

## MINUTES OF A MEETING OF LYDD TOWN COUNCIL PERSONNEL COMMITTEE

Held on Monday 17<sup>th</sup> February 2025 at 6 pm in the Guild Hall Parlour

Present: Councillors Darren Chapman (Chairman), Clive Goddard, R.S. Jones and Paul Rye  
Angela Alexander – Town Clerk

### 32. APOLOGIES FOR ABSENCE

Cllr Martin Sweeney (holiday)

### 33. DECLARATIONS OF INTEREST

None

### 34. MINUTES

***RESOLVED: The minutes of the meeting held on 28<sup>th</sup> October 2024 were agreed as a true record of the meeting and signed by the Chairman  
Proposed by Cllr Jones and seconded by Cllr Goddard  
Unanimous***

### 35. PRESS AND PUBLIC EXCLUDED

There were no members of the public in attendance

### 36. STAFFING MATTERS

#### **CONFIDENTIAL REPORT 2025-C0001**

**A) *RESOLVED: To agree the updated job description for finance officer as circulated for consideration which is to be issued with the Contract of Employment (Appendix A page 46 to 47)***

**B) *RESOLVED: To agree the contract of employment for finance officer as circulated for consideration and this was signed by the Chairman of Personnel and Town Clerk to be issued to the Finance Officer.***

**C) *RESOLVED: To receive and note the Pension letter for finance officer who has joined the pension fund.***

**D) *RESOLVED: To agree to pay the SLCC membership and associated costs.***

**E) Other staffing matters requiring consideration were reported by the Chairman.**

i) The working days for the Caretaker role were discussed and it was agreed that these should be on Mondays and Wednesdays so that Officer supervision was available. This to take affect from 1<sup>st</sup> March 2025. It was noted that the Personnel Committee had decided on this at the meeting on 28<sup>th</sup> October 2024.

This is to be reviewed at the next meeting of the Personnel Committee.

ii) Concerns raised by a member of staff to the Chairman of Personnel and the Town Clerk were conveyed by the Chairman to the Committee. This was regarding a matter where she felt put under pressure by a Councillor to breach a Council adopted policy. The Mayor said that he has already spoken about this with the Councillor concerned.

### 37. REVIEW OF POLICIES AND PROTOCOL (Appendix B page 48 to 52)

a) Councillors reviewed the Unreasonable Behaviour Policy and agreed to updates to address issues for clarity.

***RESOLVED: To adopt the updated Unreasonable Behaviour Policy  
Unanimous***

b) Councillors reviewed the Officer Councillor Protocol and agreed to several updates to address issues around appropriate communication by Councillors and clarify the decision-making process in accordance with Standing Orders

***RESOLVED: To adopt the updated Councillor/Officer Protocol  
Unanimous***

### 38. COMPLAINTS/FOI REQUESTS

#### **CONFIDENTIAL REPORT 2025 – C0002**

- a) The various complaints received from one member of the public were considered by Councillors and a discussion followed regarding the communications, their context and an appropriate approach and response.
- b) The Freedom of Information requests from the same member of the public who had made the complaints were noted and the response that had been provided to the FOIs were considered and the subsequent request for a review of these responses by the member of the public was also considered in line with the reply to the FOIs
- c) Councillors considered the background correspondence relating to the above matters and noted that various derogatory social media posts by the resident had been drawn to the attention of some Councillors. Taking into account all of the above, advice from Satswana as the Council's Data Protection Officer and correspondence from the ICO as part of a Tribunal and the letter which had previously be sent to the complainant regarding vexatious behaviour the Committee reviewed and considered the current position. It was raised that newer Councillors may not have a full understanding of the past events. It was discussed that Staff members should not be expected to respond to the person concerned due to the troubles caused and that a further letter be sent outlining this decision. The contents of the letter were agreed which is to be signed by the Mayor and Chairman of Personnel Committee.

***RESOLVED: That having reviewed and considered the various correspondence from the resident that a further letter be sent to explain why the Council would not be responding to his requests.***

***Unanimous***

### 39. COUNCILLORS REQUESTS TO BE APPOINTED TO THE PLANNING COMMITTEE

The Chairman, Cllr Chapman advised Councillors that that newly elected Councillors Crump and Lewis have been informally attending meetings of the Planning Committee and have now both written to the Town Clerk and requested that they be appointed to the Planning Committee to fill the two vacancies.

