

## Notice of a public meeting of

### Staffing Matters & Urgency Committee

- To:** Councillors Steward (Chair), Aspden (Vice-Chair) and Looker
- Date:** Monday, 23 November 2015
- Time:** 5.30 pm
- Venue:** The Thornton Room - Ground Floor, West Offices (G039)

### AGENDA

#### 1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

#### 2. **Minutes** (Pages 1 - 4)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 9 November 2015.

#### 3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Friday 20 November 2015**. Members of the public can speak on agenda items or matters within the remit of the committee.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

### **Filming, Recording or Webcasting Meetings**

*Please note this meeting may be filmed and webcast or audio recorded and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>. or, if sound recorded, this will be uploaded onto the Council website following the meeting.*

*Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.*

*The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at [http://www.york.gov.uk/downloads/file/6453/protocol\\_for\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetingspdf](http://www.york.gov.uk/downloads/file/6453/protocol_for_webcasting_filming_and_recording_of_council_meetingspdf)*

#### **4. Appointment of Assistant Director (Consultant) in Public Health (Pages 5 - 10)**

This report seeks formal approval to establish an Appointments Committee and to delegate sufficient powers to that Committee to enable them to conduct the recruitment process, select and appoint an interim Assistant Director (Consultant) in Public Health, subject to the requirements of standing orders and the NHS statutory instrument.

#### **5. Appointments to Outside Bodies (Pages 11 - 14)**

To consider a report which asks Members to agreed changes in membership on three Outside Bodies.

## 6. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Judith Betts

Contact details:

- Telephone – (01904) 551078
- E-mail – judith.betts@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)  
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

This page is intentionally left blank

City of York Council

Committee Minutes

---

Meeting	Staffing Matters & Urgency Committee
Date	9 November 2015
Present	Councillors Steward (Chair), Aspden (Vice-Chair) and Looker (Substitute for Councillor Williams)
Apologies	Councillor Williams

---

**47. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda. None were declared.

**48. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during the consideration of an annex to Minute Item 53 (Redundancy) on the grounds that it contained information relating to individuals. This information is classed as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

**49. Minutes**

Resolved: That the minutes of the meetings of held on 28 September and 26 October 2015 be signed and approved by the Chair as correct records.

**50. Public Participation**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

**51. Appointment of Acting Assistant Director of Adult Services Strategic Commissioning**

Members considered a report which asked them to establish an Appointments Sub Committee and to delegate sufficient powers to it to enable it to conduct the recruitment process, select and appoint an Acting Assistant Director of Adult Services Strategic Commissioning, subject to the requirements of the standing orders on appointment.

Members questioned how long the post would be advertised for. It was reported that the closing date would be midnight on Sunday 22 November as the Council was changing its e-recruitment system on this date. Members expressed a desire for the post to be advertised for the normal two week period and in response Officers confirmed that if that was possible that is what would be done.

It was confirmed that the Conservative nominee for the panel would be Councillor Doughty, all other nominees would be confirmed via email to the Democracy Officer.

Resolved: (i) That the position of Acting Assistant Director of Adult Services Strategic Commissioning be filled.

(ii) That the job be advertised on the CYC Jobs Website.

(iii) That an Appointments Sub Committee be established and authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures.

(iv) That the Appointments sub committee consist of three members on a 1:1:1 proportionate basis, one Conservative (Councillor Doughty), one Liberal Democrat and one Labour member.

Reason: To allow appointment to an Acting Assistant Director of Adult Services Strategic Commissioning to be made.

## **52. Appointments to Committees and Outside Bodies**

Members received a report which asked them to agree to a Member change on the Staffing Matters and Urgency Committee and two substitute changes on the Health and Wellbeing Board.

Resolved: That the following be agreed:

- (i) Councillor Looker as a replacement member for Councillor Williams on Staffing Matters and Urgency Committee.
- (ii) Catherine Surtees and Shaun Jones as substitute members on the Health and Wellbeing Board.

Reason: In order to make appropriate appointments to the Council's Committees for the current municipal year.

## **53. Redundancy**

Members considered a report which advised them with the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy and gave a summary of those redundancies for the period June 2015 to September 2015.

In response to a Member's question, it was reported that the increase in the number of staff in the Office of the Chief Executive's directorate related to a small number of staff transferring in following service reviews in the past year.

The reduction in the number of compulsory redundancies was welcomed and it was asked whether it was appropriate to recognise particularly employees with long service records.

Resolved: That the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy as detailed in the annex be noted.

Reason: In order to provide an overview of the expenditure and to maintain transparency and scrutiny of the process.

