

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## PERSONNEL COMMITTEE

### MINUTES OF THE MEETING HELD ON FRIDAY, 21 OCTOBER 2016

**Councillors Present:** Pamela Bale (Chairman), Paul Bryant (Substitute) (In place of Dennis Benneyworth), Richard Crumly (Vice-Chairman), Adrian Edwards (Temporary Substitute) (In place of Ian Morrin) and Mollie Lock

**Also Present:** Robert O'Reilly (Head of Human Resources) and Moira Fraser (Democratic and Electoral Services Manager)

**Apologies for inability to attend the meeting:** Councillor Dennis Benneyworth and Councillor Ian Morrin

#### PART I

##### 7. Minutes

The Minutes of the meeting held on 30 June 2016 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendments:

**Item 6 (Review of Discretionary Compensation for Redundancy), page 5, fourth paragraph, penultimate line** replace 'addition' with 'additional'.

**Item 6 (Review of Discretionary Compensation for Redundancy), page 5, sixth paragraph, first line** replace 'were' with 'was'.

##### 8. Declarations of Interest

There were no declarations of interest received.

##### 9. Appointment of the Council's Monitoring Officer (PC3178)

The Committee considered a report (Agenda Item 4) concerning the appointment of an interim Monitoring Officer for West Berkshire Council with effect from 01 November 2016.

Prior to the discussion on this item commencing the Chairman asked that the thanks of the Personnel Committee be conveyed to David Holling for all the advice and assistance that he had provided to Members during his time in office at West Berkshire Council. She commented that he would be missed.

Robert O' Reilly noted that as the current Head of Legal Services was retiring on the 31 October 2016 the Council was required to appoint a new Head of Legal Services. At West Berkshire Council this role traditionally also held the statutory role of Monitoring Officer. It had been agreed that the appointment of Head of Legal Services would be on an interim basis so that the possibility of a shared legal service with one or more other local authorities could be explored.

Following a recruitment process Sarah Clarke was offered the interim position of the Head of Legal Services with effect from the 01 November 2016. The Constitution then required the Personnel Committee to ratify her appoint to the role of Monitoring Officer.

Members supported the appointment and the proposal that the appointment be on an interim basis while the possibility of a shared service was looked into.

**PERSONNEL COMMITTEE - 21 OCTOBER 2016 - MINUTES**

**RESOLVED that:** Sarah Clarke be appointed as the interim Monitoring Officer for West Berkshire Council with effect from the 01 November 2016.

**10. Political Restricted Posts Policy and Guidance (PC3199)**

The Committee considered a report (Agenda Item 5) which set out revisions to the Politically Restricted Posts Policy and Guidance. The Policy would be approved by the Chief Executive under his delegated authority. Officers however felt that it would be useful for the personnel Committee to have an opportunity to comment on the policy before it was signed off.

Robert O' Reilly noted that under the Local Government and Housing Act 1989 as amended by the Local Democracy, Economic Development and Construction Act 2009 local authority employees in politically restricted posts were prevented from acting in a way that could bring their political impartiality into question.

Historically posts above scp 44 were designated as politically restricted. Restriction now depended on the duties the potholder fulfilled. Politically restricted posts would fall into two categories either 'specified' or 'sensitive'. Posts designated as sensitive could appeal against the designation of their role to the Governance and Ethics Committee.

Councillor Richard Crumly asked how the list of 'sensitive' roles had been derived at. The Head of HR confirmed that the issue had been discussed at a Corporate Management Team meeting and Heads of Service had provided HR with a list of roles they felt were appropriate to designate as politically restricted. Councillor Crumly asked if the Head of HR felt that there would be a lot of concern from Officers about this. Robert O' Reilly stated that he was not aware of any particular issues but that there was a review process in place that the employees could use.

Councillor Paul Bryant felt that the list was extensive and he was concerned that the authority's approach was too restrictive. Robert O' Reilly stated that he would discuss the approach with other Heads of HR when they met the following month.

Councillor Richard Crumly stated that HR should develop a document that employees would be required to sign if they were in agreement with the designation in order to avoid any potential conflict later on. Officers stated that this process would be used for existing employees. Where these posts were recruited to in the future the political restriction would be set out in the advertisements for the role (both internal and external advertisements) and the political restriction would form part of the employment contract.

Councillor Paul Bryant noted that on page 9 of 11 under reporting to the Head of Strategic Support it made reference to 'LGA Peer Review' and he was not familiar with that role. The Head of HR agreed to look into this.

**RESOLVED that:** the revised policy be noted.

*(The meeting commenced at 2.00 pm and closed at 2.27 pm)*

**CHAIRMAN** .....

**Date of Signature** .....