***RESOLVED: That Cllrs Sadie Crump and Della Lewis be appointed to the Planning Committee***

***Unanimous***

### 40. APPOINTMENT TO COMMITTEES AND OUTSIDE BODIES

Councillors considered the process used for the appointment of Councillors to Committees and Outside bodies and the draft forms as circulated and used previously. It was noted that some Councillors did not complete and return forms for consideration and therefore had not been appointed to Committees. It was agreed that without completing the required forms that Councillors should not be appointed to Committees. It was noted that all vacancies on Committees had been filled by the three newly elected Councillors. It was discussed that due to the problems caused by the abandonment of the Personnel Committee and the subsequent breach of Staff Contracts which had been rectified with the help of SALC and the formation of the new Personnel Committee that it had previously been agreed that the current senior Councillors should remain.

The Town Clerk said that following those decisions made by Councillors that it had taken time to build the trust of staff members again and that the current format should remain as it was work in progress and that it is not helpful to have all staffing matters stop with the Town Clerk without the appropriate people to take any problems to.

***RESOLVED: To continue the process as stands for appointment to Committees and Outside Bodies. To note the continuation of the current appointment to the Personnel Committee for the 4 year term unless any Councillor chooses to stand down. That Councillors not completing forms are not automatically appointed to Committees.***

**41. DRAFT MEETING DATES**

- a) Councillors discussed and considered the meeting date schedule for Council and Committee meetings for 2025-26 in line taking into account what is deliverable with current staffing levels and stays within the agreed budget for the forthcoming financial year. The importance of ensuring that the Council does not break the contracts of employment and working hours of members of staff was also discussed.

The meeting schedule for 2025-26 has 32 planned meetings or Council events.

***RESOLVED: To agree the meeting date schedule for Council and Committee meetings as considered.***

***Unanimous***

- b) ***RESOLVED: That the next Personnel Committee meeting would be held on 14<sup>th</sup> April 2025 at 6.30pm due to the date of Mayor Making On 12<sup>th</sup> May.***

**42. SUMMER HOLIDAY CLOSURE**

Councillors considered the summer holiday closure dates in line with the agreed meeting schedule and to allow meeting preparation for the September Council meeting.

***RESOLVED: That the August 2025 summer holiday closure would be weeks commencing 4<sup>th</sup> and 11<sup>th</sup> August.***

***Unanimous***

**43. ICO FT/EA/2024/0338 Lydd Resident (Appellant) vs ICO - IC-313665-H4V8 (Respondent)****CONFIDENTIAL REPORT 2025 – C0003**

It was reported that following a decision of the Information Commissioners Office in favour of Lydd Town Council that the resident concerned has now withdrawn their appeal against the ICO's decision. The ICO had informed the Town Council that the Appellant gave notice of their withdrawal of their appeal by email on 27<sup>th</sup> October 2024 at 20.59pm and that the Tribunal consents to the appeal being withdrawn. It was noted that as the last Personnel Committee meeting was held on 28<sup>th</sup> October 2024 that this information was not available to the Town Council to report at that time.

***Received and noted***

**The meeting closed at 6.55pm**

**Chairman** \_\_\_\_\_

**Date** \_\_\_\_\_

## Finance Officer – Job Description

### Overall Responsibilities

The Finance Officer will assist the Town Clerk in their role as the 'Proper Officer' of the Town Council.

The main duty of the Finance Officer is to ensure that the accounts and financial records of the Council are maintained in accordance with proper practices and are kept up to date.

