



John Wright
Town Clerk

Lyme Regis Town Council

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Human Resources Committee

Core Membership: Cllr C. Aldridge, Cllr B. Bawden, Cllr M. Ellis, Cllr P. May, Cllr C. Prichard, Cllr G. Stammers, Cllr C. Reynolds, Cllr J. Trevena

Notice is given of a meeting of the Human Resources Committee to be held at the **Guildhall, Bridge Street, Lyme Regis** on Wednesday 29 May 2024 commencing at 7pm when the following business is proposed to be transacted:

John Wright
Town Clerk
23.05.24

The open and transparent proceedings of Full Council and committee meetings will be audio recorded and recordings will be held for one year by the town council.

If members of the public make a representation to the meeting, they will be deemed to have consented to being audio recorded.

If members of the public have any queries regarding audio recording of meetings, please contact the town clerk.

Members are reminded that in reaching decisions they should take into consideration the town council's decision to declare a climate emergency and ambition to become carbon neutral by 2030 and beyond.

AGENDA

1. Election of Chairman and Vice-Chairman

To allow the committee to receive nominations and elect its chairman and vice-chairman for the council year 2024-25

2. Terms of Reference

To allow the committee to receive its terms of reference

3. Public Forum

Twenty minutes will be made available for public comment and response in relation to items on this agenda

Individuals will be permitted a maximum of three minutes each to address the committee

4. Apologies

To receive and record any apologies and reasons for absence

5. Minutes

To confirm the accuracy of the minutes of the Human Resources Committee meeting held on 27 March 2024 (attached)

6. Disclosable Pecuniary Interests

Members are reminded that if they have a disclosable pecuniary interest on their register of interests relating to any item on the agenda they are prevented from participating in any discussion or voting on that matter at the meeting and to do so would amount to a criminal offence. Similarly if you are or become aware of a disclosable pecuniary interest in a matter under consideration at this meeting which is not on your register of interests or is in the process of being added to your register you must disclose such interest at this meeting and register it within 28 days.

7. Dispensations

To note the grant of dispensations made by the town clerk in relation to the business of this meeting.

8. Matters arising from the minutes of the Human Resources Committee meeting held on 27 March 2024

To update members on matters arising from the previous meeting that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues raised within the minutes of the previous meeting

9. Update Report

To update members on issues previously reported to this committee

10. Human Resources Committee – Objectives

To allow members to review progress of the committee's 2024-25 objectives

11. Health and Safety Committee membership

To allow members to consider the membership of the Health and Safety Committee

12. Civility and Respect Agenda and External Support

To review the Civility and Respect agenda, to consider the council's position with regard to the Civility and Respect agenda, and to consider a proposal for employing an external organisation to undertake organisational development work with the council

13. Pay Grade of Administrative and Community Engagement Assistant Post

To allow members to consider the pay grade of the administrative and community engagement assistant post

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded while members consider this item in accordance with the Public Bodies (Admission to Meetings) Act 1960

14. Sabbatical Request

To allow members to consider a six-month sabbatical request

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded while members consider this item in accordance with the Public Bodies (Admission to Meetings) Act 1960

15. Equivalent Hours Request

To allow members to consider an equivalent hours request

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded while members consider this item in accordance with the Public Bodies (Admission to Meetings) Act 1960

16. Exempt Business

To move that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business in view of the likely disclosure of confidential matters about information relating to an individual, and information relating to the financial or business affairs of any particular person, within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

- a) **Agenda item 13 – Pay Grade of Administrative and Community Engagement Assistant Post**
- b) **Agenda item 14 – Sabbatical Request**
- c) **Agenda item 15 – Equivalent Hours Request**

Committee: Human Resources

Date: 29 May 2024

Title: Election of Chairman and Vice-Chairman

Purpose of Report

To allow the committee to receive nominations and elect its chairman and vice-chairman for the council year 2024-25

Recommendation

- a) The committee receives nominations for the chairman of this committee and elects its chairman for the council year 2024-25
- b) The committee receives nominations for the vice-chairman of this committee and elects its vice-chairman for the council year 2024-25

Background

- 1. The terms of reference for the council's committee structure state each committee will elect its chairman and vice-chairman from among its membership.
- 2. Consequently, nominations are sought for the chairman and the vice-chairman of this committee.
- 3. The relevant standing orders that inform and govern the election of chairmen and vice-chairmen are detailed below.
- 4. Standing order 3.t states:

'Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. If at least two members request, voting may be by signed ballot.'

