

# Public Document Pack



Date: 22 January 2024  
Our ref: General Purposes Committee/Agenda  
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## GENERAL PURPOSES COMMITTEE

30 JANUARY 2024

A meeting of the General Purposes Committee will be held at **3.30 pm on Tuesday, 30 January 2024** in the Council Chamber, Council Offices, Cecil Street, Margate, Kent.

### Membership:

Councillor Scobie (Chair); Councillors: Albon, Austin, Davis, Dawson, Donaldson, Duckworth, Everitt, Garner, Huxley, Nichols, Ovenden, Whitehead, Worrow and Wright

## AGENDA

Item  
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** (Pages 3 - 4)  
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 6)  
To approve the Minutes of the meeting of the General Purposes Committee held on 24 October 2023, copy attached.
4. **MINUTES OF EXTRAORDINARY MEETING** (Pages 7 - 8)  
To approve the Minutes of the extraordinary meeting of the General Purposes Committee held on 12 December 2023, copy attached.
5. **PHASE 2 HR POLICY REVIEW** (Pages 9 - 14)
6. **CHANGES TO CEX WORKING HOURS IN NOVEMBER 2022 - A VERBAL UPDATE**

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### **Do I have a Disclosable Pecuniary Interest and if so what action should I take?**

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

### **Do I have a significant interest and if so what action should I take?**

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or  
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
  - exercises functions of a public nature; or
  - is directed to charitable purposes; or
  - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992



If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

### **Gifts, Benefits and Hospitality**

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

### **What if I am unsure?**

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

## GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 24 October 2023 at 3.30 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Harry Scobie (Chair); Councillors Albon, Austin, Davis, Dawson, Donaldson, Duckworth, Everitt, Garner, Huxley, Ovenden, Whitehead, Worrow and Wright

### 32. APOLOGIES FOR ABSENCE

There were no apologies for absence.

### 33. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 34. MINUTES OF PREVIOUS MEETING

Councillor Donaldson proposed, Councillor Everitt seconded and Members agreed the minutes as a correct record of the General Purposes Committee meeting that was held on 24 January 2023.

### 35. MINUTES OF EXTRAORDINARY MEETING

Councillor Everitt proposed, Councillor Donaldson seconded and Members agreed the minutes as a correct record of the General Purposes Committee meeting that was held on 7 July 2023.

### 36. SCHEME OF OFFICER DELEGATIONS

Nick Hughes, Committee Services Manager introduced the report and made the following comments:

- As part of the review by the Independent Monitoring Officer, it was recommended to review the scheme of Officer Delegations to ensure that it was clear and easy to understand;
- The review of this scheme represented one strand of the IMO recommendations;
- The scheme would also ensure that appropriate Member engagement in strategic decision making was factored into the decision making process;
- The Scheme of Cabinet and committees' delegations had been agreed at Annual Council in May this year;
- As a result of that, all other decision making powers not retained by Cabinet and not exercised by committees were delegated to the CEx as Head of Paid Service;
- The scheme demonstrated how the CEx had further delegated his various powers to Directors who in turn delegated officers in their various service areas;
- It was within the CEx's gift to amend the scheme of officer delegations, as the Head of Paid Service;
- The report was therefore being presented to the committee for information and noting;
- Once finalised, the scheme would be added to the Council website.

The Chair asked whether officer names would be added to the officer delegations to make it easier for Members to refer.

Colin Carmichael, Interim CEx said that a paper copy of the senior staff structure from the Head of Service level and in some instances their respective managers below that level would be printed in a larger format and circulate to all the Members.

Thereafter Members noted the report.

## **37. PAY POLICY STATEMENT 2023/24**

Sarah Flack, Employee Relations Lead introduced the report and made the following comments:

- This was an update to the Pay Policy Statement that the committee was being asked to consider and approve, subject to a consultation with the trade unions and staff;
- The updates were made to the Chief Officers and Deputy Chief Officers to reflect the current establishment;
- There were proposals to introduce pay increments according to when the employee starts and this would be included in the Pay Policy;
- The Corporate Management Team had reviewed and agreed these proposals;
- Officers were not envisaging any significant changes from the consultation;
- The new Pay Policy if approved, would be implemented as from December 2023.

A Member asked why some of the job grades that included TG 'A' and TG 'B' had been removed from the proposed pay policy.

Sarah Flack said that a review of the pay grades had been undertaken which led to the first two job grades being deleted to improve staff salary conditions and as a commitment by the Council to pay staff the national minimum wage.

Councillor Scobie proposed, Councillor Albon seconded and The General Purposes Committee agreed to adopt the Pay Policy Statement for the Financial Year 2023/24, subject to a 30-day consultation with the recognised trade unions and staff.

