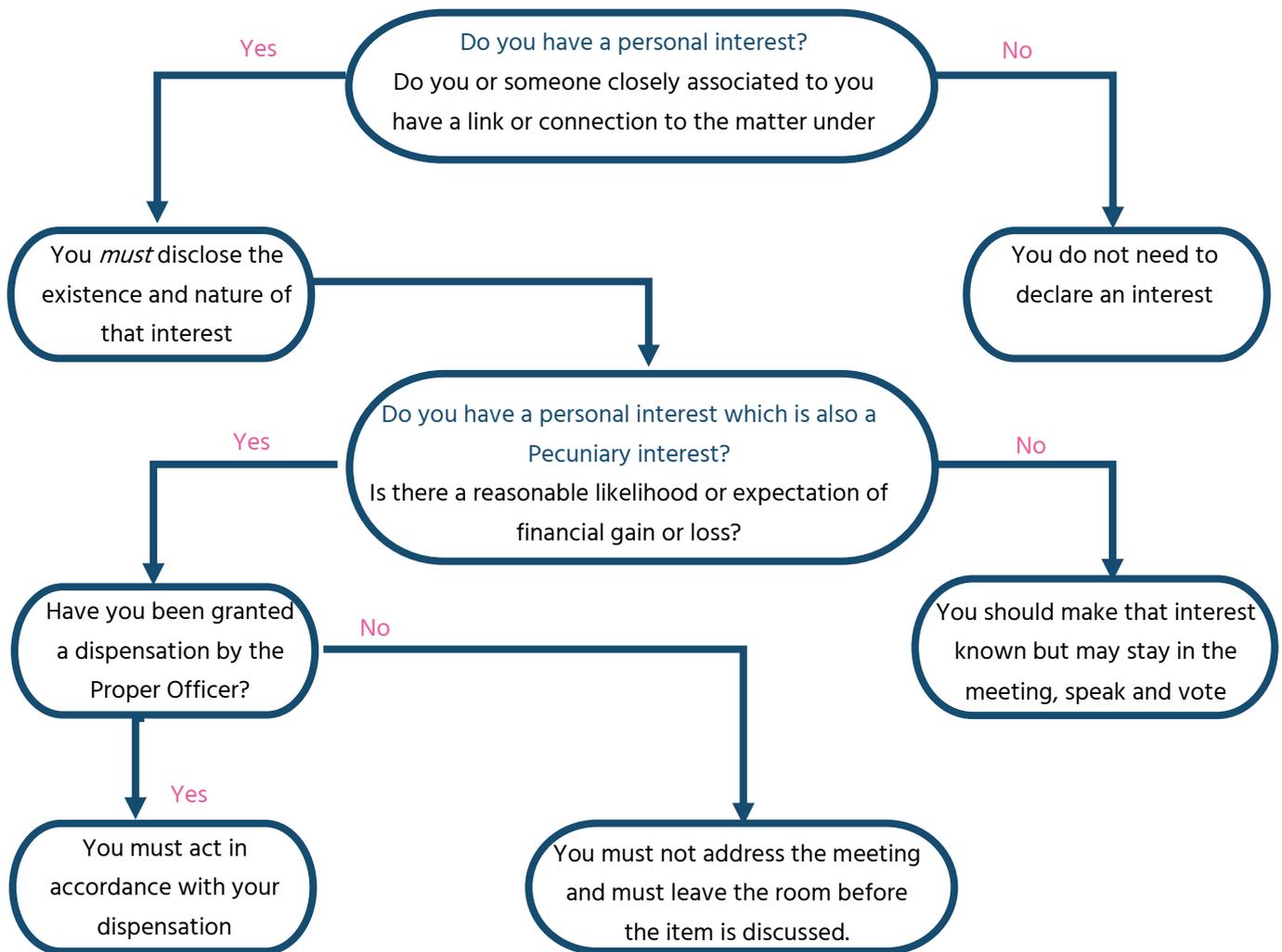
Report Author: Town Clerk

### HR2.2.1 Background

- a Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2019. The Clerk will report any dispensation requests received.
- b Where a matter arises at a meeting which relates to a councillor's interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shepton Mallet Town Council Code of Conduct, 2019)

### HR2.2.2 Recommendation

- a To note the declarations made during the meeting.



(End)

### **HR2.3** Minutes

To receive the minutes of the previous meeting of the Human Resources Committee.

(1 min)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

#### **HR2.3.1** Background

- a When the meeting is approving the draft minutes of a previous meeting as an accurate record, the only issue for the meeting is whether the minutes accurately record the proceedings of the meeting and the resolutions made at them. It is irrelevant if the chairman or other councillors were not present at the meeting to which the draft minutes relate.
- b If it is necessary for the draft minutes of the previous meeting to be corrected because of inaccuracies then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154).

