

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