Meeting concluded: 3.42 pm

## GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 12 December 2023 at 12.00 pm in Council Chamber,  
Council Offices, Cecil Street, Margate, Kent.

**Present:** Councillor Harry Scobie (Chair); Councillors Albon, Austin, Davis, Donaldson, Everitt, Garner, Huxley, Matterface, Ovenden and Whitehead

### 38. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor Nichols;  
Councillor Dawson;  
Councillor Worrow;  
Councillor Duckworth, substituted by Councillor Matterface.

### 39. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 40. EXCLUSION OF PUBLIC AND PRESS

Ingrid Brown, Head of Legal and Democracy & Monitoring Officer advised Members that Section 38 of the Localism Act 2011 required that the terms and conditions of service including salaries for all chief officers be made public through a Pay Policy Statement. This therefore meant that the terms and conditions of the CEx were a matter of public record.

Members accepted the advice and agreed to unexempt the restricted report, thereby allowing the entire proceedings of the meeting to be open to the press and public.

### 41. PROPOSED CHANGE TO INTERIM CHIEF EXECUTIVE'S TERMS AND CONDITIONS

Ms Sonia Godfrey, Head of Human Resources introduced the report and made the following comments:

- The General Purposes Committee was being asked to review the proposed report and are asked to agree the following recommendations;
- It was being proposed to increase Mr Colin Carmichael's contracted hours to full time, which would be 37 hours per week, which accurately reflected the additional hours that the role of Chief Executive demands;
- In recognition of when the increase of hours worked took effect, to backdate the required change to the 1st August 2023 and to retrospectively approve the prior increase in Colin Carmichael's contracted hours, which were increased from 22.5 hours to 30 hours per week in November 2022;
- The additional cost of increasing hours would be met from existing budgets;
- From a legal perspective as noted in the report any changes in relation to the Chief Executives pay and terms was a matter to be determined by the General Purposes Committee;
- There was nothing of any concern from a risk management perspective;
- Corporately, the change to contracted hours accurately reflected hours that had already been worked and that the role demanded, thus ensuring from an equality

perspective that correct contract terms and remuneration were compliant with employment legislation and best practice;

- With regards to next steps; once agreed, Mr Colin Carmichael's contract would be updated as agreed by the General Purposes Committee and would take effect in the next payroll run.

Members asked questions and made comments as follows:

- Members were in support of the proposals to amend Mr Colin Carmichael's terms and conditions of service;
- However, Members expressed some concern regarding retrospective approval as requested in the report;
- Members said that retrospective approval was not the correct governance process to be followed as no Members were involved in the decision to increase the CEx's working hours from 22 hours to 30 hours in November 2022;
- Members also wanted to put on record their appreciation of the work put in by Mr Colin Carmichael in his role as CEx;
- With regards to the process, one Member said that they were pleased to note that the Monitoring Officer had unexempted the report so that it could be considered fully in public as this reflected transparent accountability;
- Another requested to know who had authorised the changes to the working hours in November 2022.

Ms Ingrid Brown said that she had also been concerned by the request for retrospective approval of the amended working hours and said that it might be that this decision was most likely due to an error in understanding the process. Ms Brown would investigate the matter and advise Members.

Councillor H. Scobie proposed, Councillor Davis seconded and the General Purposes Committee agreed the following recommendations:

1. To increase Mr Colin Carmichael's contracted hours to full time, 37 hours per week to accurately reflect the additional hours that the role of Chief Executive demands;
2. For this change to be backdated to 1 August 2023 in recognition of when the increase in hours worked took effect;
3. To retrospectively approve the prior increase in Mr Colin Carmichael's contracted hours, which were increased from 22.5 hours per week to 30 hours in November 2022.

Meeting concluded: 12.30 pm



## Human Resources - Phase 2 Policy Review

**General Purposes Committee** 30 January 2024

<b>Report Author</b>	Sonia Godfrey, Head of Human Resources
<b>Portfolio Holder</b>	Cllr Rob Yates
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	Thanet Wide

### Executive Summary:

Human Resources (HR) policies are essential for providing clarity and structure and also to provide clear communication between the council and its employees regarding their conditions of employment.

To consider and adopt 1 new HR policy and 2 revised HR policies as the second phase of HR policies and procedures review. This follows on from recommendations made by the external auditor and Independent Monitoring Officer (IMO), with the aim of making HR processes more straightforward and reducing the potential for any risk to the council.

### Recommendation(s):

To adopt the HR policies with effect from 1 February 2024.

### Corporate Implications

#### Financial and Value for Money

There are no financial implications arising directly from the refresh of the Restructure and Redundancy Policy or the Recruitment Policy and Procedure, however there is the potential for the new Other Types of Leave Policy to generate a small amount of additional costs. It is anticipated that any costs associated with the approval and implementation of this policy will be very low and therefore containable within existing resources.

