

## **Minutes of a Meeting of the Employment Committee held on 9 July 2020**

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+ Cllr Colin Dougan (Chairman)  
+ Cllr Cliff Betton (Vice Chairman)

+ Cllr Sharon Galliford	+ Cllr Sashi Mylvaganam
+ Cllr Josephine Hawkins	+ Cllr Graham Tapper
+ Cllr Rebecca Jennings-Evans	+ Cllr Victoria Wheeler
+ Cllr Alan McClafferty	

+ Present

Members in Attendance: Cllr Rodney Bates, Cllr Adrian Page, Cllr Graham Alleway, Cllr Edward Hawkins, Cllr Robin Perry and Cllr Valerie White

### **1/EC Minutes**

The open and exempt minutes of the meeting held on 26 March 2020 were agreed.

### **2/EC Data Security Breach Management Policy and Procedure**

The Committee was informed that, at its meeting on 12 March 2020, the Joint Staff Consultative Group had considered a revised Data Security Breach Management Policy and Procedure and recommended that the Committee adopt the revised Procedure.

The Policy was designed to ensure that all personal data the Council processed, including that of colleagues and customers, was managed appropriately and in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA), collectively referred to as 'Data Protection legislation'.

This policy applied to all users of the Council's information, data, information systems and its physical buildings. It applied not only to staff and Members, but also, where appropriate, contractors, agency staff, service providers, consultants and anyone else engaged to work in the organisation. Its scope encompassed data, information, software, systems, and paper documents.

**RESOLVED that the revised Data Security Breach Management Policy & Procedure, as set out at Annex A to the agenda report, be adopted.**

### **3/EC Data Information Security Policy**

The Committee was informed that, at its meeting on 12 March 2020, the Joint Staff Consultative Group had considered an Information Security Policy, which was made up of a number of separate documents or sub-policies, and recommended that the Committee adopt the revised Policy. These documents covered the rules and guidance which needed to be applied by staff, managers, system administrators, ICT specialists and others.

This policy set the framework for protecting and securing the Council's information assets and would help to:

- Ensure that the personal privacy of citizens was respected
- Ensure that organisational confidentiality was protected
- Safeguard the information contained within the Council's computer systems
- Reduce legal risk
- Reduce the risk of error, theft, fraud and misuse of facilities
- Provide guidance for staff to make the best use of the Council's system
- Comply with GDPR legislation

**RESOLVED that revised Information Security Policy, as set out at Annex A to the agenda report, be adopted.**

#### **4/EC Flexi Time Policy**

The Committee considered a new Flexi Time Policy. The Policy had been considered by the Joint Staff Consultative Group at its meeting on 12 March 2020, which had recommended that the Committee adopt the revised Policy.

The current flexi-time policy was part of the Leave & Special Leave policy. However, with the changes proposed to the flexi time arrangements it had been felt that an exclusive Flexi Time policy was required. This policy was designed to ensure employees were able to achieve a balance between the demands of work and their domestic, personal, public duties and circumstances, in order to maintain work performance. The policy and procedure included:

- Who the policy applied to;
- Recording of hours worked;
- Settlement period; and
- Carry-over balances.

Members considered the revised Policy and agreed to add a note to the references to grades in section 7 clarifying that this meant it did not apply to Tier 1 and 2 officers, which was in line with other policies. It was, however, suggested by some Members that the policy should apply to Tier 1 and 2 officers and this should form part of a future review.

**RESOLVED that the revised Flexi Time policy, as set out at Annex A to the report, as amended, be adopted.**

#### **5/EC Exceptional Payments Policy**

The Committee was informed that, at its meeting on 25 June 2020, the Joint Staff Consultative Group had reviewed a revised Exceptional Payments Policy and recommended that the Committee adopt the revised Policy.

The Policy had been updated to clarify that, with the exception of Acting Up Allowances, senior managers would not be eligible for payments made under the

Exceptional Payments Policy. The revised Policy also clarified who could authorise payments in line with the Council's Financial Regulations.

**RESOLVED that the updated Exceptional Payments Policy, as attached at Annex A to the agenda report, be agreed.**

## **6/EC Expenses Policy**

The Committee was informed that, at its meeting on 25 June 2020, the Joint Staff Consultative Group (JSCG) had reviewed a revised Expenses Policy and Procedure and recommended that the Committee adopt the revised Policy.

The Expenses Policy and Procedure had been reviewed to ensure that employees were provided with clear guidance on being reimbursed for valid business expenses incurred on Council business. The Policy was designed to ensure clarity on what could be claimed for expenses and provide guidelines around certain limitations, for example accommodation. It also clarified who could authorise payments in line with the Council's Financial Regulations.

The revised Policy included a requirement for the Audit & Standards Committee to receive an annual report on expenses claimed by senior officers; this change had been suggested after the JSCG meeting. Having heard concerns expressed about this proposal, it was agreed to remove this requirement from the Policy and include the Leader in the process for signing off the Chief Executive's expenses claims.

