

Batheaston Parish Council

Minutes of Batheaston Parish Council meeting held at 7-15pm on Tuesday, 26 November 2019 at Rhymes Pavilion.

This meeting was a closed meeting – no members of the public are to attend

Present: Councillors Jeffery, Craig, Day, Greener, Gregory, Jeffryes, McCarthy, Pavlou

In attendance: Deborah White, CEO of ALCA

1. Apologies were received from Councillors Lea and Vandesteen
2. There were no declarations of interest from Councillors.

One Councillor wished to change the order of Agenda items 3. and 4. but the Chair decided against this.

3. To approve the HR Committee's recommendation of the appointment of the new Clerk.

3.1 Positives: The Chair of HR said that it takes a lot of work to appoint a new Clerk and the HR Committee must be given that trust from BPC Councillors - a question of "process and who to interview" was asked.

- As much information on candidates as possible was required.
- Proper advertising.
- The HR Cttee was a loyal subcommittee of BPC.
- HR Cttee may have made mistakes but is there to give advice to BPC on staffing matters and was clearly legal.
- The criticism of the process has been taken as constructive.
- The outstanding Candidate was chosen.
- Full Clerk Training will be given.
- We must move on. We need a new Clerk.

3.2 Negatives as discussed:

- Full Councillors were not given the chance to ask any questions of the new Clerk.
- Councillors felt uncomfortable that such an important decision was made with no information circulated from the HR Cttee.
- 22 queries for the post of BPC Clerk.
- 14 applications were received.
- Discomfort in the process as only the HR Committee, which comprised two Councillors were privy to CVs, background information of applicants.
- Other Councillors were not allowed to meet the chosen Clerk before appointment letter had been sent out.
- One Councillor concerned that person chosen deemed overqualified for position, is moving to Bath, requires a job quickly and BPC require a Clerk quickly. Concerned this person may be passing through and may move on within the year, similarly to last Clerk.

3.3 Standing **Orders:** DW stated that BPC Standing Orders should be reviewed annually, and they were not. PCs will not be breaking any laws by changing SOs as they are required for 'local' guidance – they do not negate anything in what they are supposed to achieve.

3.4 Skills required of new Clerk:

- Financial
- Audit
- Payroll
- Bookkeeping
- Trained Accountant (Chartered Accountancy a plus)
- Personnel Management
- Not to be placed in a position of Confrontation – (All Councillors do not want this).
- Administration - Must be organised
- To be aware of funding for Charities
- IT required
- Committee experience
- Not essential to live in Batheaston (this may be a plus as this assists impartiality)
- At every level the new Clerk matched up – had very little weakness, hence why chosen.

3.5 Contract:

Some of the key clauses of the Contract of Employment for the Clerk were discussed:

- BPC will pay travel costs.
- The contract will now be for 25 hours. This was 20 hours previously, but the extra 5 hrs will mean higher quality hours and the Clerk can fulfil 5 days working (as opposed to 3 days for the previous Clerk, which did not work out to the satisfaction of Councillors). Also, the previous Clerk needed to work overtime so the extra 5 hrs for the new Clerk fixed in the contract is advantageous to BPC.
- Full Clerk training will take one year, but costs will not be in perpetuity and a limit will be set on paid time. It will take two years cumulatively to complete the Certificate in Local Councils Administration (CiLCA) and the expectation will be that the Clerk qualifies in that time. It will be expected for the Clerk to keep up all Professional development.
- The Clerk's Contract will be reviewed annually from now on – if a reversal to 20 hrs is deemed possible, then this will be reviewed.
- Going forward, it may be possible to obtain a parish office, possibly in the new Village Hall?

3.6 Vote: It was voted in favour of the new Clerk working 25 hours – 5 days per week.

3.7 An offer letter will be sent out to the Clerk in waiting incorporating all the Contract details as above.

4. To receive from DW why the current committee and working group structure was set up, how it works, and the issues raised by behaviour of individual councillors to facilitate common understanding:

4.1 DW stated that we can take her opinion as a professional Clerk. Information received from DW Councillors are not supposed to pre-empt Standing Orders. They must have an open mind with no pre-determination of any vote. The HR Agenda must be published, and the meeting should be closed to the public. Councillors would only ever close a meeting if this was deemed necessary to do so. Councillors cannot close a meeting on a presumption. We cannot open a meeting then go into action to conclude a resolution and ask members of the public to leave for that one item. Fair warning of a closed meeting must be given to the public as we would not want to have to turn any one resident away. By closing the HR Cttee, we are not pre-determining the outcome. The HR Cttee must be confidential and legal as advised by DW.

4.2 Going forward DW advised that BPC should continue with the new Advisory Groups as recently set up and are felt to be more professional. DW advised not going back to the old structured committees. Bathampton and Bathford have adopted these new ways of working. Finishing, DW's general advice would be never to suspend Standing Orders.

4.3 A Councillor wished to mention the ease with which some BPC councillors contacted B&NES' Legal Services for minor infringements against other BPC councillors and thereby inflicting Code of Conduct breaches. First and foremost, we must be able to have constructive, robust discussions without anyone immediately going down this route.

5. **Good Councillor Training Course:** Training should be arranged for new Councillors – this item was deferred because it was agreed it did not need to be a closed item and will go on the December BPC agenda.

REQUESTED TO BE ADDED FROM COUNCILLOR GREGORY – WED, 15 JAN 2020

1. The Terms of Reference provided by DW are for the HR sub-committee and say they were approved at the BPC meeting on the 24/07/2018. This is confirmed in the minutes of that meeting. The author of the document is Deborah White. The document was last modified by ALCA in November 2018 and there is no way of knowing what changes were made between those two dates. In the ToR this sub-committee reports to the Policy Review Committee.

2. The BPC standing orders state that ToR and delegated powers of committees must be reviewed at least twice per year. Hence these ToR are out of date.

3. The Policy Review Committee was wound up in May 2019, so the HR sub-committee has lost its reporting body and is also dissolved.

Dated:

Signed: