

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Chief Officer Employment Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 27 February 2023 commencing at 3.00 pm.

Present: Councillor Mrs Jackie Brockway (Chairman)
Councillor Michael Devine (Vice-Chairman)

Councillor Owen Bierley
Councillor Stephen Bunney
Councillor Mrs Lesley Rollings
Councillor Mrs Anne Welburn
Councillor Trevor Young

In Attendance:

Jeanette McGarry Assistant Director People & Democratic Services
Sam Maher Director, HR and Councillor Development – East Midlands
Councils
Katie Storr Democratic Services & Elections Team Manager

Also Present: Councillor Angela Lawrence

Apologies: None Received

1 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING - 23 FEBRUARY 2022

RESOLVED that the Minutes of the Meeting of the Chief Officer Employment Committee held on 23 February 2022 be confirmed and signed as a correct record.

2 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in the meeting.

3 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the

public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

4 AMENDMENT TO TERMS AND CONDITIONS OF THE CHIEF EXECUTIVE

The Committee received a report which asked that consideration be given to a request for a change in terms and conditions for the post of Chief Executive.

The Interim Monitoring Officer, outlined the amendment in conditions being sought, and detailed in Section 2.1 of the report.

The Leader, as the person responsible for appraising the Chief Executive, outlined his rationale for supporting the proposed amendment to Terms and Conditions, speaking highly of the achievements realised by the Council and the resilient financial position achieved under the Post Holder's leadership. The Leader considered reward and recognition were important for all employees.

Debate ensued and in responding to Committee's questions about whether the decision could set a precedent, the East Midlands Council Advisor confirmed that Chief Executive Officers' were covered by agreements which were separate to all other members of staff. It was further confirmed that a number of Councils were looking at ways, both inside and outside of financial incentives, to both attract and retain Chief Executive Officers.

Other Members referred to the 3.5% final pay offer, which if accepted, would be awarded next year (23/24). Some Members were less comfortable with the West Lindsey proposal, whilst others noted that a finite level of leave could be taken in any one year; as it may become operationally difficult for the Post Holder to exercise extended Terms.

In responding to further questions, the East Midlands Council Advisor, confirmed whilst this arrangement would fall outside of NJC arrangements, the nationally set terms and conditions were the *minimum* an Authority must offer. The Committee could legitimately and reasonably offer Terms and Conditions above those national minimums, with many Councils choosing to do so.

Lengthy discussion ensued, some suggested that the offer was too generous whilst others considered it a reasonable one. The East Midlands Councils Advisor explained that other district and borough Chief Executive's received more leave and salary than West Lindsey's Head of Paid Service. Members requested that the East Midlands Council's representative produce a comparable table setting out Head of Paid Service leave and salary.

During that discussion Officers present clarified a number of points, including that the pay award for 2023/24 had not been finalised; the information Committee Members had referenced was the full and final offer which had been put to Unions, but as yet, not accepted. All Chief Executives, had in 2022/2023, been awarded the flat rate increase applied to all local government staff, agreed nationally, but they had not been eligible for the additional days leave granted to other staff, again through national agreement mechanisms. Flexi-time did not apply to Chief Officers including the Chief Executive. The typical package offered to Chief Executives was shared, with this proposal not considered disproportionate

by the Committee's Advisor from the East Midlands Council. Members indicated comparable data would be of assistance.

A question was posed with regards staff taking holiday and ensuring that there was sufficient cover. The Monitoring Officer clarified that the Head of Paid Service was responsible for staffing matters and that this was not a role for Elected Members; however, she agreed to feedback to the Head of Paid Service. In the event, Elected Members had any such concerns these should be raised with the Head of Paid Service.

Having heard the points of clarification offered, an amendment was proposed and seconded, namely: -

- Three days additional annual leave be granted for the year 2022/23 and a carry forward of these additional days be permitted over and above the five days allowed by the current policy (8 in total).
- Three days additional annual leave be granted for the year 2023/24 onwards and each subsequent year; and
- The original request be reviewed again in 6 months' time

Members debated the amendment and the rationale for it. Some questioned the timescale of the review and sought to understand how the position may have changed.

In response, other Members were of the view that knowing the outcome of the 2023/2024 pay award (yet to be determined), and having comparable data to demonstrate which quartile range the original request lay would better inform the decision. The Committee were clear the review was not about the individual and not linked to the appraisal process, undertaken by the Leader.

Members were keen to ensure true comparators be shared, noting the size and staffing base of West Lindsey District Council. The East Midlands Councils Advisor indicated that such data could be made available and all comparisons given had and would be similar in scale.

With the amendment having been carried, on being put to the vote it was

RESOLVED that: -

- (a) the Terms and Conditions attached to the post of Chief Executive be amended as follows: -

In addition to the nationally agreed Terms and Conditions

- Three days additional annual leave be granted for the year 2022/23 and a carry forward of these additional days be permitted over and above the five days allowed by the current policy (8 in total).
- Three days additional annual leave be granted for the year 2023/24 onwards and each subsequent year; and

- (b) the request for a change in Terms and Conditions of the Post of Chief Executive be reviewed again in six months' time, by the Chief Officer Employment Committee, when more comparable data is available and the outcome of any 2023/2024 pay award has been finalised.

The meeting concluded at 3.56 pm.

Chairman