- 5. Standing order 8.a states:

'Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.'

6. Standing order 8.b. states:

'As the first business of a council is to elect a chairman (the mayor in the case of Lyme Regis Town Council) who is also an ex-officio voting member of all committees, they are in a position to open and chair a sub-committee meeting temporarily, with the benefit of a casting vote, until a committee chairman is elected. In the Mayor's absence, the Deputy Mayor could officiate in the same way, The town clerk or other officer cannot open or chair a committee or sub-committee meeting.

7. The election of the chairman and vice-chairman of the Human Resources Committee will be reported to the Full Council on 17 July 2024.

John Wright
Town clerk
May 2024

Committee: Human Resources

Date: 29 May 2024

Title: Terms of Reference

Purpose

To allow the committee to receive its terms of reference

Recommendation

The committee receives its terms of reference

Background

1. The terms of reference for the Human Resources Committee, along with the general terms of reference that apply to all the council's committees is attached, **appendix 2A**.
2. Any recommendations from this committee will be considered by the Full Council on 17 July 2024.

John Wright
Town clerk
May 2024

Terms of Reference

2. Committees – General

- 2.1 The purpose of the council's committees is to consider issues under their remit. Issues will normally be outlined in a report prepared by officers and each report may include a recommendation.
- 2.2 Any recommendation(s) from a council committee will be considered at the subsequent meeting of the Full Council. Any decision or recommendation from a council committee has no status until it has been adopted by the Full Council by way of a resolution. This is unless a committee has devolved powers, i.e. Planning in respect of making recommendations direct to Dorset Council on planning applications.
- 2.3 Each committee will:
- 2.3.1 Elect its chairman and vice-chairman from among its membership;
 - 2.3.2 Confirm the accuracy of the minutes of the last committee meeting;
 - 2.3.3 Agree and review the terms of reference for sub-committees, working or advisory groups that report to the committee;
 - 2.3.4 Receive nominations to existing sub-committees, working or advisory groups that report to the committee;
 - 2.3.5 Elect chairmen and vice-chairmen to existing sub-committees, working or advisory groups that report to the committee;
 - 2.3.6 Appoint any new sub-committees, working or advisory groups, confirmation of their terms of reference, the number of members (including, if appropriate, substitute councillors), receipt of nominations and the election of chairmen and vice-chairmen to them;
 - 2.3.7 To examine on behalf of the council various policies, strategies and plans relating to its subject area and to report these to the Full Council;
 - 2.3.8 To undertake reviews or policy development tasks in relation to any matters falling within the remit of the committee;
 - 2.3.9 To work with other relevant committees of the council where an area of work is shared with that committee.
- 2.4 Council-approved projects and objectives will be delegated to the relevant committee.
- 2.5 No business may be transacted at a committee meeting of the Full Council unless at least one third of the whole number of members of the committee are present and in no case shall the quorum of a meeting be less than three.

5. Human Resources Committee

5.1 The purpose of the Human Resources Committee is to consider member and officer issues, including:

- 5.1.1 To consider breaches of the council's code of conduct for members and, based on the report of Dorset Council's monitoring officer, recommend to Full Council any sanctions that should be applied to that member under the council's voluntary code.
- 5.1.2 To undertake an annual review the council's code of conduct and make recommendations to the Full Council on any revisions that are required.
- 5.1.3 To consider the establishment structures, staffing levels, job descriptions, person specifications, job evaluations, and the remuneration levels
- 5.1.4 To ensure that the council has policies and procedures in place to meet its human resources and health and safety statutory responsibilities
- 5.1.5 To consider and review human resources and health and safety policies and procedures
- 5.1.6 To appoint the town clerk, deputy town clerk. operations manager, support services manager and finance manager
- 5.1.7 To appraise the performance of the town clerk and set his/her annual objectives
- 5.1.8 To consider grievances and complaints against the town clerk
- 5.1.9 To consider appeals against grievance and disciplinary decisions made by officers
- 5.1.10 To annually consider the development of the council's workforce
- 5.1.11 To commission periodic surveys to assess employee satisfaction
- 5.1.12 To annually consider levels of member and staff attendance, the number and type of complaints against employees, the number and type of grievances, disciplinaries and employment tribunals
- 5.1.13 To consider incidents of whistleblowing by employees
- 5.1.14 To monitor the learning and development of members and staff.

