

## **PERSONNEL COMMITTEE**

**Monday, 17 January, 2022 at 6.00 pm**

**In the Council House, Walsall**

**Committee Members present:** Councillor M. Bird (Chair)  
Councillor S. Elson  
Councillor A. Harris  
Councillor F. Mazhar  
Councillor A. Nawz  
Councillor V. Waters

**In attendance:** Ms M. Leith, Director of Human Resources,  
Organisational Development & Administration  
Mr N. Picken, Principal Democratic Services Officer

### **01/22 APOLOGIES**

Apologies for absence were received on behalf of Councillors K. Hussain and N. Gultasib.

### **02/22 SUBSTITUTIONS**

Councillor F. Mazhar substituted for Councillor K. Hussain.

### **03/22 DECLARATIONS OF INTEREST AND PARTY WHIP**

There were no declarations of interest or party whip for the duration of the meeting.

### **04/22 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)**

There were no items to be discussed in private session.

### **05/22 OUTSTANDING LEAVE**

A report was submitted on outstanding leave [Annexed].

The Director of Human Resources, Organisational Development & Administration provided a summary of the report highlighting that whilst government provided a dispensation to carry forward leave, the organisation had to have regard to business

continuity. It was reported that 17 individuals had been identified that had not been able to take all of their leave during the Pandemic and, should they do so now, would create a business continuity risk. As such, payments would be offered, subject to the officers concerned consent, to mitigate this risk. In terms of process, a short business case would be required for approval by the Interim Executive Director (Resources and Transformation), the Director of Human Resources, Organisational Development & Administration and ABS.

The Chair, Councillor Bird explained that this was a lawful exercise and payments were permitted so long as there was no coercion. He emphasised that this would be a choice for the individuals concerned who were not under pressure to not take leave owed. He noted that over the last 2 years, staff at a senior level had been at work day in, day out and whilst the government allowed leniency for 2 years, these officers had been unable to take leave. It was hoped that with committee support, individuals could be paid in January, 2022.

Members of the Committee supported the report and recommendations noting that key staff were critical to ensure that the Council runs smoothly.

Councillor Bird moved the recommendation which was duly seconded by Councillor Nawaz and it was:-

**Resolved:**

To pay (as a one off agreement) outstanding annual leave that meets the following criteria:

- The leave is expected to be outstanding at the expiry of the employee's personal leave year due to work pressures associated with the Covid-19 pandemic having prevented the employee from taking their leave entitlement, **and;**
- All statutory minimum leave in line with WTR (refer to section 4.1 of this report), will be taken and cannot be paid in lieu (with the exception and subject to the exceptional circumstance criteria detailed in section 4.9 of this report), **and;**
- The estimated leave amount outstanding is *excessive*, which means it totals more than one third of the employee's overall leave entitlement (which can be permitted as carryover allowance in exceptional circumstances in line with the annual leave guidelines), **and;**
- The leave proposed to be paid cannot be scheduled in within the expiry of the employees personal leave year due to a demonstrable business continuity implication / issue.

Where line managers believe the above criteria are met, with the support of their Head of Service, and having discussed payment in lieu with the employee concerned, the line manager at their discretion may submit a business case for outstanding payment to be made to the Executive Director (Resources & Transformation) who following consultation with the Director of

Human Resources and Organisational Development and ABS will authorise accordingly any payment to be made.

There being no further business, the meeting terminated at 6.12 pm.

Chair.....

Date.....