#### **HR2.3.2** Recommendation

- a That the minutes of [7<sup>th</sup> June 2022](#) be approved for signing as a true record of the decisions taken. Completion of this resolution to be no later than Tuesday, 27 September 2022. A press release is not required for this decision.

(End)

**HR2.4 Officer Report to the Committee**

To receive reports pertaining to the Human Resources Committee.

(5 min)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

**HR2.4.1 Summary**

- a Reports provided within this item are to be received, they provide updates on decisions already taken by the Committee and actions taken under the Scheme of Delegation (where not previously reported).

**HR2.4.2 Updates and Actions from 08/06/2022**

[Complete] [In Progress] [Not started / behind schedule]

- a **HR1.5** Recruitment - RESOLVED that the panel for the Communications Officer interview would be Cllrs Hale, Kennedy, Ducker and the Town Clerk. That the panel for the Fundraising Officer interview would be Cllrs Crisfield, Harrison, Mayall and the Town Clerk. The Town Clerk is delegated to set the interview dates, to be before the end of June, and questions in consultation with the panels.
- b **HR1.6** Sickness Policy - RESOLVED to amend the staff handbook to allow for employees to work from home where they may have a virus but still feel well enough to work. Management of this clause to be delegated to the Town Clerk in consultation with the relevant staff member at the time.
- c **HR1.8** Staff Resignation - RESOLVED to recruit a Deputy Town Clerk and Responsible Finance Officer for between 25 and 30 hours per week SCP 29 – 30 (£33,486 - £34,373 pro rata) subject to financial information provided by the clerk in consultation with committee members. Recruitment to be delegated to the town clerk in consultation with the committee.
- d **HR1.9** Parental Leave - RESOLVED to agree the arrangements for return from parental leave. Delegate to the Town Clerk all details in discharging this decision. - Complete
- e **HR1.10a** Staffing Matters - NOTED that the current office accommodation was crowded and it was agreed that the clerk turn the small meeting room into the Clerk's office.
- f **HR1.10b** Agreed that the toil policy be confirmed in line with the green book terms and conditions and a report be brought to the next committee meeting to consider the clerk's contracted hours.
- g **HR1.10c.** That terms of reference be created or reviewed for all working parties incorporating the role of the officer.
- h **HR1.10d.** That line management is the responsibility of the clerk and any councillor with concerns should seek to discuss this with the clerk in confidence.
- HR1.10e.** That the chair of HR meets with the clerk monthly and the chair of the Council meets weekly on the other available weeks.

**HR2.4.3 Financial Update**

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>300 Staff</u>							
4000 Salaries - Gross	45,307	183,282	137,975		137,975	24.7%	
4004 Employers - NI	37	18,579	18,542		18,542	0.2%	
4008 Employers - Pension	6,878	38,123	31,245		31,245	18.0%	
4009 Employees - Travel	16	200	184		184	8.2%	
4010 Staff Training	0	2,200	2,200		2,200	0.0%	
Staff :- Indirect Expenditure	<b>52,238</b>	<b>242,384</b>	<b>190,146</b>	<b>0</b>	<b>190,146</b>	<b>21.6%</b>	<b>0</b>

**HR2.4.4 Recommendation**

- a That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees

**HR2.4.5 Reason for Recommendation**

- a To keep members updated on committee actions and information.

(End)

## **HR2.5** TOIL Policy

To consider addition to the Staff Handbook

(10 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

### **HR2.5.1** Summary and Background information

- a The Council's staff work varying hours and are all required to be available for evening meetings or weekend work as required.
- b All staff currently manage their hours and adjust within the week as necessary. There are times, however, when this is not possible and a high level of work at certain times require additional hours.
- c The Council may introduce a Time off in Lieu policy to be included within the Staff Handbook which will help manage these situations.
- d The policy will not replace any rights or contractual obligations already set out in staff handbooks and the 'Green Book' terms and conditions.
- e Proposed wording provided by the Council's Human Resources Advisors:

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### *TIME OFF IN LIEU POLICY*

*Your contract of employment will contain details of your normal hours of work. If you are required to work additional hours in excess of your normal hours of work you may be entitled to equivalent time off in lieu.*

*Time off in lieu will only be considered for additional hours worked over 30 minutes.*

*You will not be given time off in lieu for additional hours worked unless you have obtained the prior consent of the Town Clerk before carrying out the additional hours work.*

*On every occasion that you carry out additional hours for which you wish to claim time off in lieu you must complete the details on a time off in lieu sheet which must then be signed off as approved by the Town Clerk*

*You must agree with of the Town Clerk a date and time when you will take your time off in lieu. This should be recorded on a specific time sheet.*

*Ideally time off in lieu should be taken as soon as possible. For example, if you have an evening meeting you might agree to come into the office later than your normal start time on the following day.*

*Any time in lieu accumulated should be taken within 30 days. If not, the time will be lost.*

*The amount of time off in lieu that staff take will be subject to regular review.*

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### **HR2.5.2** Scheme of Delegation

- a The Committee has delegated responsibility to deal with matters relating to the appointment, promotion, retention, discipline, salary and conditions of service of all staff of the council

### **HR2.5.3** Legal Authority and Implication

- a The proposed wording is in line with current employment law.