LYME REGIS TOWN COUNCIL

HUMAN RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 27 MARCH 2024

Present

Chairman: Cllr G. Stammers

Members: Cllr C. Aldridge, Cllr M. Ellis, Cllr B. Larcombe, Cllr P. May, Cllr D. Sarson

Other members: Cllr D. Ruffle

Officers: A. Mullins (support services manager), J. Wright (town clerk)

24/62/HR Public Forum

There were no members of the public who wished to speak.

24/63/HR Apologies

Cllr C. Reynolds – illness

Cllr B. Bawden – holiday

Cllr P. Evans – illness

24/64/HR To confirm the accuracy of the minutes of the Human Resources Committee meeting held on 13 February 2024

It was noted there was an error in minute 24/61/HR(f) as Cllr M. Ellis was recorded as seconding the motion but was not present. This would be amended.

Proposed by Cllr P. May and seconded by Cllr C. Aldridge, the minutes of the meeting held on 13 February 2024, with the above amendment, were **ADOPTED**.

24/65/HR Disclosable Pecuniary Interests

There were none.

24/66/HR Dispensations

There were none.

24/67/HR Matters arising from the minutes of the Human Resources Committee meeting held on 13 February 2024

Members noted the report.

24/68/HR Update Report

Property and projects assistant

Members discussed the merit of re-evaluating vacancies when they arose to determine if it needed to be replaced or if the terms had changed.

24/69/HR Human Resources Committee – Objectives

Members noted the report.

24/70/HR To receive the minutes of the Health and Safety Committee meeting on 7 March 2024

Proposed by Cllr P. May and seconded by Cllr D. Sarson, the minutes of the Health and Safety Committee meeting on 7 March 2024 were **RECEIVED**.

24/71/HR Review of the Councillor Code of Conduct

Proposed by Cllr P. May and seconded by Cllr G. Stammers, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the Councillor Code of Conduct unchanged.

24/72/HR Review of the Code of Conduct for Staff

As there was no reference to bullying, harassment and discrimination in the code, it was agreed there would be a cross-reference to the council's bullying and harassment policy and procedure.

Proposed by Cllr G. Stammers and seconded by Cllr C. Aldridge, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the Code of Conduct for staff, as amended, and to include a cross-reference to the council's bullying and harassment policy and procedure.

24/73/HR Review of the Protocol for Member/Officer Relations

Members discussed paragraph 2.3, which states: "If the complaint is about the town clerk, members should discuss the matter with the mayor."

It was agreed if the complaint also involved the mayor, the complaint would be dealt with by the deputy mayor.

Proposed by Cllr G. Stammers and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the Protocol for Member/Officer Relations, as amended, and to further amend paragraph 2.3 so if a complaint against the town clerk also involved the mayor, it would be dealt with by the deputy mayor.

24/74/HR Flexible Working Request

Proposed by Cllr G. Stammers and seconded by Cllr P. May, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential information relating to an individual within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

24/75/HR Exempt Business

a) **Flexible Working Request**

Members discussed the request and considered how the requested change would impact the business, performance and other employees.

Proposed by Cllr G. Stammers and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** that the council is minded to refuse the flexible working request from postholder 218 because the work cannot be reorganised among other staff, there will be a negative effect on quality, there will be a negative effect on the council's ability to meet customer demand, and there will be a negative effect on performance, and that further consultation will take place with the postholder.

The meeting closed at 8.20pm.

DRAFT

Committee: Human Resources

Date: 29 May 2024

Title: Matters arising from the minutes of the Human Resources Committee meeting held on 27 March 2024

Purpose of the Report

To update members on matters arising from the previous meeting that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues raised within the minutes of the previous meeting.

