

# Public Document Pack



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11 March 2022

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **GENERAL PURPOSES COMMITTEE** will be held in the Council Chamber at these Offices on Monday 21 March 2022 at 2.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough, Democratic & Corporate Services Manager on (01304) 872304 or by e-mail at [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a horizontal line.

Chief Executive

General Purposes Committee Membership:

N J Collor (Chairman)  
T A Bond (Vice-Chairman)  
P M Brivio  
K Mills  
C A Vinson

AGENDA

1 **APOLOGIES** (Page 4)

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS** (Page 5)

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 6)

To receive any declarations of interest from Members in respect of business to be

transacted on the agenda.

4 **MINUTES**

To consider the Minutes of the meeting held on 21 February 2022 (to follow).

5 **REMOTE WORKING POLICY UPDATE** (Pages 7 - 10)

To consider the attached report of the Head of Paid Service.

6 **PARENTAL BEREAVEMENT POLICY AND PROCEDURE** (Pages 11 - 18)

To consider the attached report of the Head of Paid Service.

7 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 19)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

8 **PAY AWARD 2022** (Pages 20 - 29)

To consider the attached report of the Head of Paid Service.

9 **BUSINESS MILEAGE POLICY** (Pages 30 - 43)

To consider the attached report of the Head of Paid Service.

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is step free access via the Council Chamber entrance and an accessible toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- In order to facilitate the broadcast of meetings there have been cameras set up in the Council Chamber that communicate with Microsoft Teams Live. This enables meetings held in the Council Chamber to be broadcast for public viewing through the Council's website. These meetings are only available for viewing live and the Council does not retain copies of the broadcast.

The meetings in which these cameras will be used include meetings of: (a) Council;

(b) Cabinet; (c) General Purposes Committee; (d) Governance Committee; (e) Planning Committee; and (f) Overview and Scrutiny Committee.

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- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Democratic & Corporate Services Manager, [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk), telephone: (01304) 872304 or email: [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk) for details.

**Large print copies of this agenda can be supplied on request.**

**APOLOGIES**

To receive any apologies for absence.

**APPOINTMENT OF SUBSTITUTE MEMBERS**

To note the appointment of Substitute Members.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

**Subject:** REMOTE WORKING POLICY - UPDATE

**Meeting and Date:** General Purposes Committee – 21 March 2022

**Report of:** Nadeem Aziz, Head of Paid Service

**Classification:** UNRESTRICTED

**Purpose of the report:** To provide an update on remote working since the adoption of the Remote Working policy on 19 July 2021

**Recommendation:** To note the report

**1. Summary**

1.1 This report seeks to update members on the application of the Remote Working policy, since it was approved by General Purposes Committee on 19 July 2021.

**2. Introduction and Background**

2.1 On 23 March 2020, in response to the COVID 19 pandemic, the Government announced the first lockdown, ordering people to “stay at home” and to “work from home” where possible. These requirements became law on 26 March 2020.

2.2 In line with these requirements the Council required staff to work from home, in cases where their role could be conducted remotely.

2.3 In cases where an individual’s role could not be conducted remotely, the Council put in place other measures to keep employees safe.

2.4 As part of the Council’s response to the COVID 19 pandemic, a number of Recovery Workstreams were identified. One of these was the Organisational Recovery Group, whose purpose was to identify how the Council’s workforce could be more flexible, agile, and effective. As part of this work, a policy was developed, and the Council adopted the Remote Working Policy which was approved by General Purposes Committee on 19 July 2021. It took effect immediately.

2.5 Since the implementation of this policy, there have been several changes to Government advice and the Council has continued with remote working. Now the restrictions have been removed, the Council continues to work in a hybrid fashion.

2.6 Although the requirement to isolate ended on 24 February 2022, with a complete withdraw of all COVID measures planned for 1 April 2022, the Council is encouraged to remain cautious and consider their duty of care to employees going forward.

2.7 The ability to work remotely, provides reassurance to employees that their risk of contracting COVID whilst at work is minimised through enabling people who have symptoms to remain working from home.

