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Subject to approval at the next Corporate Support Committee meeting

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## CORPORATE SUPPORT COMMITTEE

18 January 2022 at 6.00 pm

Present: Councillors Dendle (Chair), Roberts (Vice-Chair), Clayden, Mrs Cooper, Coster [Substituting for Huntley], Madeley and Oppler.

Councillors Goodheart and Gunner were also in attendance at the meeting.

### 549. WELCOME

The Chair welcomed Members and Officers to the meeting of the Corporate Support Committee.

### 550. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Huntley and Seex.

### 551. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

### 552. MINUTES

The minutes from the meeting of the Committee held on 23 November 2021 were approved as a correct record and were signed by the Chair.

### 553. ITEMS NOT ON THE AGENDA THAT THE CHAIR OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

There were no items for the Committee to consider.

### 554. PUBLIC QUESTION TIME

The Chair confirmed that no questions had been submitted for this meeting.

### 555. COMMITTEE REVENUE AND CAPITAL BUDGETS 2022/2023

The Interim Group Head of Corporate Support and Section 151 Officer introduced this report reminding Councillors that this was the first year that the Council's Budget had been produced under the new Committee style of governance. The Committee was provided with a brief reminder of the process in formulating the Budget for 2022/23.

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The Committee was being asked to consider and recommend its revenue budget for inclusion in the 2022/23 revenue budget which would be submitted to the Policy & Finance on 10 February 2022. The Policy & Finance Committee would then consider the overall budget for 2022/23 so that it could make recommendations to a Special Meeting of the Council on 23 February 2022. The detailed budget papers for this Committee to consider were set out in Appendix 8A of the report and only contained essential committed growth items. Members were asked to note that there had been significant pressure on establishment budgets with the budget assuming a 1.75% pay award for staff for this year's pay award which was not included in the budget for this year and a 2.5% pay award for 2022/23 and a 1.25% increase for employer's National Insurance contributions had also not been included in the budget for this year. It was confirmed that the Committee did not have any uncommitted growth or bid items to consider.

The Committee's attention was then turned to the capital programme for 2022/23 as set out in Appendix B of the report. The proposed budget for 2022/23 was being presented for the Committee to agree before being considered, as part of the total budget, by the Policy & Finance Committee as explained earlier.

Before being invited to ask questions, Members were reminded of the Budget Briefing to be held on 16 February 2022 and was asked to submit any detailed questions in advance of that briefing.

A question was asked about growth requests which had been minimised and when and who had made this decision. It was explained that the Council was facing a budget deficit in the next two years and so in response the Council had tried to reduce the amount of Committee growth projects that would project into future years' budgets. It was confirmed that this recommendation had been made taking advice from the Section 151 Officer and in considering the Financial Prospects report approved by the Policy & Finance Committee on 14 October 2021.

Having had the recommendations proposed by Councillor Clayden and seconded by Councillor Roberts,

The Committee

RESOLVED – That

- (1) The Committee's 2022/23 Revenue Budget as illustrated in Appendix A of the report be agreed;
- (2) The Capital Programme 2022/23 as illustrated in Appendix B of the report be agreed;

The Committee also

#### RECOMMEND TO THE POLICY & FINANCE COMMITTEE

(1) That the Revenue Budget and Capital Programme for this Committee be included in the overall General Fund Budget when considering the overall budgets on 10 February 2022.

#### 556. HEALTH AND SAFETY POLICY

The Environmental Health Team Manager presented this report confirming that the Committee was being asked to approve a revised Health and Safety Policy. What was being presented was a revised Part Two of the Policy which was the organisation and responsibilities confirming who did what to achieve the Council's health and safety aims. The current organisation and responsibilities section of the Policy had been adopted by Full Council on 13 March 2019. This section of the Policy had since become outdated due to changes in the Council's structure and key postholders, the changes made would bring it up to date and would ensure that the Council had a robust Policy in place. The Committee was also being asked to delegate authority to the Group Head of Technical Services to make future amendments to the Policy when needing to update legislation and make changes to personnel and structures quickly.