Recommendation

Members note the report

Report

24/71/HR – Review of the Councillor Code of Conduct

The updated document has been emailed to members and published on the website.

24/72/HR – Review of the Code of Conduct for Staff

The updated document has been provided to staff and published on the website.

24/73/HR – Review of the Protocol for Member/Officer Relations

The updated document has been provided to members and staff and published on the website.

24/74/HR – Flexible Working Request

Further consultation took place with the employee between the previous meeting of this committee and the Full Council meeting on 1 May 2024. It was resolved by the Full Council on 1 May 2024 'to refuse the flexible working request from postholder 218 because the work cannot be reorganised among other staff, there will be a negative effect on quality, there will be a negative effect on the council's ability to meet customer demand, and there will be a negative effect on performance'.

John Wright
Town clerk
May 2024

Committee: Human Resources

Date: 29 May 2024

Title: Update Report

Purpose of Report

To update members on issues previously reported to this committee

Recommendation

Members note the report

Report

National Joint Council (NJC) trade union pay claim

It was reported to the previous meeting that on 29 February 2024, the Joint Trade Union Side (Unison, GMB and Unite) made a pay claim for 2024-25 to the Local Government Association.

Since then, the National Employers have consulted councils and met initially on 16 April 2024 to discuss the key themes to come out of these sessions, then adjourned for private political discussions before reconvening on 16 May 2024.

On 16 May 2024, the National Employers made the following full and final one-year (1 April 2024 to 31 March 2025) offer:

- With effect from 1 April 2024, an increase of £1,290 (pro rata for part-time employees) to be paid as a consolidated, permanent addition on all NJC pay points 2 to 43 inclusive.
- With effect from 1 April 2024, an increase of 2.50 per cent on all pay points above the maximum of the pay spine but graded below deputy chief officer (in accordance with Green Book Part 2 Para 5.42)
- With effect from 1 April 2024 an increase of 2.50 per cent on all allowances (as listed in the 2023 NJC pay agreement circular dated 1 November 2023)

The National Employers rejected the unions' claims for a two-hour reduction in the working week, with no detriment, and an additional day of annual leave for personal or well-being purposes (with term-time only staff also receiving a full day rather than a pro rata amount, that they can use at any time, including term time).

The National Employers said the unions' claim for a phased approach to reaching a minimum pay rate of £15 an hour in a maximum of two years, sooner if possible, 'would be prohibitively expensive for councils at any time, not least during the current difficult financial circumstances'.

In response to the unions' claim seeking reviews of the gender, ethnicity and disability pay gaps in local government, the National Employers said the Local Government Agency would this year be undertaking a programme of work examining how councils report any pay gaps across their workforce, particularly in relation to employees with certain protected characteristics. The National Employers have proposed the NJC Joint Secretaries discuss options for working together to capture pay gap information that will be of most benefit to the sector.

Amenities assistant

Stephen Abraham started in the role on 1 April 2024 as expected.

Property and projects assistant

The property and projects assistant post was advertised with a closing date of 17 April 2024. By the deadline, 10 applications had been received and four were invited for interview on 23 April 2024. One person did not attend their interview.

Anthony Mullins was appointed to the post and started in the role on 1 May 2024.

HR support

MotteramHR, which has provided HR support and consultancy services to the council since 2017, is no longer operating as of 24 May 2024. Owner Katherine Motteram has made the decision to move into an employed role and has thanked the council for engaging her to work with the council.

MotteramHR supported the introduction of new contracts of employment in 2018, alongside a new employee handbook, has provided ad-hoc support and advice when required, and provided regular employment law updates, particularly during Covid-19 when the situation was changing rapidly.

The council can continue to take HR advice from South West Councils, of which it is an associate member, and from the Chartered Institute of Personnel and Development (CIPD), of which the support services manager is an associate member.

Changes to annual leave arrangements

Following the implementation of the Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023, which came into effect on 1 April 2024, rolled-up holiday pay will be introduced for the amenities assistant post, as an alternative method to calculate holiday pay.

This change was proposed because in the past, the taking of annual leave has created gaps in the rota and employees have taken leave when they didn't necessarily want to take it in order to use up their allowance. Officers therefore felt it would be beneficial to both the employees and the organisation.

