

MINUTES OF A MEETING OF THE HUMAN RESOURCES COMMITTEE OF ABERTILLERY AND LLANHILLETH COMMUNITY COUNCIL (ALCC) HELD ON 4 March at 1:00pm in the Council Chamber Mitre Street, Abertillery

PRESENT: Councillors:

Gary Oakley (Chair), Rob Phillips, Allen Rees, Nick Simmons

Officers: Steve Edwards, Clerk

Others: None

ABSENT: None

1. APOLOGIES FOR ABSENCE AND WELCOMES

No Apologies

2. DECLARATIONS OF INTEREST

None

3. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, by virtue of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from discussions on the following items on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

4. CONFIRMATION OF MINUTES OF HR COMMITTEE MEETING 12 JANUARY 2021

Committee **RESOLVED** that the minutes of the Committee meetings held on 1 January be confirmed as a correct record, and confirmed the Confidential annex HR1-2021

5. UPDATE ON STAFFING MATTERS

- (a) Committee **RESOLVED** to make the temporary appointment of Steve Edwards as Clerk into a permanent appointment of 25 hours a week.
- (b) Committee noted that the Clerk had appointed Sian Hookins as temporary Administrative Assistant. She will start work on 12 April 2021 and the contract will run to October 2021. The permanent position of second officer will be reviewed later in the year but before the current contract ends.
- (c) Committee **RESOLVED** to:
 - a. Instruct the Clerk to resubmit the PSO Wales complaint as detailed in Confidential Annex HR1-2021.
 - b. Instruct the Clerk to inform the Information Commissioners Office (ICO) of a possible data breach concerning a Councillor giving a member of the public access to confidential information and to act on the ICO response.
 - c. Instruct the Clerk to take further legal advice concerning the data breach and to act on that advice.

6. AUTHRORISATION OF STAFF OVERTIME

The Committee **RESOLVED** to authorise the staff overtime claim for 7 hours and for week commencing 22 February 2021.

The meeting ended at 2:10 pm.

Signed as a correct record by the Chair

Minutes produced by Steve Edwards, Clerk

DRAFT

In response to your reply to Cllr Holt.

1 message

Graham White <grahamwhite.alcc@gmail.com>

23 April 2021 at 00:08

To: Clerk ALCC <clerk.alcc@gmail.com>

Cc: Gary Oakley <garyoakley.alcc@gmail.com>, Nick Simmons <nicksimmons.alcc@gmail.com>, Peter Adamson <peteradamson.alcc@gmail.com>, Mark Lewis <marklewis.alcc@gmail.com>, Tracey Dyson <traceydyson.alcc@gmail.com>, Beverley Lucas <beverleylucas.alcc@gmail.com>, Michaela Assiratti <michaelaassiratti.alcc@gmail.com>, Glyn Smith <glynsmith.alcc@gmail.com>, Rob Phillips <robphillips.alcc@gmail.com>, Gill Clark <gillclark.alcc@gmail.com>, Roger Clark <rogerclark.alcc@gmail.com>, Allen Rees <allenrees.ALCC@gmail.com>, Vanessa Bartlett <vanessabartlett.alcc@gmail.com>, Perry Morgan <perrymorgan.alcc@gmail.com>, Julie Holt <julieholt.alcc@gmail.com>

Cllr Holt complaint should have been referred to the PSO Wales under code of conduct.

4) You Must-

a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion.

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

I suggest Clerk and Chair you read code of conduct !

Clerk it is not your responsibility to maintain an approach that will support the Chair. Your role is to act on the decisions made by Council Members at a properly convened meeting with a summons and agenda and to be open and transparent above all give accurate lawful advice or seek advice if you are not sure you must at all times act in an impartial and professional manner.

It is not your decision to record meetings, you act on decision made by councillors.

The background to three- hour meetings lies at the door of Officers, you are responsible for the agenda and should ensure that items placed on an agenda can be discussed within the time scale laid down in standing orders all too often have been sent out with reference made to extending the meeting.

It the responsibility of the Chairman to ensure that meetings are lawfully held.