**3. Benefits of remote / hybrid working**

3.1 In an employer survey conducted by the Chartered Institute of Personnel and Development (CIPD), April 2021, 63% of employers said that they planned to introduce or expand the use of hybrid working to some degree, combining time in the workplace with time at home, depending on the needs of the job, the individual and the team, team working practices and business need.

3.2 The highlights of the survey revealed:

- (a) Collaboration and upskilling have been boosted
- (b) Wellbeing has increased

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- (c) Inclusion is improving
  - (d) Homeworking is not without distractions

3.3 In relation to the Council, over the period where most employees were required to work solely at home, it was noted:

- (a) Sickness absence - Give or take the fluctuations due to the pandemic that correlate with covid absence, sick absence has remained stable at pre-pandemic levels, there was a slight reduction during the working from home period.
- (b) Council Key Performance Indicators - Since the pandemic began and homeworking became a Government requirement (where possible), the Council has seen no unexpected dips in performance or detrimental effects on service provision that would be directly linked to home working. Any changes we have seen in service provision have been largely due to the impacts of COVID 19, for example, no access to properties for repairs, delays in materials, contractor illness, etc. or due to the large-scale change in the waste contract and national shortage of HGV drivers.

The overall performance for the year ending 31 March 2021, saw a steady state and the year to date shows an increase in the number of green indicators and a reduction in the number of red indicators.

3.4 With some normality returning, the Council has started to see a move from employees wanting to work from home all the time to that of a more hybrid / agile approach. This is now supported by the Council's investment in technology solutions to allow attendance in a remote capacity at "in person meetings" in the Council Chamber, offering a truly hybrid approach to working.

3.5 In the latest response from managers when asked about the preferences of their staff, excluding those in a role that cannot be carried out from home, the Council has seen around 75% of employees wanting to return to the offices and work in a hybrid manner, compared to a complete remote working model.

3.6 This figure is encouraging and contributes to the Council having a flexible and agile workforce, that can respond to, and maintain business performance, in times where office working is not possible.

3.7 It is crucial to recognise and understand that hybrid working is now a benefit that people will actively seek in a job role. Research shows that the pandemic has had such a significant effect on employees' priorities, that they would forgo a 10% pay rise in favour of retaining the option to work remotely or in a hybrid way.

3.8 In the same survey, 83% of workers would now be more likely to apply for a position if it offered a flexible way of working. This aids the Councils recruitment and retention strategy, in a period where recruitment is already challenging and is likely to get more so.

3.9 With Dover's model clearly pointing towards a hybrid flexible working approach, and given the other employee benefits on offer, including the recently approved salary sacrifice car lease scheme, the Council is in a strong position to become an Employer of Choice and will continue to attract and retain talent.

#### 4. **Further Considerations**

It is recognised that managing staff in the new environment can cause challenges, in particular:



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- It is harder to pick up on how staff are feeling when working remotely. In a remote environment, managers need to create opportunities to talk about non-work issues and actively encourage openness to talk about wellbeing.
  - Loss of boundaries – in time and place – could lead to working longer hours. In addition to longer hours, the temptation to work without taking breaks could also be a challenge.
  - Brainstorming and problem-solving may be particularly difficult because some of the shared ideas, energy and creativity is lost.
  - Managing performance

To recognise the challenges faced the Council, in conjunction with the HR team where necessary, will:

- Reintroduce business plans, which will set out the vision and key objectives of the department.
- Implement a revised personal development procedure, enabling individuals and the Council to understand performance issue and employees' aspirations and training needs.
- Design and deliver management training programmes to increase skill and confidence of the managers in dealing with employee performance and absence.
- Ensure all communication channels available to customers are monitored and, where necessary, improved to enhance the customer experience.

