

Minutes of a meeting of the **Resources Committee** of Buckingham Town Council held on **Monday 16th April 2018** in the Council Chamber, Cornwalls Meadow, Buckingham at 7pm.

Present:

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| Cllr. Mrs. G. Collins | |
| Cllr. P. Collins | |
| Cllr. J. Harvey | Town Mayor |
| Cllr. P. Hirons | |
| Cllr. D. Isham | |
| Cllr. A. Mahi | |
| Cllr. H. Mordue | |
| Cllr. Ms. Newell | Vice-Chair |
| Cllr. Mrs. O'Donoghue | |
| Cllr. R. Stuchbury | |
| Cllr. M. Try | |

Also present: Mr. C. Wayman Town Clerk
Mrs. N. Stockill Committee Clerk

Cllr. Newell took the Chair in the absence of Cllr. Bates.

937/17 Apologies for Absence

Members received and accepted apologies from Cllr. Strain-Clark, Bates and Try.

938/17 Declarations of Interest

To receive declarations of any personal or prejudicial interest under consideration on this agenda in accordance with the Localism Act 2011 Sections 26-34 & Schedule 4.

There were no declaration of interest.

939/17 Minutes of last meeting

To receive the minutes of the Resources Committee meeting held on Monday 26th February 2018 ratified at the Full Council meeting held on Monday 12th March 2018.

AGREED

940/17 Minutes of CSG Committee

To receive the minutes of the CSG Committee meeting held on Monday 4th April 2018.

Proposed by Cllr. Smith, seconded by Cllr. Isham and **RECOMMENDED** not to include draft minutes on the website; CSG are of the view that only ratified minutes are uploaded.

The Town Clerk reminded Members that Buckingham Town Council had achieved the Quality Gold Award for Local Councils and one of the prerequisites for the award is to publish on the Council's website draft minutes of all council and committee meetings within four weeks

Members moved to the vote on the Recommendation and the results were:

180416 Resources Minutes (DRAFT) Ratified on 8th May 2018

EQUALITIES ACT 2010/CRIME AND DISORDER ACT, 1988: the decisions made during the course of the meeting were duly considered and it was decided that there were no resulting direct or indirect implications in respect of crime and disorder, racial equality or diversity.

Initial.....

In favour: 7

Against: 3

Motion carried.

Proposed by Cllr. Smith, seconded by Cllr. Isham and **RECOMMENDED** to Full Council not to include draft minutes on the website; CSG are of the view that only ratified minutes are uploaded.

941/17 Minutes of the Personnel Subcommittee

To receive the minutes of the Personnel Subcommittee held on Thursday 29th March 2018

Noted.

942/17 Action Report

140/16 (Town Action Commission) – The Town Clerk explained that he was awaiting confirmation from AVDC as to when the additional 6 parent/ child parking bays, towards the rear of the car park, would be implemented.

943/17 Policies and Procedures

To agree to commission an independent review of the Council's policies and procedures in relation to the personnel sub-committee, disciplinary and related policies and procedures made with reference to best practice and recent events in their application; with a view to seeking recommendations for improvement in the content of same.

Cllr. Harvey read out the following statement:

"I have scripted what I want to say in support of this motion as I do not want to drift into confidential matters accidentally. Nor do I wish to add more emotion to what has already been a very charged set of discussions and meetings about these matters in recent weeks. We all need, and I am definitely including myself here, some cool heads to stand back and ensure we are acting as a good employer and as a good custodian of public monies.

It is our job collectively and individually to ensure that we have robust performance management and disciplinary procedures and practices. Such that all of these procedures and practices are reasonable, fair and proportionate to all of our staff while maintaining good efficiency on behalf of our local taxpayers. And that we apply these equally without fear or favour.

When we as a council decide to agree and ratify a policy or a Terms of Reference or any other feature of our practices and procedures, we do so, I am sure, with the best of intentions. As time passes, or indeed such practices and procedures are applied in particular cases, one or more of us discover a glitch or a conflict in one of our policies or procedures - or in the practice of how they are applied by both members or officers. This is only natural. As a small organisations where cases relating to these matters are not common, these 'glitches' as I will call them, only become apparent rarely as well. But I think when they do, this deserves scrutiny and debate, and resolution to find a some better policies/practices/procedures etc. And this is mainly what I am advocating with this motion.

To give you but one example: the TOR of the Personnel Sub-Committee is says that it has “the power to deal with disciplinary and grievance procedures”. In this context what does that mean? It could mean many different things and I would contend we need more precise language here. Added to this, our Disciplinary Policy says “Before any formal action is taken, The Personnel Sub-Committee will be consulted”. Note this word ‘consulted’. To my mind this means that the Town Clerk has to ask for views but it is not for the personnel sub-committee to determine what happens next. Members here may or may not agree with that, but I would contend that is the strict interpretation of the existing policy. From correspondence with the Town Clerk, as our legal adviser, he agrees.

But of course, we, as the council, set the policies and procedures and we can change them, within the laws of the land of course - and be mindful of what is established good practice built on case law from all over.

But why am I proposing an independent review?

Like I say, I do not want to get into the detail here because I do not want to risk infringing confidentiality in any way. But given recent events, the emotions that have been circulating and the people involved, I just think it would be wise and progressive to commission someone external to have an independent look at the coherence, fairness and legality of our existing policies, procedures and practices - and come back with some well argued recommendations.

And that is all. I think the brief should be limited to looking at these matters in principle and in practice, although not in relation to any one instance or case.

I say this in an effort to be very precise. It may be that after discussion of the next item on the agenda, that members may wish to bring in someone to review a particular case. But I think that is separate and different to what I am proposing with this motion (item 7) These matters deserve to done separately even if each might feed into the other.