### Specific Responsibilities

1. To complete the accounts of the council and the Annual Return within the timescale set by the Accounts and Audit regulations.
2. To ensure that the Council has a form of independent internal audit and the audit is carried out regularly at set times in accordance with council policy.
3. To make arrangements for the opportunity for public inspection of the accounts and financial records at the appropriate time.
4. To ensure that the Council prepares an annual budget for the following financial year and reviews the budget throughout the year.
5. To inform the Appropriate Authority of the precept set in the budgeting process.
6. To regularly provide the Council with a statement of receipts and payments to date under each head of the budget, comparing actual expenditure against planned expenditure (Budget Monitor).
7. To ensure prompt and accurate recording of financial transactions.
8. To prepare a schedule of payments required at a Council meeting or for a committee which is responsible for its own budget, together with relevant invoices to be presented if required.
9. To examine invoices to confirm accuracy and to allocate them to the appropriate expenditure heading.
10. To ensure that goods have been delivered as ordered and services provided prior to release of payment unless advance payment is agreed.
11. To keep accurate payroll records on behalf of the council and prepare the monthly salaries of staff as agreed by the council.
12. To prepare a schedule of the Council's fees and charges annually so that these can be reported to the Town Clerk and reviewed by Council or the appropriate Committee.
13. To promptly complete the VAT returns
14. To control order books for work, goods and services.
15. To work in conjunction with the Town Clerk in the procurement of Council contracts in accordance with the Council's Standing Order on this issue.
16. To execute the Council's Standing Order on contracts as directed.
17. Where contracts provide for payment by instalments, the Finance Officer shall maintain a record of such payments and ensure that the Council pays within the time specified in the contract.
18. To ensure that the Asset Register is maintained of properties owned by the

19. The Finance Officer will affect all insurances and negotiate claims on the Council's insurers.
20. The Finance Officer will assist the Town Clerk to prepare and promote a financial risk management policy statement in respect of all activities of the Council and prepare new policies where necessary.
21. To ensure that the Council's financial regulations are kept up to date and reviewed from time to time.
22. To liaise with the Town Clerk as the Council's Financial Standing Orders direct.

### **Additional duties**

In taking responsibility for:

- Representing the Town Council at meetings with direct financial reporting such as the November Budget setting meeting and the Annual Town Meeting if required.
- Providing a friendly and professional reception service to callers in person or telephone enquiries to the Town Council when required
- Dealing with correspondence as required,
- And such other functions as are required and are appropriate to the level of responsibility of this post.

### **Other responsibilities**

To receive, in liaison with the Town Clerk, correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council and to issues, in liaison with the Town Clerk, correspondence as a result of instructions on financial matters.

To study, in liaison with the Town Clerk, reports and other data on activities of the Council and on matters bearing on those activities relating to financial matters. Where appropriate, to discuss such matters with administrators and specialists in particular fields and to produce reports for circulation and discussion by the Council.

To attend training courses or seminars on the work and role of the Finance Officer as required by the Council.

### **Employee benefits**

Lydd Town Council is a member of the Local Government Pension Scheme, the post holder will be provided with the opportunity to opt into this scheme via KCC Pension Fund.

The post is 12 hours per week working on Monday, Wednesday and Thursday morning with one morning worked if the office and the other hours to be worked from home. Where there is additional evening work for Council or committee meetings this may be taken as time off in lieu or paid as additional hours at the basic rate.



## LYDD TOWN COUNCIL

### Protocol on Councillor/Officer Relations

#### Introduction

The purpose of this protocol is to guide Councillors and Officers of the Council in their relations with each other. In this protocol the word 'Councillors' includes the Town Mayor, Deputy Mayor, Civic Representative and Chairmen of Committees/ Working Groups and all other Councillors. The word 'Officer' includes all employees of Lydd Town Council.

#### Basic Principles

The basic principle of good Councillor/Officer relations in local government is trust, mutual respect and an understanding of the respective roles. Both Councillors and Officers are servants of the public, but their responsibilities are distinct.

- A Councillors role is to represent the whole community and they are responsible and answerable to the electorate and serve only so long as their term of office lasts. They are expected to observe the Council's Code of Conduct, participate in meetings of the Council, represent the Council on outside bodies, attend civic and ceremonial functions, and hold and maintain the assets of the Council in trust. During their term of office Councillors should not engage in any controversial activity which could call into question the integrity or impartiality of the office, or may bring the Council into disrepute. Councillors are elected to determine policy, not to engage in direct operational management of the services.
- Officers are appointed by the Council and are responsible through the management structure to the Council as a whole (the Council as a body is the employer). Officers serve the Council as a whole and are not answerable to individual Councillors. They have operational responsibilities which may include managerial, administrative or practical duties that are part of the day-to-day running of the Council and/or the delivery of services on behalf of the Council and should be selected for their experience, qualifications and qualities to carry out their duties.
- The Town Clerk is responsible for the day to day running of the Council in accordance with the decisions of the Council and under delegated authority. Their work includes giving professional and impartial advice to the Council which will assist Members in reaching the best decisions for the Council. The Town Clerk is responsible for implementing the **proper and lawful** decisions made by the Council.  
He or she is responsible for the management of the staff.