### **HR2.5.4** Financial Implication

- a None

**HR2.5.5 Recommendation**

- a Include the Time of in Lieu policy in the staff handbook.. Delegate to the Town Clerk all details in discharging this decision. Completion of this resolution to be no later than Tuesday, 27 September 2022. A press release is not required for this decision.

**HR2.5.6 Reason for Recommendation**

- a To provide a transparent framework to flexible working arrangements.

(End)

## **HR2.6 Menopause Policy**

To consider adopting a Menopause Policy

(10 mins)

*(Local Government Act, 1972 s.111)*

Report Author: Town Clerk

### **HR2.6.1 Summary and Background information**

- a The subject of menopause has received significant media attention in the last few years and the impact it can have on the wellbeing of people in the workplace
- b The council employs several members of staff who may all experience the symptoms of menopause either directly or the effects on their co-workers or family members.
- c By adopting a menopause policy, the Council can ensure that it has appropriate support mechanisms in place for its staff to encourage a positive workplace.

### **HR2.6.2 Scheme of Delegation**

- a The Human Resources Committee is responsible for all matters relating to staff.

### **HR2.6.3 Legal Authority and Implication**

- a The policy refers to the Council's responsibilities under the Health and Safety at Work Act 1972 and the Equality Act 2010.

### **HR2.6.4 Financial Implication**

- a None
- b Extract from income and expenditure report for relevant budget line(s):

### **HR2.6.5 Impact Assessment**

- a Equalities – Adopting this policy addresses the Council's responsibilities under the Equalities Act 2010
- b Environmental – None
- c Crime and Disorder – None
- d Resources – None
- e Economic – None
- f Risk Management – None

### **HR2.6.6 Recommendation**

- a Adopt the Menopause Policy. Delegate to the Town Clerk all details in discharging this decision and managing the policy in relation to staff. A press release is not required for this decision.

### **HR2.6.7 Reason for Recommendation**

- a To meet the Council's responsibilities as an employer

(End)

## **HR2.7** Fundraising Officer

To consider whether to proceed with recruitment for a Fundraising Officer

(15 mins)

*(Local Government Act, 1972 s.112)*

Report Author: Town Clerk

### **HR2.7.1** Summary and Background information

- a** The Council resolved to recruit a fundraising officer. The recruitment yielded a low number of responses and none that were viable.
- b** The Committee should consider if it wishes to continue to advertise the post or continue with an alternative approach such as using a recruitment agency or buying fundraising services for specific projects.

### **HR2.7.2** Scheme of Delegation

- a** The Human Resources Committee has responsibility for all matters relating to staffing.

(End)

## **HR2.8 Clerk's Probation and Appraisal**

To consider which members of the committee will carry out the clerk's probation review and appraisal (5 mins)

*(Local Government Act, 1972 s.112)*

Report Author: Town Clerk

### **HR2.8.1 Summary and Background information**

- a The Clerk started working for Shepton Mallet Town Council on 1<sup>st</sup> March 2022 and their contract had a 6 month probation period.
- b No specific targets were set for the first 6 months therefore the probation assessment will be based on the delivery of the job description in general.
- c The Committee should resolve which members should carry out the probation review.

### **HR2.8.2 Scheme of Delegation**

- a The Human Resources Committee is responsible for staffing matters.

### **HR2.8.3 Financial Implication**

- a None

### **HR2.8.4 Recommendation**

- a That the Chair of the Council and Chair of the Human Resources Committee carry out the Clerk's probation appraisal review directly following the close of the Human Resources Committee and that the next meeting of the committee ratifies the outcome.

### **HR2.8.5 Reason for Recommendation**

- a To meet the Council's responsibilities as an employer.

(End)

## **HR2.9** Confidential Business

To consider entering confidential session to discuss staffing matters.