And that is what I am advocating. I hope someone will second this motion and we pass it - as I think we all need to move on from what has been happening. This is a key way to do this in my opinion.”

Proposed by Cllr. Harvey and seconded by Cllr. Newell to agree to commission an independent review of the Council's policies and procedures in relation to the personnel sub-committee, disciplinary and related policies and procedures made with reference to best practice and recent events in their application; with a view to seeking recommendations for improvement in the content of same.

Members held a discussion on the rationale to review the Council’s policies and procedures. The Town Clerk explained that an independent review of the policies and procedures could be tasked to the company appointed during agenda item 10 (Health and Safety and Employment Law R-90-17). Members AGREED that would be a workable solution. Cllr. Harvey, with consent from Cllr. Newell, withdrew his motion.

Cllr Mordue left the meeting at 19.26

180416 Resources Minutes (DRAFT) Ratified on 8th May 2018

EQUALITIES ACT 2010/CRIME AND DISORDER ACT, 1988: the decisions made during the course of the meeting were duly considered and it was decided that there were no resulting direct or indirect implications in respect of crime and disorder, racial equality or diversity.

Initial.....

944/17 Disciplinary Policy and Procedures

To discuss how better to implement Buckingham Town Council's disciplinary policies and procedures

Cllr. P. Collins read out the following statement:

There is nothing wrong with our existing disciplinary policy – it is essentially the same as we have had for all the time I have been on the Council – 15 years.

Before we have the Personnel Subcommittee and using essentially the same disciplinary policy this Council successfully and fairly:

- Took disciplinary action against a former Town Clerk
- Sacked an employee, reinstated him on appeal. Sacked him later for a further offence.
- Sacked a different Town Clerk.

Proposed by Cllr. P. Collins and seconded by Cllr. G. Collins to disband the Personnel Subcommittee and remit all personnel disciplinary matters to the Full Council.

An amendment to Cllr. P. Collins' motion, proposed by Cllr. Stuchbury and seconded by Cllr. O'Donoghue to agree to disband the Personnel Subcommittee and remit all personnel disciplinary matters to the Full Council following Council's agreement of the amended policies and procedures.

A vote was taken and the results were:

In favour: 7

Against: 2

Motion carried

ACTION TOWN CLERK

945/17 BACS Credit Limit (remitted from Interim 916/17)

To receive a written report from The Town Clerk

Cllr. P. Collins expressed concern over the level of risk the Council would be exposed to by agreeing a transaction level of £25,000. Cllr. Harvey reminded Members that at Resources Committee on the 6th November 2017 it was AGREED *'That this council ends the archaic and costly system of payment by cheque, which incurs extra expense to both the council and the recipient, and makes all future payments, where possible, by bank transfer. Current cheque signatories would instead sign a bank transfer approval'*.

Proposed by Cllr. Harvey to accept the report recommendation and review after three months to ensure the procedures are fit for purpose.

An amendment to the recommendation proposed by Cllr. P. Collins and seconded by Cllr. G. Collins that Councillors agree a maximum level of £5,000 per transaction for BACS levels and to review after three months to ensure the procedures are fit for purpose.

A vote was taken and the results were:

In favour 7

Against: 0

Abstentions: 2

Motion Carried

ACTION TOWN CLERK/FINANCE OFFICER

946/17 Health and Safety and Employment Law

To receive a written report from the Town Clerk

Proposed by Cllr. Harvey and seconded by Cllr. Stuchbury to accept the report recommendations.

Cllr. G. Collins asked the Chair who the quotations were from how she could be sure that someone else may have influenced the choice of companies approached. The Chair reminded councillors that the Town Clerk would have followed our tendering processes and that we do not disclose the names of the Companies.

Following questioning from Cllr. O'Donoghue the Town Clerk confirmed that the companies approached to quote for HR and Health & Safety advice were independent.

A vote was taken and the results were:

In favour: 7

Against 0

Abstentions: 2

Motion carried

ACTION TOWN CLERK

947/17 Website & Social Media Policy

To receive a report from the Deputy Town Clerk and proposed website and social media policies.

947.1/17 Website & Social Media Policies report

R-91-17

Members held a discussion on the use of social media by Members and Officer of the Council.

Members **AGREED** the report recommendations *[To review and agree the Website and Social Media policies, as amended by the Communications Strategy Group. To agree to review the policy to include Mayoral profiles, should an official mayoral page / profile be introduced.]*

947.2/17 Draft Website Policy

AGREED

947.3/17 Draft Social Media Policy

AGREED

948/17 Accounts and Budgets

Members discussed and **AGREED** for an additional column to be added to the explanation sheet detailing, where relevant, the budget prior to any adjustments.

ACTION: FINANCE OFFICER

949/17 Invoices passed for payment, and income received

Members are asked to receive the attached schedule of invoices paid

Noted.

950/17 Motion – Cllr Ruth Newell

As an equal opportunity employer and taking into account the work life balance of both Town Council employees and councillors, this Council proposes that for 2019 meeting dates we do not meet in the weeks of bank holiday Mondays, and that we avoid meeting in August, unless there is the need for an urgent planning meeting, and that the meeting schedule is drawn up accordingly.

Proposed by Cllr. Newell, seconded by Cllr. Harvey and unanimously **AGREED** to **RECOMMEND** the motion to Full Council.

951/17 Chairman’s Announcements

The Chair announced that all Councillors were invited to the opening of Buckingham Town Cricket Club Nets - Friday 20 April 7.30pm.

952/17 Date of next meeting: Monday 11th June 2018

Meeting closed at: 20.22

Signed.....

Date.....