#### Legal

(Ingrid to comment)

#### Risk Management

HR policies serve to define behavioural expectations, promote fairness, compliance and efficiency within an organisation.

The risks associated with failing to implement new or revised HR policies may potentially expose the council through out of date policies with changing laws, industry standards and organisational needs.

There are some policies in place at present that are overly complicated and open to interpretation thus leaving the council open to challenge when trying to implement processes to deal with employee relation issues. In addition, some of these policies have been identified by the IMO as requiring review and form part of the recommended actions.

## **Corporate**

It is important that the council's HR policies are updated and reviewed as they provide clarity and consistency in managing employees, thus ensuring legal compliance and best practice, establishing fair practices and promoting a positive work culture within an organisation.

These revised policies aim to make some of the council's key employee relations processes easier to follow and understand, making Thanet District Council a good place to work and helping with the organisation's corporate aim of increasing openness and transparency.

New and revised HR policies also support the recommendations made by the external auditor and the IMO, with the aim of making HR processes more straightforward and reducing the potential for any risk to the council.

The new 'Other Types of Leave Policy' allowing all staff one additional day of paid leave each year for voluntary work gives employees the opportunity to build connections with local communities and give back to the community while working on issues they feel passionate about. Offering these opportunities promotes employee well-being and fosters a positive council culture.

## **Equality Act 2010 & Public Sector Equality Duty**

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.

*An Equality Impact Assessment has been completed as part of the policy review project.*

## **Corporate Priorities**

This report relates to policies which will support and enable the effective internal management of the organisation.

### **1.0 Introduction and Background**

- 1.1 The transfer of HR services back in house and the outcome of the IMO recommendations has provided an opportunity for HR to review HR policies and procedures, existing and new.
- 1.2 A policy review highlighted that approximately 30 policies would benefit from being reviewed or developed and due to the volume and lead in times for making changes HR categorised policy development across a number of phases.
- 1.3 As part of the review, discussions were held with the Corporate Management Team (CMT) to support the agreed phases of policy review. Feedback was based upon the external auditors report and the outcomes of case reviews where it had been identified that policy constraints had caused operational difficulties and made processes overly complicated, placing the council at risk of challenge.
- 1.4 Extensive research has been carried out to look at best practice generally, organisational needs as well as considering the policies and procedures in place at other comparable local authorities. This has informed the content and structure of the new draft policies, all of which now follow a standard format and incorporate their own procedures within them.
- 1.5 The revised policies have been developed with due consideration for the ACAS guidelines and any relevant legislation. Consideration also from a HR perspective around the practical issues that have emerged whilst operating within existing policies and procedures.
- 1.6 The main changes to the proposed policies are as follows:

#### **Restructure and Redundancy Policy**

The main change to this policy applies in the case where a position is being deleted and the employee affected is put at risk of redundancy and there is no suitable role identified. In the updated policy, the employee will receive the same status as if they were on notice of redundancy. This means that they will have priority for any suitable alternative roles and be given priority with any internal job applications.

## **Recruitment Policy and Procedure**

There are a few proposed changes to this policy. One of the more significant changes is that managers will be able to advertise some job vacancies internally for a period of only one week. The current policy requires all vacancies to be advertised internally and externally for at least two weeks.

## **Other Types of Leave Policy**

This is a new policy and covers types of leave that are not covered in any other policies. It allows for one additional day of paid leave each year for voluntary work, which has been requested by several members of staff in recent months. Members of staff must meet the requirements set out in the policy to qualify.

## **2.0 The Consultation Process**

- 2.1 The draft policies were agreed by CMT before commencing a 30 day consultation period with the trade unions; Unison and GMB and staff.
- 2.2 During the consultation period, feedback was received from staff and Unison. Feedback did not result in any significant changes to the draft policies and only some minor changes in wording were applied to the proposed policies.
- 2.3 Positive feedback has been received from both staff and Unison in regards to the 1 day paid leave each year for voluntary work as covered within the new 'Other Types of Leave Policy'.
- 2.4 The final versions of the policies are attached to this report for consideration and, if agreed, adoption by the General Purposes Committee and these policies will go live on the 1 February 2024.

Contact Officer: Sonia Godfrey, Head of Human Resources  
Reporting to: Chris Blundell, Director of Corporate Services

### **Annex List**

Annex 1:  
Annex 2:  
Annex 3:

### **Background Papers**

None

### **Corporate Consultation**

# Agenda Item 5

**Finance:** Matthew Sanham, Head of Finance, Procurement and Risk

**Legal:** Ingrid Brown, Head of Legal, Democracy and Monitoring Officer

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