Councillor C Steward, Chair

[The meeting started at 5.35 pm and finished at 5.59 pm].





---

**Staffing Matters & Urgency Committee****23 November 2015**

Report of the Director of Communities and Neighbourhoods

**Appointment of Assistant Director (Consultant) in Public Health****Summary**

1. This report seeks formal approval to establish an Appointments Committee and to delegate sufficient powers to that Committee to enable them to conduct the recruitment process, select and appoint an interim Assistant Director (Consultant) in Public Health, subject to the requirements of the standing orders on appointments and the statutory instrument NHS (Appointment of Consultants) Regulations 1996 as amended (S.I.1996/701 as amended by S.I.2002/2469; S.I.2003/1250; S.I.2004/696 and S.I.2004/3365).

**Background**

2. Statutory responsibility for the delivery of public health services transferred from the NHS to the Council on 1 April 2013, as conferred by the Health and Social Care Act 2012. Consultant in Public Health posts transferred to the Council under these arrangements.
3. There has been a period of transition since the transfer of Public Health duties to the Council and a new structure for public health has been implemented with effect from 1 June 2015. The primary objective of the revised structure is to deliver a public health service which is fit for purpose and enables the Council to meet its ongoing responsibilities for mandated public health functions set out in government regulations, and for improving the health and wellbeing of York's residents.
4. The Council is still developing its Public Health function post transition but it is important that we do not lose momentum in our work to improve health and wellbeing and tackle inequalities and the need to secure the ongoing strategic leadership of our Public Health services is key to this.
5. The report to Staffing Matters and Urgency Committee on 26 October 2015 approved the appointment to the Assistant Director (Consultant) in

Public Health role. Recruitment into this post is underway in accordance with Statutory Instrument (NHS) Regulations. However, a short term interim appointment is required to bridge the gap. This report seeks approval to establish an interim appointment to the post in the short term.

### **The Role**

6. One of the mandated public health functions that local authorities are required to deliver includes the provision of specialist public health advice and support to the commissioning of health and care services. The Council has worked with the Vale of York Clinical Commissioning Group (CCG) to develop a Memorandum of Understanding which agrees the core public health offer to the CCG. A key function of the role of the Assistant Director (Consultant) in Public Health will be to deliver the Memorandum of Understanding and ensure that there is specialist public health advice to support improved health and wellbeing outcomes and better integration across health and social care.
7. The Assistant Director (Consultant) in Public Health will also deputise for the Director of Public Health and have a key role in ensuring that York has effective partnership working with other parts of the NHS and Public Health system such as NHS England and Public Health England.
8. In addition, it is expected that the post holder will have a direct influence on service planning in the Council across all Directorates and on CCG commissioning to improve health and reduce inequalities.
9. The post will be advertised on the CYC Jobs Website, the NHS Jobs Website and in the Health Service Journal as well as being promoted through social media channels and public health networks.

### **Remuneration Package**

10. In advance of the TUPE transfer of staff from the NHS to the Council in 2013, it was agreed that for the purpose of equity in the future appointments to the public health function (post TUPE transfer) would be made in accordance with City of York Council terms and conditions of service and pay grades.
11. The job description for the Assistant Director (Consultant) in Public Health has been job evaluated using the job evaluation scheme for senior roles in the Council and assigned a grade at Assistant Director level i.e. £68,197 to £75,766.

12. Information sourced from Public Health England has confirmed that local authorities who have tested the market have found they needed to offer salaries in this range to secure an appointment.
13. It is anticipated that the position will attract interest from medical and non-medical public health specialists. Eligibility for these roles is strictly governed by the Faculty of Public Health.

### **Appointments Committee**

14. The constitution of an Advisory Appointments Committee (AAC) for Director and Assistant Director (Consultant) in Public Health roles is laid down in statute in accordance with the following regulations:
  - Statutory Instrument NHS (appointment of Consultants) Regulations 1996 as amended (S.I.1996/701 as amended by S.I.2002/2469, S.I.2003/1250, S.I.2004/696 and S.I.2004/3365)
15. As a minimum, the AAC for the Assistant Director (Consultant) in Public Health would comprise the following:
  - Local Authority elected member as Chair of the panel (known as a lay member)
  - Director of Public Health for the local authority
  - Public Health England (PHE) Regional Director or another senior professionally qualified member of PHE acting on his/her behalf
  - External assessor appointed after consultation with the Faculty of Public Health
  - Senior NHS representation from the Vale of York Clinical Commissioning Group e.g. Chief Clinical Officer or a nominated deputy
16. The local authority may appoint additional members as it considers appropriate but the majority of the committee must consist of the Council and professional members.
17. For the purpose of these appointments the Council's current Constitution for an Appointments Committee will need to be amended to reflect the joint nature of the appointment with Public Health England (PHE) on behalf of the Secretary of State for Health, but would include at least one member of the Executive, to shortlist and interview applicants for the position and to determine who should be offered the vacant post.
18. Although this report relates to an interim appointment, it is suggested that this format is used as a steer.