As this constitutes a change of contract, a consultation period with the affected employees was launched on 3 April 2024, during which time they were invited to discuss the potential change and the possible impact on their employment. The consultation period ended on 26 April 2024 and no issues were raised during this period.

The employees have been notified the council now intends to implement this change and as per their contract, they have been asked to confirm in writing they consent to the variation of contract.

It is intended the changes will be implemented from the June payroll.

John Wright
Town clerk
May 2024

Committee: Human Resources

Date: 29 May 2024

Title: Human Resources Committee – Objectives

Purpose

To allow members to review progress of the committee's 2024-25 objectives

Recommendation

Members note the report

Background

1. During the 2024-25 budget-setting process, objectives were agreed for the year and a budget estimate identified against each project.

Report

2. The objectives have been assigned to committees and members can review progress at each meeting.
3. This committee's 2024-25 objectives, along with the allocated budget, completion date and lead officer, are at **appendix 10A**.
4. Any recommendations from this committee will be considered by the Full Council on 17 July 2024.

John Wright
Town clerk
May 2024

APPENDIX 10A

Induction and development with the new administration	20	December 2024	JW	HR	Report on the appointment of a consultant to work with members to be considered by the Human Resources Committee on 29 May 2024. A programme of induction will be delivered between May and July 2024. This will include the delivery of the Civility and Respect agenda.
Obtaining a health and safety audit score of 85%+		December 2024	MAD	HR	Audit to be carried out in November 2024.

Committee: Human Resources

Date: 29 May 2024

Title: Health and Safety Committee membership

Purpose of Report

To allow members to consider the membership of the Health and Safety Committee

Recommendation

Members consider becoming a member of the Health and Safety Committee

Report

1. The Health and Safety Committee consists of at least two councillors, two staff members, the operations manager, the town clerk and a secretary. All members of the committee, except the secretary, have voting rights. The committee meets quarterly for around an hour. The next meeting is on Thursday 13 June at 2pm in the council office meeting room.
2. In 2023-24, the councillors on the committee were Cllr D. Sarson (chairman) and Cllr G. Stammers (staff members are Alan Jefferies and Pete Williams).
3. The Health and Safety Committee reports to this committee. As this is a new council administration, members of this committee should have an opportunity to be appointed to the Health and Safety Committee.
4. Any recommendations from this committee will be considered by the Full Council on 17 July 2024.

Matt Adamson-Drage
Operations manager
May 2024

Committee: Human Resources

Date: 29 May 2024

Title: Civility and Respect Agenda and External Support

Purpose of Report

To review the Civility and Respect agenda, to consider the council's position with regard to the Civility and Respect agenda, and to consider a proposal for employing an external organisation to undertake organisational development work with the council

Recommendation

The council determines its position on the Civility and Respect agenda and agrees to set up a panel consisting of the mayor, deputy mayor and chairman of Human Resources to work in conjunction with the town clerk to finalise the specification and agree the appointment of consultants to undertake organisational development work with the council

The Civility and Respect Agenda

Background

1. The Civility and Respect agenda was first considered at this committee on 12 April 2023; for ease of reference the report is attached, **appendix 12A**.
2. The Civility and Respect agenda is a response from representative organisations¹ across the sector to what they perceived to be a lacklustre government response to the 2019 report, Local Government Ethical Standards; the Committee on Standards in Public Life had highlighted numerous areas of concern, not least of which related to standards of behaviour from elected members.
3. The project has six work streams: governance, collaboration, enabling, intervention, legislative and training.
4. At the centre of the Civility and Respect agenda is the Pledge. The Pledge is a voluntary public statement which signs a local council up to essential policies and procedures and, more importantly, to behaviours which will improve the dynamics and performance of the organisation, its culture and public perception.
5. The council's performance against the pledge's criteria is detailed in **appendix 12A**.
6. The report to this committee on 12 April 2023 identified considerations, including suggestions, about the council's approach towards the Pledge; these still hold true:
 - Member behaviour is a live issue for Lyme Regis Town Council. If the council signs the pledge, it must commit itself to its conditions and members must unconditionally adhere to them.
 - There is little point in signing up to something if you know in your heart of hearts that either you or your organisation will fail to comply with its conditions; this undermines the town council's credibility and the credibility of a national initiative which others are passionately committed to.

