



MINUTES OF THE EXTRAORDINARY MEETING OF ASHURST WOOD VILLAGE COUNCIL

held remotely on
Monday 15th March 2021, 11.30 am using Zoom

PRESENT: Cllrs Forbes (Chair), Phillips (Vice-Chair), Draper, Haite, Lee, Spoor and Tyrrell

IN ATTENDANCE: Rebecca Roberts (Clerk), **MEMBERS OF THE PUBLIC:** 1

ABSENT: Cllrs Arnott & Loveday

The chair opened the meeting and welcomed everyone.

1. **Public Questions** – Karen Lindsay as Chair of the Youth Club Management Committee thanked members of the Village Council for listening to the comments made at the Council Meeting of 2nd March 2021 regarding the employment of the Youth Workers.
2. **Apologies for absence** - None
3. **To receive Declaration of Interests from Members in respect of any matter on the Agenda**
Cllr Tyrrell declared a personal interest in the Special Motion as a member of the Youth Club Management Committee
4. **To confirm the Minutes of the meeting of the Village Council held on 2nd March 2021** – it was agreed to defer confirmation of the minutes until 6th April Meeting.
5. Members **resolved** to exclude the public from the meeting for discussion of the following item, in accordance with section 1 of the Public Bodies (Admissions to Meetings) Act 1960, due to the confidential nature of the matter to be discussed

11.26am – member of the public left the meeting

6. **Special Motion**

Councillor Forbes explained the background to the Motion, which had been moved by Cllrs Haite, Phillips, Draper and Forbes, in accordance with Standing Orders 10 and 12:

On 23rd March 2020, the Village Council resolved that, in the light of the coronavirus crisis, the Youth Club should be closed until further notice, and that all Council staff (which include the youth worker and assistant youth worker) should receive their full salaries until further notice.

The resolution was confirmed by the Council on the 5th May 2020.

On the 1st September 2020, members noted that the salaries of the Youth Workers were still being paid and that the Youth Club could not meet at John Pears Pavilion (which was closed by Mid Sussex District Council). Members agreed to keep Youth Club under review.

On the 3rd November the Council discussed the future of the Youth Club and the position of the staff, who were still receiving full pay.

It was agreed that the youth workers would be asked to provide a report to the Council for the next meeting with ideas for the re-opening of the club including the possibility of occasional events, outside games/structured activities and a risk assessment.

On the 1st December the Council received a report from the youth workers and agreed to try and reopen the club in January at the Village Centre, as clubs were allowed to meet with up to 15 people.

Subsequently the Village Centre Trustees were not in favour of the proposal and members of the club were not supportive. The country went into another lockdown on the 4th January 2021 and it was not possible to reopen the club.

On the 2nd February 2021, the Council resolved to give notice to the youth workers, paying them up to the end of the financial year, as there was still no immediate prospect of opening the club.

The Council confirmed the desire to reopen the club in the next academic year, as soon as it was reasonably possible. The Clerk wrote to the youth worker and the assistant youth worker giving them notice as resolved by the Council.

The Chair of the Management Committee attended the Council meeting on the 2nd March and expressed concern that the youth workers had been given notice without prior notification that the Council would be considering the matter, and indicated that the workers might be prepared to move to zero hours contracts and remain as employees until such time as the Youth Club could be reopened. She advised that it might be possible to hold one or more social events during the summer (subject to rules and guidelines) in order to introduce members to the club before its potential full reopening in September.

Following a subsequent discussion between the youth workers, the Clerk and the Chair of the Council; the special motion was proposed.

Cllr Lee stated that while he was sorry that the employees felt let down, the Council had a duty to its residents to obtain value for money.

Members resolved as follows:

To reverse the following part of the resolution under item 11 made at the meeting of the Village Council on 2nd February 2021:

To cease the Youth Worker's employment

and to withdraw the notice given to the youth worker and assistant youth worker so that they can remain as employees of the Council after 31st March 2021

SUBJECT TO THE FOLLOWING CONDITIONS BEING MET:

- (1) the youth worker and assistant youth worker agree to the temporary amendment of their contracts of employment as from 1st April 2021 as follows:
 - The contracts shall be changed to zero hours contracts and the youth worker and assistant youth worker shall not receive any salary while the youth club continues to remain closed and shall not be entitled to sick pay or holiday pay or other benefits (unless in accordance with any statutory entitlement)
 - If it is possible (in accordance with relevant legislation and guidance) to organise any one-off activities or events for youth club members, then the youth worker and assistant youth worker shall be paid for any hours that they work in running such events, but only as agreed in advance by the Council.
The Council's Clerk, as the employees' line manager, shall give prior approval for

working hours involved in any such activities or events, after discussion with the Chair of the Youth Club Management Committee and the Chair of the Council, and shall report to the next Council meeting

- The hourly rate of pay for any duties carried out shall be the current amount paid under the contract of employment
 - These temporary arrangements shall be reviewed on or before the 8th September 2021, by which time it is hoped it will be possible to reopen the club on a regular basis.
- (2) An up-to-date DBS check is required in respect of the assistant youth worker, who must provide the relevant forms and documentation to the Clerk by the 31st March 2021.

If the above conditions are not met by one or both of the youth worker or assistant youth worker, the notice given to that person shall stand and their employment shall be terminated on the 31st March 2021.

7. **Items for reporting or inclusion on future agenda:** None

8. **Date of next ordinary Council meeting** - 6th April 2021

Meeting closed: 11.39am

Chairman.....

Date.....