## **Consultation**

19. Consultation has taken place with the Corporate Management Team, Public Health England, Public Health team and the Trade Unions.

## **Options / Analysis**

20. There are no alternative options for members on the recruitment process to consider, other than simply not proceeding with the appointments panel.

## **Council Plan 2015-19**

21. Making an appointment to this post will contribute to the delivery of the Council Plan and its priorities.

## **Associated Implications**

22. The following implications have been considered:

- **Financial** - Including employer on costs the total salary costs are estimated at between £88,766 at the bottom of the grade to a maximum of £98,871 if the appointment is made at the top of the grade. This will be funded from the Department of Health Public Health Grant allocation to the Council. Because the geographical footprint of the Vale of York Clinical Commissioning Group includes residents of North Yorkshire County Council, the NYCC Public Health Team will meet a proportion of the costs. The actual amount is being negotiated but is likely to be in the region of £16,000 per annum.
- **Human Resources** – The job description for the Assistant Director (Consultant) in Public Health has been subject to the Council's established job evaluation mechanism and the salary has been confirmed as £68,197 to £75,766. The Appointments Committee would be in line with the constitutional requirements for the recruitment and appointment of Chief Officers supplemented by the Statutory Instrument governing the appointment of public health specialists at this level.
- **Equalities** - The post will be recruited to in accordance with the Council's Equalities policy to ensure no candidates receive less favourable treatment on the grounds of a 'protected characteristic'.
- **Legal** – The process for appointing officers at this level within Public Health is regulated by the Local Authority (Standing Orders) (England) Regulations 2001, supplemented by the NHS Statutory

Instrument governing appointments of medical and non-medical public health specialists.

- **Crime and Disorder** – There are no crime and disorder implications
- **Information Technology (IT)** – There are no IT implications
- **Property** – There are no property implications
- **Other** – There are no other implications.

### **Risk Management**

23. The prospect of no appointment or a delayed appointment puts the Council at risk of failing to meet the statutory duties set out in government regulations for public health.
24. Failure to deliver on the statutory duties could seriously impact on the health and wellbeing of the population of York. The interim appointment is being made to mitigate these risks.

### **Recommendations**

25. It is recommended that Staffing Matters and Urgency Committee:
  - a) Approve the establishment of an Advisory Appointments Committee, constituted in accordance with NHS Statutory Instruments governing recruitment to consultant level roles in the NHS.
  - b) Agree that in addition to the Chair of the Health and Wellbeing Board a representative from the Conservative and Labour groups sits on the Advisory Appointment Committee as nominated by the respective political group.
  - c) The Advisory Appointments Committee to be authorised to conduct the interviews, select successful candidates and make offers of employment subject to the necessary employment procedures and standing orders

Reason: To progress the appointment and reduce risks highlighted in the report in relation to this critical role required to deliver the Council's statutory responsibilities.

**Contact Details**

**Author:**

**Sally Burns**

Director Communities and  
Neighbourhoods

**Chief Officer Responsible for the  
report:**

**Sally Burns**

Director of Communities and  
Neighbourhoods

**Report  
Approved**



**Date** 07/10/15

**Specialist Implications Officer(s)**

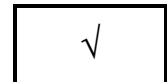
Human Resources: Mark Bennett, Head of HR and OD

Legal: Andrew Docherty, Assistant Director, IT Democratic & Legal  
Services

Finance: Richard Hartle, Finance Manager

**Wards Affected:** List wards or tick box to indicate all

**All**



**For further information please contact the author of the report**



---

**Staffing Matters and Urgency Committee****23 November 2015**

Report of the Assistant Director, Governance and ICT

**Appointments to Outside Bodies****Summary**

1. At the Annual Council meeting on 21 May 2015, appointments were made to Committees, Outside and Partnership bodies together with appointments to Chairs and Vice-Chairs for the 2015/16 municipal year.
2. A number of changes to appointments were made at the following Full Council meeting on 16 July 2015. The majority of these outstanding appointments were agreed at this meeting, but since then requests have been made for changes to a number of Outside Bodies.