#### Relationships between Councillors and Officers

Councillors and Officers should demonstrate mutual respect and deal with each other sympathetically, efficiently and without bias, fear or favour. Working relationships should be kept on a professional basis and Councillors must respect the impartiality and integrity of the Town Council's employees. Councillors should not put pressure on Officers on matters where Officers make decisions; nor should Officers put pressure on Councillors where Councillors make decisions, but should offer professional advice where appropriate. Neither party should seek to take unfair advantage of their position.

Councillors should respect the decision-making process of the Council in that decisions are made at Council and Committee meetings and that Officers then work to facilitate their decisions within their workload. Councillors should not send emails to question or re-debate those decisions and should not aim to persuade Officers to alter their work process to change or alter those decisions or adopted policies or protocols in any way.

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Councillors should not aim to persuade Officers to breach decisions made at Council or Committee or to break adopted policies and protocols of the Council.

Individual councillors do not have authority to instruct staff members in their work and all requests should go via the Town Clerk within working hours.

Members of staff do not answer directly to Councillors and are responsible to the Council as a corporate body via their line manager and/or Personnel Committee.

Councillors are not permitted to visit the homes of staff members without express invitation.

#### **Conduct and Effectiveness**

- a) If Councillors have any concerns about the effectiveness or conduct of employees of the Council they should take this up directly and confidentially with The Town Clerk who will consider the complaint and if appropriate discuss and/or refer the complaint to a panel made of Members of the Personnel Committee. If Councillors have concerns regarding the effectiveness or conduct of the Town Clerk this should be referred to the Town Mayor. The issue will then be handled in accordance with the Council's procedures and the Councillor will be informed of the outcome, unless there are legal reasons why they may not.
- b) Personal criticism by Councillors of individual Officers will not take place in public forums (including the media) as this could seriously affect the ability of the Council to effectively defend its position as an employer and may in some circumstances render it liable to payment of compensation.
- c) If an employee has concerns about the conduct of a particular Councillor they should raise it in the first instance with the Town Clerk so that attempts can be made to resolve the issue on an amicable basis. If this is not possible or if the alleged misconduct is of a serious nature, the matter will be reported to the Council's Personnel Committee. The matter will then be handled in accordance with the Council's procedures.
- d) Any Councillor may report, in writing to the Town Clerk, any other Councillor who they reasonably feel has failed to comply with the Council's Code of Conduct. The Town Clerk will refer this matter to the Personnel Committee who will handle the issue in accordance with the Council's procedures.

#### **Councillors Access to Information and Documents**

Councillors are provided with information relating to Council meetings to which they have a right. However, any information which has not been made public should be regarded as confidential and not disclosed as this could prejudice the interests of the Council. The law prevents the release of confidential information in certain circumstances. The right of a Councillor to inspect other documentation not relating to Meetings is dependent on whether the access could be considered reasonably necessary to carry out their duties as a Councillor.

Reviewed and updated February 2025

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**LYDD TOWN COUNCIL****February 2025****Unreasonable Behaviour Policy****Overview**

The aim of this policy is to give officers guidance to help them identify circumstances where a service user or complainant's behaviour could be classed as unreasonable and to aid their decisions in how to appropriately respond to such behaviour. This policy should be read in conjunction with the Council's Complaints Policy.

Any complaints about Lydd Town Council are handled in accordance with the Council's Complaints Policy. In a small number of cases some Council service users act in an unreasonable manner, or if they have a Freedom of Information request or a complaint, pursue these in a way that can impede the investigation of their complaint or responses to their questions, or take up a disproportionate amount of Council time and resources. The unreasonable behaviour can be displayed during or after a complaint has been investigated or a Freedom of Information request or Request for an Internal Review.

As a responsible employer the Council has a duty to ensure that its employees and Councillors have a safe environment in which to work, free from intimidation, threats and aggression (either physical or verbal). Such behaviours will not be tolerated. We do not expect our staff to tolerate any form of behaviour that could be considered rudeness, defamation, abusive, offensive or threatening, inflammatory statements and unsubstantiated allegations or is considered discrimination or harassment. Or that contact becomes so frequent that it makes it more difficult to complete other work or to help other people. This may include one or two isolated incidents as well as unreasonably persistent complaints, which is usually a build-up of incidents or behaviour over a longer period.