Minutes. It has always been the case that minutes should be short as is consistent with Clarity and accuracy, they are intended to be formal records of official acts and decisions not reports, still less verbatim reports, of speeches made by councillors. As Officer you should know this Local Government Act 1972, Sch 12, Para 42 (1).

You make comment Myself and the Chair are in full agreement on this. This would indicate that decisions are being made without calling a properly constituted meeting.

On the subject of meetings as clerk you have summoned members to extraordinary meetings. This cannot continue to happen;-

RIGHT TO CONVENE

There is a distinction between extraordinary meetings, An ordinary meeting is called by the clerk in pursuance of statutory rules or under standing orders, and includes a meeting convened by him to elect a chairman when a casual vacancy has arisen in the chair. An extraordinary meeting is one specially called. The Chairman may convene an extraordinary meeting of the council at any time and unless it by standing order otherwise directs, the vice-chairman may do so in the absence of the chairman. In addition, if two members sign a requisition that the council be convened and the chairman (vice-chairman as the case may be) either refuses or neglects to do so for seven days, then any two members may convene. The two convening members need not be the same as the requisitioning members.

Clerk you sent out summons on 15 February 2021 for members to attend extraordinary meeting. As Clerk you cannot call extraordinary meeting, you are happy to refer to standing orders but choose to ignore them also.

Council Standing orders highlighted in capital type contain legal and statutory requirements.

6 EXTRAORDINARY MEETINGS OF COUNCIL, COMMITTEES AND SUB-COMMITTEES

a THE CHAIRMAN OF THE COUNCIL MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL AT ANY TIME.

b IF THE CHAIRMAN OF THE COUNCIL DOES NOT CALL AN EXTRAORDINARY MEETING OF COUNCIL WITHIN SEVEN DAYS OF HAVING BEEN REQUESTED IN WRITING TO DO SO BY TWO COUNCILLORS, ANY TWO COUNCILLORS MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL. THE PUBLIC NOTICE GIVING THE TIME PLACE AND AGENDA FOR SUCH A MEETING SHALL BE SIGNED BY THE TWO COUNCILLORS.

HR Committee meetings since 1st December 2020 have been held without a properly elected Chair and Vice-Chair, to get round this you call an Extraordinary Meeting on 15th February 2021 where a motion item 5 Motion from

Councillor Rob Phillips (member of HR Committee)-Committee includes Standing Orders 4(d)(v)b to be amended to show that Committees other than HR and Finance appoint their own Chair and not Council.

I had raised this point with you, you knew the HR Committee had not complied with Terms of Reference for the HR Committee and had not complied with Standing Orders and you wonder why there is mistrust and division within the Council.

25 STANDING ORDERS GENERALLY

b A MOTION TO ADD TO OR VARY OR REVOKE ONE OR MORE OF THE COUNCILS STANDING ORDERS, EXCEPT ON THAT INCORPORATES MANDATORY STATUTORY OR LEGAL REQUIREMENTS, SHALL BE PROPOSED BY A SPECIAL MOTION, THE WRITTEN NOTICE BY AT LEAST SIX COUNCILLORS TO BE GIVEN TO THE PROPER OFFICER IN ACCORDANCE WITH STANDING ORDER 9.

you refer to Standing Order 25(d)

The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.

Chair of Council was present at Extraordinary Meeting held on 22 February 2021, Chair of Council is also on the HR Committee and therefore had a vested interest in item 5 motion from Rob Phillips to alter standing orders, this motion did not comply with Standing Order 25(b). You have issued summons since 1st December 2020 naming Cllr Garry Oakley as the Chair of the HR Committee you are aware that Councillors at their Annual Meeting held on 18th November 2020 did not elect a Chair or Vice-Chair for the HR Committee you are aware that they have not complied with Terms of Reference for HR Committee or Councils Standing Orders which were in force at the time.

You conclude your statement by making a statement I want to stress my own personal commitment to equal right for everyone.

I think you need to think again.

The above clearly demonstrates that there is a lack of openness and transparency, it is your job as Officer to Act impartially without favour.

Your comments raise serious questions regarding how ALCC is being run, you seem to forget where finances are concerned Council Members are responsible as a whole for the councils finances..

There are numerous other examples of inconsistencies.

Councillor Graham White.