(1 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

### **HR2.9.1** Summary and Background information

- a** Every council and its committees must be open to the public, except when the public is excluded - as it must be - because confidential information might otherwise be disclosed during an item of business or if information within one of the statutorily specified categories of exempt information might be disclosed
- b** Exclusion must be reasonable. The council must justify its action by reference to the statutory list of exempt information.
1. Information relating to any individual.
  2. Information which is likely to reveal the identity of an individual.
  3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
  5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
  6. Information which reveals that the authority proposes—
    - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
    - (b) to make an order or direction under any enactment.
  7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
- c** Qualifications to the exclusions above include:
8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
    - (a) the Companies Acts (as defined in section 2 of the Companies Act 2006);
    - (b) the Friendly Societies Act 1974 M1;
    - (c) the Friendly Societies Act 1992 M2;
    - (d) the Co-operative and Community Benefit Societies Act 2014;
    - (e) the Building Societies Act 1986 M3; or
    - (f) the Charities Act 2011.
  9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission or permission in principle pursuant to regulation 3 of the Town and Country Planning General Regulations 1992 M4.
  10. Information which—
    - (a) falls within any of paragraphs 1 to 7 above; and
    - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.]

**HR2.9.2 Legal Authority and Implication**

- a The Local Government Act 1972 Schedule 12A provides the framework for exempt information and to exclude public and press from certain items of Council business.

**HR2.9.3 Recommendation**

- a To exclude the press and public from the remaining business identified on the agenda due to the likely disclose of exempt information as identified in the Local Government Act 1972 Schedule 12A paragraphs 1 - 3.

(End)

**HR2.10 Budget**

To consider the committee's budget requirements for 2023-24

(15 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

**HR2.10.1 Summary and Background information**

- a The Council must set its budget and precept each year by the end of January.
- b To ensure that the budget is appropriate to the needs of Shepton Mallet, each committee is asked to consider its work for at least the coming financial year and make budget recommendations to Full Council.
- c Officers have started this process with known areas of expenditure provided below. The Clerk will take the committee through each line to understand the projects that sit behind the requested sums.
- d Councillors may have additional projects they would like the committee to undertake and these estimates should be incorporated at this stage.

**HR2.10.2 Scheme of Delegation**

- a The committee is required to consider and make recommendations to the Town Council and / or Policy & Resources Committee on budget estimates to be prepared no later than November each year.

**HR2.10.3 Financial Implication**

- a The table below shows last year, current year and first draft proposed budget for next year, a confidential paper providing a breakdown of these figures will be provided to Committee members only. :

		<u>2021-2022</u>		<u>2022-2023</u>		<u>2023-2024</u>		
300	Staff	Budget	Actual	Total	Actual YTD	Budget	EMR	Carried Forward
4000	Salaries – Gross	189,143	132,664	183,282	45,307	222,790	0	0
4004	Employers – NI	19,405	4,870	18,579	37	16,121	0	0
4008	Employers – Pension	39,391	27,232	38,123	6,878	34,724	0	0
4009	Employees – Travel	200	47	200	16	200	0	0
4010	Staff Training	2,200	545	2,200	0	3,500	0	0
	<b>Overhead Expenditure</b>	<b>250,339</b>	<b>165,358</b>	<b>242,384</b>	<b>52,238</b>	<b>277,335</b>	<b>0</b>	<b>0</b>
6000	plus Transfer from EMR	0	131,702	0	40,316	0	0	0

**HR2.10.4 Budget detail**

- 4000 Salaries Gross– This is calculated on the contracted salaries of current and employees and vacant positions allowing for the contractual and potential 3% increase to be advised by the National Joint Councils following collective agreement negotiations.
- 4004 Employers NI – This is at 15.05% based on the salaries above
- 4008 Employers Pension – This is at 20.3%
- 4009 Employees Travel - nominal £200
- 4010 Staff Training – nominal £500 per annum per employee.

**HR2.10.5 Recommendation**

- a Recommend to the Policy and Resources Committee meeting on the 18<sup>th</sup> October the budget requirements for the Human Resources Committee.

**HR2.10.6 Reason for Recommendation**

- a The committee must be confident that the budget meets its requirements for work identified for undertaking in 2023-24, Policy and Resources Committee will review the budget in it's entirety and make the final recommendation to the Full Council meeting of 8<sup>th</sup> November.

(End)

## **HR2.11** Staffing Matters

To consider staffing matters presented by the Clerk

(30 mins)

*(Local Government Act 1972 Sch 12)*

Report Author: Town Clerk

### **HR2.11.1** Summary and Background information

- a A confidential paper will follow and cover the following matters;
- Appraisals
  - Overtime / TOIL
  - Working Parties / Committees
  - Informal Meetings

### **HR2.11.2** Scheme of Delegation

- a The Committee has delegated authority to deal with, to conclusion, matters relating to the appointment, promotion, retention, discipline, salary and conditions of service of all staff of the council

### **HR2.11.3** Recommendation

- a Note the staffing matters raised by the Town Clerk

### **HR2.11.4** Reason for Recommendation

- a To efficiently manage the staff resources of the Town Council.

(End)