The Chair thanked the Environmental Health Team Manager for his report and asked if there was any innovation approach being adopted to develop the Policy. The response provided was that the Council was part of a Group of Safety Officers that met across the area to talk about good practice and consistency, and this continued to take place regularly. The Council also had an established health and safety task issued each month for all service areas to address and to look at a particular focus area. This had continued to prove to be a useful tool to consistently applying health and safety across the organisation, particularly throughout the Pandemic in terms of putting into place arrangements around Covid.

Further questions were then asked followed by a proposal to introduce into the Policy a mechanism whereby annual checks would be undertaken to ensure that staff had up to date driving licences and the appropriate insurances in place. The Interim Chief Executive confirmed that a form of annual check for employees should be introduced and that if this suggestion was approved by the Committee, then the appropriate measures would be put into place.

Following further discussion, Councillor Mrs Cooper then proposed the recommendations set out in the report and these were then seconded by Councillor Madeley.

Councillor Roberts then confirmed that he wished with the Committee's agreement to add wording to the end of Recommendation (1) which was "and in consultation with the Chief Executive instigate an annual check policy of driving licences and insurance policies be undertaken". This suggestion was unanimously supported by the Committee.

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The Committee then

RESOLVED – That

(1) Agreement be given to adopt the Health and Safety Policy Organisation and Responsibilities; and in consultation with the Chief Executive instigate an annual check policy of driving licences and insurance policies be undertaken; and

(2) Delegated authority be given to the Group Head of Technical Services to make future amendments to the Policy.

557. UNREASONABLE BEHAVIOUR POLICY

The Chair invited the Locum Lawyer to present the Unreasonable Behaviour Policy to the Committee on behalf of the Group Head of Law & Governance and Monitoring Officer.

It was explained that this was an introduction to a new policy called the Unreasonable Behaviour Policy. The reason for introducing this Policy now was that for the past few years, the Council had seen an increase in challenging behaviour from a minority of its customers, the behaviour of some of these complainants was becoming unreasonable. Therefore, the Council now needed to adopt a policy so that unreasonable behaviour could be dealt with in an open and transparent and consistent manner.

The Locum Lawyer then alerted the Committee's attention to Paragraph 4 of the Policy as it provided examples of unreasonable behaviour as defined by the Local Government & Social Care Ombudsman. Examples of the types of behaviour that the Policy covered were listed. It was emphasised that the Unreasonable Behaviour Policy was required to address a small minority of those who made complaints unreasonably. The Policy intended to explain to residents what would happen when the duty to act reasonably was not complied with.

The Committee then discussed the Policy agreeing that it was a good Policy to have in place. A question was asked about how an unreasonable behaviour matter would be reviewed. It was accepted that this would be undertaken by the Information Management Team working to a list of confirmed checks. A request was made to add an additional check to the bullet point list set out in Paragraph 4.4 of the Policy which was to ensure that the Leader or Deputy Leader of the Council be consulted. This was proposed as an amendment by Councillor Clayden and was seconded by Councillor Roberts.

The Committee then debated this amendment. Although there was no major disagreement to the amendment being aired, a question was asked as to whether this was necessary as the Policy was being introduced linked to staff and their protection, it did not relate or cover Councillors. With any decisions resting with Officers, was this amendment required?

The Locum Lawyer explained the three dimensions covering this Policy with one being the need to ensure staff and their safety. There was also a good governance dimension which was not to do with staff but the need to ensure that when someone was being called an unreasonable complainant there was a formal process in place for addressing that. The amendment proposed could be accepted if it was consultation that was being undertaken with the Leader or Deputy Leader and not a request to agree to any action proposed. This was because the Chief Executive was the Head of Paid Service and responsible for staffing matters not Councillors.