## 5. Identification of Options

5.1 To note the report

5.2 To refuse to note the report and ask the Head of Paid Service to take some other action

## 6. Evaluation of Options

6.1 None

## 7. Corporate Implications

7.1 Comment from Section 151 Officer: The report has been passed for comment by the Section 151 Officer and Accountancy. There are no funding issues encompassed within this policy update therefore we have no further comments to make. (LS)”

7.2 Comment from Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.3 Comment from Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

7.4 Comment from Climate Change Officer: Hybrid/remote working reduces the need to commute resulting in a reduction of vehicle emissions.

## 8. Appendices

8.1 none

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Officer contact: Louise May, Head of Governance & HR

**Subject:** PARENTAL BEREAVEMENT POLICY AND PROCEDURE

**Meeting and Date:** General Purposes Committee – 21 March 2022

**Report of:** Nadeem Aziz, Head of Paid Service

**Classification:** UNRESTRICTED

**Purpose of the report:** To consider approval of a Parental Bereavement Policy and Procedure

**Recommendation:** That the Committee approves and adopts the above policy with immediate effect

**1. Summary**

1.1 This report seeks member approval for the adoption of a Parental Bereavement Policy and Procedure, applicable to all DDC employees.

**2. Introduction and Background**

2.1 As of 6 April 2020, working parents who lose a child under the age of 18 or have a baby stillborn after 24 weeks of pregnancy have the right to take two weeks' paid bereavement leave. Before this new right was enacted, employers were not legally required to provide grieving parents with any paid leave. Employees only had the right to unpaid time off work to deal with an emergency, which would have included the death of a dependent.

2.2 The parental bereavement leave legislation created two distinct rights:

- Entitlement to two weeks of Parental Bereavement Leave (PBL) - a “day one” right applicable from the beginning of employment.
- A right to payment during PBL, subject to length of service requirements - this is called Statutory Parental Bereavement Pay (SPBP).

2.3 The current rate for Statutory Parental Bereavement Pay is £151.97 a week or 90% of average weekly earnings, whichever is lower (the same rate as Statutory Maternity and Paternity Pay). The service requirement is at least 26 weeks, and it is subject to a lower average earnings limit (£120 per week gross pay)

**3. The Council’s Proposal**

3.1 To acknowledge the deeply difficult nature of this situation, the Council are committed to identifying additional steps to support employees, which are above that of the statutory requirements. In particular:

- To enhance the statutory payment to full pay for 1-2 weeks as Parental Bereavement Leave (as opposed to Statutory Pay)
- The removal of any eligibility criteria in terms of length of service or lower earnings limit.
- Provision of signposting, and referral where necessary to avenues of support.

3.2 The draft policy outlines these entitlements in detail and contains links to specific avenues of support, in addition to the Councils normal support services.

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#### 4. **Resource Implications**

- 4.1 Staff will continue to be paid their normal pay rate if PBL is required, of which the Statutory PBL rate can be claimed by the council. There will be a resource impact on the section due to the absence of an officer, but it is anticipated that this would be managed within the teams and not require an additional backfilling.

#### 5. **Identification of Options**

- 5.1 Option 1 - The committee agree the implementation of the Parental Bereavement Policy and Procedure.
- 5.2 Option 2 – The committee decline the enhanced pay elements of the Policy and apply statutory provisions only
- 5.3 Option 3 - The committee decline the Parental Bereavement Policy and Procedure and instead ask the Head of Paid Service to consider other policy options.

#### 5. **Evaluation of the Options**

- 5.1 For the reasons set out in this report, option 1, the approval of the Parental and Bereavement Leave policy is the recommended option.

#### 6. **Corporate Implications**

- 6.1 Comment from the Head of Finance and Investment: The Head of Finance & Investment has been consulted on this report and has no further comments to add.
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>
- 6.4 Comment from Climate Change Officer: The Climate Change Officer has been consulted on this report and has no further comments to add.

#### 7. **Annexes**

- 7.1 Draft Parental and Bereavement Policy and Procedure

Officer contact: Louise May, Head of Governance & HR



# Parental Bereavement Policy and Procedure

## 1. Introduction

Dover District Council (“the Council”) recognises that grief following the loss of a child is an extremely personal issue which people deal with in different ways. The Council is committed to supporting employees through their grief by ensuring that they can take parental bereavement leave after suffering the loss of a child.