Members were advised that the JSCG had requested further information on claiming for travel from a home address outside a working day, when the deduction of a normal commute from mileage would not be relevant, and had asked that this be included in the Policy if relevant. Following receipt of advice on this matter, it was proposed to add the following wording to paragraph 5.3.1 of the Policy:

"If you have to attend a site or travel on Council business due to an emergency, for example to attend a 'dangerous structure', out of hours, or on weekends/Bank Holidays you may claim business miles for the entire trip without having to deduct your normal mileage commute. These instances are to be treated as extenuating circumstances. However, if this differs under your contractual Hours of Work, you will only be entitled to claim the original business mileage, less your home to work travel"

It was noted that the mileage rates, including those for electric cars, were the standard rates approved by HMRC.

The Committee discussed reimbursement for accommodation when an officer was required to stay in accommodation overnight. The revised Policy specified the types of hotels officers would be expected to choose, with a maximum value of £200, and a radius from an employee's home address for eligibility to claim for an overnight stay. Having considered alternative options, it was agreed to adopt the provisions recommended by the JSCG, with additional wording to clarify that the maximum rate would be per night.

**RESOLVED that the updated Expenses Policy, as attached at Annex A to the agenda report, as amended, be agreed.**

**7/EC Annual Settlement Procedure 2020/21**

The Committee was informed that, at its meeting on 25 June 2020, the Joint Staff Consultative Group had reviewed a revised Annual Pay Settlement Procedure and recommended that the Committee adopt the revised Procedure. The document had primarily been updated to include reference to the Employment Committee.

The revised document was considered and it was agreed to amend a minor typographical error.

**RESOLVED that the revised Annual Settlement Procedure policy, as set out at Annex A to the report, as amended, be adopted.**

**8/EC Pay Policy Statement 2020/21**

The Committee considered the Pay Policy Statement 2020/21, an annual statement the Council was required to publish in accordance with the Localism Act 2011.

**RECOMMENDED to Full Council that the Pay Policy Statement 2020/21, as set out at Annex A to the agenda report, be adopted.**

**9/EC Membership of South East Employers**

The Committee was reminded that at previous meetings it had requested information on resuming its membership of South East Employers. The cost of membership would be £4,832 + VAT. Having considered the cost and benefits of membership, it was agreed not to re-join South East Employers.

**RESOLVED to not resume membership of South East Employers.**

**10/EC Work Programme**

The Committee considered its Work Programme for the remainder of the municipal year.

**RESOLVED that the Work Programme for 2020/21, as set out at Annex A to the agenda report, be agreed.**

**11/EC Exclusion of Press and Public**

In accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public were excluded from the meeting for the following items of business on the ground that they involved the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act as set out below:

Minute	Paragraph(s)
1/EC (part)	1
12/EC	3
13/EC	3

## 12/EC Options to replace the post of Chief Executive

The Committee considered a report outlining the options for the replacement of the Chief Executive. The following 3 options presented to the Committee were considered:

- Option 1 - Replacing the Chief Executive through a recruitment and selection process to the open market.
- Option 2 - Recruiting an experienced Chief Executive for a temporary period, with the objective of working with the Council to decide the best solution for future leadership of the Council.
- Option 3 - Considering entering into a partnership with another Council for a shared Chief Executive; the Chief Executive would either come from one of the partner authorities or recruited to manage the new partnership.

The Committee reviewed the options set out in the report. Members were advised that Option 3 referred to a partnership as, even if the only element of a partnership was a shared Chief Executive, there would need to be an agreement stating the terms for this arrangement. It was also reported that the post would need to be advertised.

It was noted that a Recovery and Devolution White Paper was expected to be published by the Government in the autumn of 2020, which was likely to include proposals for the creation of Unitary Authorities. Furthermore, recent indications from the Leader of Surrey County Council had indicated support for progressing the creation of a single unitary authority in Surrey.

It was suggested by some Members that a standalone Chief Executive could be appointed for a fixed term until 31 May 2022, with the option to extend the contract, who could lead the authority through unitary negotiations and preparations. Alternative views were put forward on a shared Chief Executive with a neighbouring authority helping to facilitate the expected transition to becoming a Unitary Authority.

Having discussed the advantages and issues associated with each option proposed, the Committee agreed to recommend to the Full Council that, in order to achieve the best outcome for the Council, the options to recruit a standalone Chief Executive and further explore a shared Chief Executive should be pursued in parallel.

**RECOMMENDED to Full Council that the options to recruit a standalone Chief Executive and to further explore a shared Chief Executive be pursued in parallel.**

### **13/EC Review of Exempt Items**

The Committee reviewed the items which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

**RESOLVED that minute 12/EC and the associated agenda report be made public, but the addendum to the report remain exempt for the present time.**

Chairman