A further request was made as to whether it would be possible to ensure that Ward Members would be informed of matters relating to their Wards in view of the liaison that they had with constituents. The Locum Lawyer confirmed that it would not be inappropriate to consult with ward members, as these instances were rare examples and so it would not be a burden to officers to consult.

Further clarification was sought on the amendment proposed and whether the wording should read **“that the Chief Executive and the Leader of the Council have been consulted?”** The Proposer to the amendment was asked to confirm if he would be happy with this adjusted wording. Councillor Clayden confirmed that he wished to have added the Deputy Leader to cover events when the Leader might be absent as the Chief Executive would have already been consulted. Councillor Clayden also confirmed that he would be happy to have included that Ward Members be informed when a matter related to their Ward. The Proposer to the amendment therefore confirmed that the amendment that should be added as a new bullet point should read **“That the Leader and or Deputy Leader and Ward Members be consulted”**.

The Locum Lawyer provided some advice. He confirmed that he did now have a degree of reluctance surrounding Members being consulted. What would usually happen at the last stage of a complaint was that the complainant would often go to the Local Government Ombudsman and there was a real issue that an allegation could be made about the Leader and Deputy Leader being consulted which could lead to them being requested to provide a statement and get involved in what was an operational issue or matter. What often happened in such processes was that Councillors could get asked if they wished to support the complaint if Members were involved in the early stages of the decision; this could create an appearance of conflict and could complicate governance issues.

The point was made by another Councillor that the wording to be added should be the Leader and Deputy Leader of the Council HAD been consulted to align with the other bullet points in Paragraph 4.4. Councillor Clayden and his seconder agreed to this wording.

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Following some further questions from a non-Committee Member, the voting on the amendment proposed by Councillor Clayden and seconded by Councillor Roberts was approved unanimously.

The Chair then returned to the substantive recommendations as amended which were proposed by Councillor Mrs Cooper and seconded by Councillor Roberts.

The Committee

**RESOLVED**

That the Unreasonable Behaviour Policy be agreed and adopted subject to an additional bullet point (5) being added to the list of bullet points at Paragraph 4.4 to read "That the Leader and Deputy Leader had been consulted".

**558. PAY POLICY STATEMENT 2022-23**

The Interim Group Head of Corporate Support and Section 151 Officer presented the Council's Pay Policy Statement for 2022/23 which would need to be recommended onto Full Council on 9 March 2022 for approval prior to it being published, inline with the Localism Act 2011, by 1 April 2022.

Having been proposed by Councillor Dendle and seconded by Councillor Roberts,

The Committee

**RECOMMEND TO FULL COUNCIL ON 9 MARCH 2022 – That**

- (1) The Pay Policy Statement 2022/23 be approved for publication on the Arun website by 1 April 2022; and
- (2) Responsibility be delegated to the Interim Group Head of Corporate Support and Section 151 Officer to make changes to the Pay Policy Statement should new legislation be introduced during the forthcoming year that has an effect on its content.

**559. OUTSIDE BODIES**

The Chair confirmed that there were no feedback reports from Outside Bodies to present to this meeting

**560. WORK PROGRAMME**

The Committee received its Work Programme covering the remainder of the Municipal Year.

One Member outlined that it was disappointing to see that there was only one item on the Work Programme for the next meeting of the Committee on 24 March 2022. This was surprising in view of the wide ranging functions covered by the Committee and so an explanation was sought.

The Chair confirmed that the items proposed for discussion by that Member being the ICT & Digital Strategy, Customer Services and Information Management had all been considered by the Committee at previous meetings as its Work Programme confirmed. The Committee had also undertaken work on its own budget and preparing for the Council's 2022/23 Budget. It was also explained that this work programme only covered this municipal year and that the Committee would soon have a work programme containing items for the new municipal year 2022/23 to consider.

The Committee then noted its work programme.

(The meeting concluded at 6.52 pm)

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