Further, the Council is committed to supporting its employees by identifying additional steps that may be taken to help employees during a period of bereavement. This may include signposting for support to any relevant organisations including but not limited to those set out in Appendix 1 and providing access to support via its Employee Assistance Programme, or any alternative provision, or via its flexible working policy.

This policy sets out the obligations and responsibilities of both the Council and employees where a period of time away from work is required following the loss of a child and gives effect to the Parental Bereavement Leave Regulations 2020 and the Statutory Parental Bereavement Pay (General) Regulations 2020.

It is the intention of the Council that, in implementing this policy, a manager will work closely alongside the bereaved employee to agree the specifics of the leave and pay entitlements on a case by case basis.

In recognition of the highly personal nature of the situation the Council may, at its discretion, allow further time off work for bereaved parents after careful and sympathetic consideration has been given to the individual circumstances.

For the purposes of this policy a child is anyone under the age of 18 and includes a baby that is stillborn after at least 24 weeks of pregnancy.

The policy applies to all employees (including those on zero hours) of the Council, irrespective of grade and regardless of their length of service.

Where this policy conflicts with an employee’s statutory entitlement, and this has the effect of causing detriment to the employee, the statutory entitlement will prevail.

Employees continue to be employed during any period of parental bereavement leave and, therefore, this period counts towards continuous employment for the purpose of calculating any entitlements based on length of service.

## 2. Scope

This policy applies to all employees of the Council.

Employees are eligible for the entitlements under this policy if they qualify as a “bereaved parent”. A bereaved parent will include those employees who fall into the following categories:-

- A parent of the child, which includes an adoptive parent and a person who has become a parent under the various statutory provisions on surrogacy and fertility.
- A natural parent of the child, where the child has been adopted but there is a court order for the child to have contact with the natural parent;
- A person with whom the child has been placed for adoption by a British adoption agency, or under a fostering for adoption scheme, as long as that placement has not been terminated.
- Where the child has entered Great Britain from overseas for the purposes of adoption, a person living with the child who intends to adopt them and has received “official notification” from the British authorities that they are eligible to adopt.
- An intended parent under a surrogacy arrangement where it was expected that the court would make a parental order under section 54 or 54A of the Human Fertilisation and Embryology Act 2008.
- A “parent in fact”, defined as someone in whose home the child is living and who has had day to day responsibility for the child’s care for at least the four weeks prior to death.
- The partner of any of the above. “Partner” means a person living with another person and the child in an enduring family relationship.

## 3. Parental bereavement leave

From day one of their employment, and subject to correctly notifying the Council, eligible employees will be entitled to parental bereavement leave which is a period of one or two weeks’ leave that may be taken at any time within 56 weeks of the death of a child.

In the case of stillbirth, the date of death is taken to be the date the child is stillborn.

The leave may be taken as:

- One whole week.
- Two consecutive weeks.
- Two separate weeks at different times.

If different arrangements to the above are requested, the Council will work with the employee to ensure that their individual needs are taken into consideration, which could include providing leave in units of days, or less than a week and over a longer period.

Where more than one child has died or been stillborn, the bereaved parent is entitled to a separate period of leave in relation to each child.

## 4. Parental Bereavement Pay

Periods of parental bereavement leave will be paid at the employee's normal basic pay rates. This applies regardless of an employee's length of service.

Where an employee is eligible for statutory parental bereavement pay, which is paid in accordance with the applicable rates in force at the time, such payments will be deemed to be included in the payment of the employee's normal remuneration during a period of parental bereavement leave.

## 5. Notification requirements

Given the circumstances, the Council adopts a sensitive approach to the notification requirements and therefore employees are not required to provide notice in writing. Informal notification, such as a phone call, text message, voicemail or email, is sufficient notification to enable an employee to take parental bereavement leave.