**Background**

3. The Council makes appointments at its Annual Meeting, to Committees for the coming year. As the Staffing Matters & Urgency Committee has authority to deal with any changes or appointments to those Committees and bodies within year, the following changes have been put forward for consideration:

- (i) **York Central Lead Members Board**
- (ii) **York Outer Ring Road Lead Members Board**

To appoint Councillor Levene to replace Councillor Williams on the above Outside Bodies.

- (iii) **Quality Bus Partnership**

The Quality Bus Partnership (QBP) at present meets on a quarterly basis and brings together stakeholders in York's Public Transport Service, with a view to providing the best quality of bus services and facilities that can be achieved with the resources available to the partners.

When the Partnership was first set up in 2001 the membership included the Cabinet and Shadow Members for Transport together with the relevant transport officers as well as senior representatives

from the York bus operating companies. Prior to the May 2015 election, these meetings were attended by relevant transport officers from the Council, as well as by the Executive Member for Transport and a representative of the opposition (Cllr. Richardson).

Since the Partnership was established in 2001 and following recent changes in the make up of the Council, the QBP has been looking at the makeup of the body and Council engagement with the York bus operators. There is a desire to achieve better engagement between the bus operators and Members, generally.

As a result, the Partnership has agreed to invite a wider cross party representative selection of elected Councillors to attend the Partnership every 6 months, on the basis of there being no more than 2 representatives from each of the main Groups (Conservative, Liberal Democrat, Labour and Green). One of these representatives should be the Executive Member for Transport.

These sessions will, in effect, act as 'forums' for debate on the issues with elected Members. The first of these would provide an opportunity for bus operators to update members on the issues, challenges and opportunities facing the bus industry. The next would allow the bus operators to table their strategic concerns / aspirations with elected members. Additional 'ad-hoc' meetings would then be held, as required, involving elected members on an issue by issue, operator by operator basis.

In light of this new way of working, this Committee is asked to appoint appropriate elected Members to attend the Quality Bus Partnership every 6 months, as outlined above and as nominated by the main Groups on the Council.

4. These appointments has been brought to the Staffing Matters and Urgency Committee for consideration as the relevant meetings of the bodies concerned are due to take place prior to the next December Council meeting.

### **Consultation**

5. The Labour Group have been consulted on the appropriate replacement for Councillor Williams outlined in this report. In respect of the changes to involvement with the Quality Bus Partnership, consultation on appropriate nominees is taking place with Groups and details of nominees will be reported at the meeting, where known.



## **Options**

6. There are no options associated with these appointments.

## **Council Plan 2015-19**

7. This report is relevant to three key priorities of the new Council Plan 2015-19 namely 'A Focus on Frontline Services, 'A Prosperous City for All' and 'A Council that Listens to Residents'. In particular, engagement with the Quality Bus Partnership will contribute to the provision of efficient and affordable transport links to enable resident and businesses to access key services and opportunities. Maintaining an appropriate decision making structure, together with appropriate nominees to outside bodies, contribute to the Council delivering its core priorities set out in the current Council Plan, effectively.

## **Implications**

8. There are no known implications in relation to the following in terms of dealing with the specific appointments set out in this report:
  - Financial
  - Human Resources (HR)
  - Equalities
  - Crime and Disorder
  - Property
  - Other

## **Legal Implications**

9. The Council is statutorily obliged to make appointments to Committees, Advisory Committees, Sub-Committees and certain other prescribed bodies in accordance with the political balance rules.

## **Risk Management**

10. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report.

## **Recommendations**

11. Staffing Matters and Urgency Committee is asked to:
  - (i) Endorse the appointment of Councillor Levene as a replacement for Cllr Williams on the York Central and York Outer Ring Road Lead Members Boards.

- (ii) Appoint those elected Members nominated by the main Groups to attend the Quality Bus Partnership every 6 months, including the Executive Member for Transport, on the lines set out in paragraph 3(ii) above. (*Nominations to be confirmed at the meeting*)

**Reason:** In order to make appropriate appointments to the Council's Committees and Outside Bodies for the current municipal year.

**Author:**

Dawn Steel  
Head of Civic and  
Democratic Services  
Telephone: 01904 551030

**Chief Officer Responsible for the report:**

Andy Docherty  
Assistant Director, Governance and ICT

**Report  
Approved**



**Date** 13 November 2015

**Specialist Implications Officers**

Not applicable

**Wards Affected:** Not applicable

**All**



**For further information please contact the author of the report**

**Background Papers**

None

**Annexes**

None