¹ Parish and town councils, the National Association of Local Councils (NALC), county associations, the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW).

- Accusations inside or outside the council chamber about breaches of the pledge won't do anything to promote the council's reputation.
 - A more measured approach might be to keep member behaviour under review and sign the pledge when there is enough of a consensus that behaviours are sufficiently under control.
 - As well as modifying behaviour and keeping it under review until the election in May 2024, the council could prepare a lessons learnt and suggestions' paper for the new administration.
7. Following a recommendation from this committee, on 15 May 2023 the Full Council resolved:
- 'that members recognised the principles outlined in the Civility and Respect pledge and officers prepare a draft pledge which is adapted to fit the organisation and ready for the new intake of councillors to sign up to in 2024.'
8. On 13 December 2023, the Full Council received a report, 'Preparing for a New Administration'. The report suggested a further report should be brought to the Annual Meeting of the council in May 2024 to, 'introduce the new administration to the Civility and Respect project and that the report would include the model pledge.'
9. A copy of the model pledge is attached, **appendix 12B**.
10. The report is brought to this meeting rather than the Annual Meeting of the council because of its overlap with an associated council initiative, the appointment of consultants to undertake development work.
11. The town clerk recommends these two projects are merged.

Organisational Development

12. Approximately 18 months' ago, the council sought to engage consultants to help it overcome the behavioural difficulties it was experiencing. At that point in time, the council could not engage a suitably qualified consultant.
13. On 13 December 2023, as part of the 2024-25 budget-setting process, the Full Council approved a £20,000 budget for organisational development work.
14. Officers have had initial discussions with three organisations about providing this work: South West Councils, the Local Government Resource Centre, and Hoey Ainscough Associates.
15. The town clerk has provided each organisation with an overview of the town council, along with the purpose of the exercise and the expected outcomes; the purpose and outcomes are based on previous discussions with members.

Purpose

- the development of a shared purpose(s)
- the development of shared values
- team building
- conflict management and resolution
- structural, cultural and behavioural change
- perception management.

Outcomes

- The active engagement of all members in the 'transformation' process
- A shared and owned common purpose(s)
- A shared and owned set of values

- A shared commitment to the standards that will be adhered to by members and officers
 - A significant improvement in member behaviours inside and outside the council chamber
 - An agreed internal mechanism for conflict resolution
 - A material improvement in the perception of the electorate and those the council works with.
16. Based on the work required and the budget available, the town clerk's working assumption is that the council will purchase approximately 20 days' consultancy and up to eight of these days will involve member and officer contact.
17. This project is at an early stage and to progress it, it is proposed the mayor, deputy mayor, and chairman of this committee work alongside the town clerk to develop the consultant specification and appoint the consultant.
18. Any recommendations from this committee will be considered by the Full Council on 17 July 2024.

John Wright
Town clerk
May 2024

Committee: Human Resources

Date: 12 April 2023

Title: Civility and Respect

Purpose of Report

To brief members on the Civility and Respect project

Recommendation

Members consider the report and recommend a full discussion on the Civility and Respect project at the Full Council on 17 May 2023

Background

1. Concerns over ethical standards in public life and the conduct of public officials and elected members are not new.
2. In response to a widespread belief about poor standards of conduct in public life, in 1995 The Committee on Standards in Public Life established a set of seven principles² - selflessness, integrity, objectivity, accountability, openness, honesty and leadership - that should guide the behaviour of those in public life.
3. The Localism Act 2011 made changes to the arrangements for the adoption of a Member Code of Conduct and for the consideration and investigation of councillor conduct complaints by the council.
4. The legislation allowed councils to determine their own Code of Conduct; in reality, Codes of Conduct are based on model documents supplied by national bodies, i.e., the Local Government Association (LGA) and the National Association of Local Councils (NALC).
5. Unsurprisingly, Code of Conducts are informed by the seven principles that guide behaviour in public life.
6. The Localism Act 2011 ended the Standards' Regime and reduced the level of sanctions that can be applied to councillor behaviour which is assessed as breaching the Code of Conduct; the most serious level of sanction that can be applied is censure.
7. Throughout the sector, concerns about the impact of bullying, harassment and intimidation are having on councils, councillors, and staff have remained and appear to have got worse.
8. In a 2019 report, Local Government Ethical Standards, the Committee on Standards in Public Life highlighted numerous areas of concern, not least of which related to standards of behaviour from elected members.
9. The committee made 26 recommendations for improvements in governance, standards, and behaviour, including:
 - the ability for a principal authority to impose sanctions on a parish councillor following a review
 - the ability for a local authority to suspend councillors