Lydd Town Council will take action under this policy to manage this type of behaviour and this applies to all contact including the use of social media **by the person/s concerned**

Unreasonable and unreasonably persistent complainants may have justified complaints but pursue them in inappropriate ways, or they may pursue complaints that have no substance or have already been investigated and determined. Their contacts with the Council might be amicable but take up a disproportionate amount of limited officer time, or may be clearly unacceptable in their nature, causing distress to the officers and possibly other Council service users.

**Principles**

Lydd Town Council has a zero- tolerance approach to unreasonable behaviour. We expect our staff to be treated with courtesy and respect.

Examples of unreasonable behaviour:

- Making unnecessarily excessive demands on the time and resources of staff
- Submitting repeated issues, or with additions or variations to the original request.
- Refusing to accept the outcome or response or repeatedly arguing a point or requesting further information
- Refusing to accept documented evidence as factual.
- Refusing to accept that certain issues are not within the scope of the Council
- Making unjustified complaints about staff who are trying to deal with the issues, or seeking to have them replaced.
- Introducing trivial or irrelevant new information at a later stage.



- Raising many detailed but unimportant questions, and insisting they are all answered.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue.

A service user may not have a complaint but may act in an unreasonable way when accessing Council services. The Council will not tolerate abusive, offensive, threatening, deceitful or other forms of unreasonable behaviour. This behaviour may take place in person, over the phone, in writing or by some other form of electronic means such as email, text or social media. This could include (but is not limited to) one or a combination of the following:

- Threatening or using actual physical violence towards Council officers, contractors or agents (or their families and/or associates).
- Harassing, verbally abusing, swearing or being aggressive towards Council officers, contractors or agents (or their families or associates) whether physically or verbally.
- Filming or recording meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved.
- **Acting in a way to aim to discredit the Council, a member of staff or councillors.**

Social Media can sometimes be used in an unreasonable or inappropriate way towards Council staff, Councillors, contractors or agents (or their family members or associates). Unreasonable or inappropriate content may include threats, abuse, personal comments that may be regarded as defamatory or malicious.

If a member of the public posts such unreasonable or inappropriate content on social media, the Council will, where possible take steps to have the content removed and initiate other action in accordance with this policy (see Options for Action section below).

Any decision to designate a service user/complainant as unreasonable will be recorded in writing setting out what information has been considered and the reasons for making the decision.

#### **Options for action**

Any action taken must be reasonable and proportionate to the harm being caused by that particular person's behaviour. This could include one or a combination of the following:

- If the consideration of a complaint has ended, this might include ending all communication with the complainant on the issue.
- Limiting the number of telephone calls/personal contacts that will be taken from the person in a given time period.
- Limiting the time spent on telephone calls/personal contacts with that person.
- Declining any contact (in person, by telephone email, letter, or any combination of those) with the person except through a single point of contact (which could be a designated person).
- Restricting access to Council premises
- Informing the complainant in writing that the Council will not respond to any further contact with regard to a specific issue. The complainant will be informed that any correspondence will be read, acknowledged and placed on file by a designated officer
- **Officers subject to unreasonable behaviour will not be required to enter into communication with the individual/s.**

The above list of options is not intended to be exhaustive and any other action that is deemed to be reasonable and proportionate may be implemented.

#### **Notification of Decision**

Once a decision has been made to take action in relation to a complainant under this policy, a letter or email will be sent to them to explain the following:

- The decision that has been taken.
- The reasons why that decision has been taken.
- That any restrictions will remain in force until notified otherwise in writing.

Key staff will be made aware of the decision and any restrictions in place, including any changes to those decisions/restrictions (see Review of Restrictions below). A central record of decisions/restrictions will be held.

#### **Review of Restrictions**

The decision and restrictions will be reviewed on an annual basis.

#### **Failure to Comply with the Decision**

Should a service user/complainant continue to behave unreasonably and/or fail to comply with restrictions previously imposed under this policy, then the Council may take further action as it deems reasonable and proportionate, including legal action and reporting the matter to the police where their behaviour may amount to a criminal offence such as harassment.

Reviewed February 2025