Notification should include the date of the child's death, the date on which the employee chooses leave to start, and whether the leave is to be taken in one or two week periods.

An employee can begin the leave by letting their line manager know before they would have been due to start work or, if that is not feasible, as soon as is reasonably practicable.

Where the employee has already started work on a particular day but gives notice to start parental bereavement leave on the same day, then the leave will formally start on the next day even in circumstances where the employee is permitted to go home on the same day.

If an employee wishes to take parental bereavement leave within the first 8 weeks of a child's death, they will need to notify their line manager and the leave can be taken straight away.

To cancel or change leave that is due to start within the first 8 weeks after a child's death, the employee can cancel or change the date by giving notice before the time they are due to start work on the day that they previously notified that the leave would start. If this is not practicable, the employee must notify the employer as soon as reasonably practicable.

If an employee wishes to take parental bereavement leave more than 8 weeks after the child's death, the employee is required to give the employer one week's notice of their intention to take the leave. If providing a week's notice is not possible the Council will attempt all reasonable options to enable leave at shorter notice.

If an employee wishes to cancel or change the date of leave, they can do so by giving the same notice that is required in respect of the leave itself.

To cancel or change leave that is due to start more than 8 weeks after the child's death, the employee can cancel or change the date by giving notice at least a week before the day the leave was due to start.

A period of leave cannot be cancelled once it has started.

## 6. Return from Leave

At the end of a period of parental bereavement leave that is not taken consecutively with a period of parental leave of more than four weeks, or other statutory family-related leave such as maternity, paternity, adoption or shared parental leave, employees have the right to resume working in the same job when they return.

If parental bereavement leave is taken consecutively with a period of parental leave of more than 4 weeks, or with other statutory family-related leave (such as maternity, paternity, adoption or shared parental leave) in relation to the same child where the total amount of leave taken is more than 26 weeks, the employee's right is to return to the same job or, if it is not reasonably practicable for the employer to permit the employee to return to that job, to another job which is both suitable and appropriate for the employee to do in the circumstances.

## 7. Rights and obligations during Parental Bereavement Leave

During a period of parental bereavement leave, all of the employee's terms and conditions of employment (including status and pension rights) continue.

Employees cannot suffer detriment as a result of taking or seeking to take parental bereavement leave.

## 8. Additional time off following a bereavement

If an employee requires additional time off they should contact their line manager to request this who will then consult with Human Resources. Any additional time off following a bereavement must be authorised by the employee's line manager and the specific arrangements (including pay) for that additional time off will be agreed by the line manager with the employee once careful consideration of the individual circumstances has been given.

## 9. Other statutory rights for bereaved parents

There are already a number of statutory rights available to bereaved parents at work in certain circumstances, potentially allowing a greater amount of leave than would otherwise be available under the Council's parental bereavement leave policy.

Therefore this policy should be considered in conjunction with these other statutory rights, such as:-

- Time off for dependants
- Maternity and paternity leave for stillbirths and neonatal deaths



- Adoption leave and paternity leave where the child has died
- Shared parental leave where the child has died

## Appendix one

The following organisations may be able to offer support and advice to employees whose lives have been affected by the loss of a child and to line managers and colleagues with whom they work.

National Bereavement Alliance (<https://nationalbereavementalliance.org.uk/>)

Cruse Bereavement Care (<https://www.cruse.org.uk/>)

SANDS (Stillbirth and Neonatal Death Charity) (<https://www.sands.org.uk/>)

Bliss (for babies born premature or sick) (<https://www.bliss.org.uk/>)

Together for Short Lives (<https://www.togetherforshortlives.org.uk/>)

Working Families (<https://www.workingfamilies.org.uk/>)

The Lullaby Trust (<https://www.lullabytrust.org.uk/>)

DOVER DISTRICT COUNCIL

**EXCLUSION OF THE PRESS AND PUBLIC**

**Recommendation**

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Pay Award 2022	4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
Business Mileage Policy	4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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