² The seven principles of public life became known as the Nolan Principles after Lord Nolan who led The Committee on Standards in Public Life.

- mandatory training for clerks.
10. The local council sector considers the government's response to this report as somewhat lacklustre and, in part, the Civility and Respect Project is a response to the government's lack of enthusiasm to confront behaviour standards in the sector.

Report

11. The Civility and Respect Project was founded by the Civility and Respect Working Group.
12. The project is supported by representatives across the sector, including councils, county associations, the National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW).
13. The project is a 'bottom-up initiative that promotes good governance, positive debate, and supports the well-being of councillors, officers, and staff.
14. The project has called for the adoption of the LGA 2021 Code of Conduct by local councils, as well as advocating training for councillors, clerks, and council staff so they know how to recognise and address bullying, harassment, discrimination, and promote inclusion.
15. The project has been going for two years and completed its first phase of work in November 2022; the second phase is underway.
16. The project has six workstreams, some of which overlap. Progress among the workstreams is varied.

Governance

17. The involves the development and endorsement of policies and procedures that support good governance and minimise opportunities for bullying and harassment. These include adoption of the LGA Member Code of Conduct, a member/officer protocol, clarity of councillor and officer roles and responsibilities, an up-to-date social media policy, a dignity at work policy, a zero-tolerance statement (this is currently being drafted by the project team) and a grievance policy that reflects the dignity at work policy.

Collaboration

18. This includes the Association of Democratic Services Officers, lawyers in local government, the Local Government Association, the International Institute of Municipal Clerks, Vereniging Van Griffiers (Netherland Clerks) and the Society of Local Authority Lawyers and Administrators in Scotland.
19. The workstream includes communications (a flyer and short video has been produced), culture change, lobbying for sanctions, and support for victims.

Enabling

20. The project uses a multi-channel approach to marketing and engagement with councils. Analytical platforms are used to record activity and responses.

Intervention

21. The workstream is recommending the sharing of best practice between county associations and is discussing low-cost interventions with HR support consultants.

Legislative

22. The workstream aims to monitor and influence relevant legislation and raise the profile of the Civility and Respect Project among parliamentarians, government departments and civil servants.
23. Local councils can write to their members of parliament (MPs); the aim is to increase cross-party awareness.
24. Dr Julian Lewis MP has offered to sponsor a second early day motion. Lobbying is ongoing.

Training

25. The workstream's overall objective is to upgrade skills and knowledge to help councillors and officers deal with challenging personal relationships and situations. The mechanism: training packages delivered through several channels, e.g., eLearning, webinars, and videos.

The Civility and Respect Pledge

26. At the centre of the Civility and Respect Project is the pledge. The Civility and Respect Pledge was launched in August 2022. The pledge, which is a voluntary public statement of commitment, helps to define the right behaviours within councils, prevent bullying and support councils demonstrating high standards of conduct.
27. By signing the pledge, a council is agreeing it will treat councillors, employees, members of the public, representatives of partner organisations and volunteers, with civility and respect.
28. The pledge signs a local council up to essential policies and procedures and, more importantly, to behaviours which will improve the dynamics and performance of the organisation, its culture, and public perception.
29. The pledge is attached, **appendix 8A**. Its requirements are detailed below and are accompanied by observations:

Requirements	Observations
Treat other councillors, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles.	There is a reality and perception gap that needs to be breached within and outside the organisation to address the council's commitment to adhere to the concepts of civility and respect. Before the council signs up to the Civility and Respect agenda, it must consider whether it has a realistic chance of adhering to it. The town clerk suggests community organisations and local businesses are added to this list.
Commit to training councillors and staff. Sign up to the code of conduct for councillors	Training opportunities are regularly briefed but take up among members is low. Officer commitment to short course training and courses leading to formal qualifications is good. The council is signed up to a modified version of the Code of Conduct; modifications reflect the way the council

	operates rather than substantive changes to the code clauses.
Have good governance arrangements in place	<p>The council has a member/officer relations protocol and an up-to-date social media policy. The roles and responsibilities of councillors and the town clerk are detailed in the member/officer relations protocol and are part of the member induction programme. A separate document can be created that specifically details these roles and responsibilities.</p> <p>As part of the Civility and Respect project, a dignity at work policy has been drafted by the Society of Local Council Clerks. The policy has been reviewed by officers and requires amendments to amend and integrate its content into the council's policies and procedures on bullying and harassment, complaints, grievance, disciplinary, Code of Conduct, and equality and diversity.</p> <p>When the town clerk receives the zero-tolerance guide/statement from the Civility and Respect project, it will be reviewed by officers and presented to the council for consideration.</p>
Commit to seeking professional help at early stages should civility and respect issues arise	<p>The council already indicated it is committed to seeking professional help to resolve civility and respect issues but engaging professional help isn't easy; there doesn't appear to be enough providers. The town clerk has spoken to Dorset Association of Parish and Town Council's (DAPTC) chief executive about the lack of human resource consultants and suggested a panel of participants is drawn up; DAPTC's chief executive is part of the project's intervention work stream.</p>
Call out bullying and harassment if, and when it happens.	<p>The town clerk suggests this is extended to include other behaviours which detract from the business and reputation of the council; councillors and officers should jointly agree these behaviours.</p> <p>Councillors should commit to calling out the behaviour of all members, not just those with which they do not identify. Intervention should not be brutal and where appropriate, should be done privately.</p>

Continue to learn from best practice in the sector and aspire to being a role model/champion council	The council can periodically review best practice in the sector through regular committee reports. The council should start the process of preparing for a new administration in May 2024 and suggest the early steps it could take to promote good behaviour.
Support the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate.	The council should consider whether it supports further sanctions against members; this cannot be taken as a given. There is a copy of a draft letter to our member of parliament, Chris Loder, appendix 8B which pushes for further sanctions to be applied against councillors. If members support further sanctions, this draft letter can be sent to Chris Loder MP.

30. To take the pledge, councils sign up online, the pledge certificate is emailed to the council and the council is added to a digital map which identifies others who have signed the pledge.
31. Local town and parish councils who have signed the pledge are Axminster, Ilminster, Verwood, Shaftesbury, Blandford Forum, and West Moors.

Considerations

32. Member behaviour is a live issue for Lyme Regis Town Council. If the council signs the pledge, it must commit itself to its conditions and members must unconditionally adhere to them.
33. There is little point in signing up to something if you know in your heart of hearts that either you or your organisation will fail to comply with its conditions; this undermines the town council's credibility and the credibility of a national initiative which others are passionately committed to.
34. Accusations inside or outside the council chamber about breaches of the pledge won't do anything to promote the council's reputation.
35. A more measured approach might be to keep member behaviour under review and sign the pledge when there is enough of a consensus that behaviours are sufficiently under control.
36. As well as modifying behaviour and keeping it under review until the election in May 2024, the council could prepare a lessons learnt and suggestions' paper for the new administration.
37. Although this report is presented to this committee, its content requires consideration by the whole council. For this reason, it is proposed the report, along with any recommendations from this committee, is considered by the Full Council on 17 May 2023.

John Wright
Town clerk
March 2023

Civility and Respect Pledge

By signing the Pledge, your council is agreeing that the council will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles and that it:

- Has put in place a training programme for councillors and staff
- Has signed up to the Code of Conduct for councillors
- Has good governance arrangements in place including staff contracts and a dignity at work policy
- Will seek professional help at the early stages should civility and respect issues arise
- Will commit to calling out bullying and harassment if and when it happens
- Will continue to learn from best practices in the sector and aspire to be a role model/champion council through for example the **Local Council Award Scheme**
- Supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate