

**Notice of a public meeting of  
Staffing Matters & Urgency Committee**

**To:** Councillors Aspden (Chair), D'Agorne (Vice-Chair),  
Hook and D Myers

**Date:** Monday, 7 October 2019

**Time:** 5.30 pm

**Venue:** The King Richard III Room (GO49) - West Offices

**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. Exclusion of Press and Public**

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annexes A and B to Agenda Item 7 (Redundancy) on the grounds that they contain information relating to individuals and the financial affairs of particular persons. This information is classed as exempt under paragraphs 1, 2 and 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

**3. Minutes (Pages 1 - 2)**

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on Monday 2 September 2019.

#### **4. 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 on **Friday 4 October 2019 at 5.00pm**. 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 that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>. or, if 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/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

#### **5. Changes to Membership of Committees and Other Bodies (Pages 3 - 6)**

This report seeks approval for amendments to the Council's appointments to committees and outside bodies.

#### **6. Interim cover for the Chief Executive (Pages 7 - 10)**

This report provides an update and recommendations on the continued provision to cover the Head of Paid service duties in the ongoing absence of the Chief Executive.

## 7. Redundancy (Pages 11 - 18)

This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of employees on the grounds of redundancy.

## 8. Urgent Business

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

### Democracy Officer

Louise Cook

Contact details:

- Telephone – (01904) 551031
- Email - [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

For more information about any of the following please contact the Democracy 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 własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 **(01904) 551550**

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City of York Council

Committee Minutes

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Meeting	Staffing Matters & Urgency Committee
Date	2 September 2019
Present	Councillors Aspden (Chair), D'Agorne (Vice-Chair), Hook and D Myers

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## **21. Declarations of Interest**

At this point in the meeting, Members were asked to declare if they had any personal interests not included on the Register of Interests or any prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda. None were declared.

## **22. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during the consideration of Annex A to Agenda Item 5 on the grounds that it contained information relating to an individual and the financial affairs of a particular person. This information was classed as exempt under Paragraphs 1, 2 and 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information)(Variation) Order 2006).

## **23. Minutes**

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 5 August 2019 be approved and then signed by the Chair as a correct record.

## **24. Public Participation**

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

## **25. Pension or Exit Discretion**

Members considered a report which detailed expenditure associated with pension or exit discretions in accordance with Council policy.

Members considered the background and detail surrounding the proposal, which was contained in the business case attached as a confidential Annex to the report.

Resolved: That the expenditure associated with the proposed pension or exit discretion, as detailed in Annex A to the report, be considered and approved.

Reason: In order to provide an overview of expenditure and to consider whether the Council should exercise its discretionary powers to make enhancements.

Cllr Aspden, Chair

[The meeting started at 5.30 pm and finished at 5.35 pm].



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## Staffing Matters and Urgency Committee

7 October 2019

Report of the Interim Assistant Director of Legal and Governance

### **Changes to Membership of Committees, Joint Committees administered by other Councils, Regional Local Authority Bodies and Other Bodies**

#### **Summary**

1. At the Annual Council meeting on 22 May 2019, appointments were made to Committees, Sub-Committees and Outside Bodies for the 2019/20 municipal year. Further changes are now required to the membership of committees, as set out below.

#### **Background**

2. Further to the appointments to Committees etc. made at the Annual Meeting, Staffing Matters & Urgency Committee has authority to deal with any in-year changes or appointments to any Committees and Outside Bodies and the following changes are put forward for consideration.

##### Foss 2008 Internal Drainage Board

To appoint Councillor Fisher and Councillor Warters onto the Board.

##### St Wilfrid's Eleemosynary Charity

Councillor Cuthbertson to replace Councillor Mason

#### **Consultation**

3. Normal processes to consult the relevant political Group have been applied to ensure the Group nominates the Members of their choice. No other consultation is specifically required in this instance.

#### **Options**

4. There are no alternative options available as this is simply for the Groups concerned to nominate appropriate candidates to either replace the Member concerned or to fill the position that has become available. This Committee will then consider and determine those nominations.

## **Council Plan**

5. Maintaining an appropriate decision making and scrutiny structure and appointees to that contribute to the Council delivering its core priorities set out in the current Council Plan, effectively.

## **Implications**

6. There are no known implications in relation to the following in terms of dealing with the specific matter before Members:
  - Financial
  - Human Resources (HR)
  - Equalities
  - Crime and Disorder
  - Property
  - Other

## **Legal Implications**

7. 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. These rules may only be waived where no Member votes against the proposal.

## **Risk Management**

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

## **Recommendations**

9. Staffing Matters and Urgency Committee is asked to consider and approve the changes to outside body appointments as outlined in paragraph 2.

Reason: In order to make appropriate Council appointments to representatives on Outside Bodies for the remainder of the current municipal year.



**Contact Details**

**Author:**

Dawn Steel  
Head of Civic and  
Democratic Services  
Tel: (01904) 551030

**Chief Officer Responsible for the report:**

Suzan Harrington  
Interim Assistant Director of Legal and  
Governance

**Report**

**Date** 24 September 2019

**Specialist Implications Officers**

Not applicable

**Wards Affected:**

**All**

For further information please contact the author of the report

**Background Papers:**

None

**Annexes:**

None

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**Staffing Matters & Urgency Committee**  
Report of the Head of Human Resources

**7 October 2019**

**Interim cover for the Chief Executive**

**Summary**

1. Further to the decision Staffing Matters and Urgency Committee made in August, this report provides an update and recommendations on the continued provision to cover the Head of Paid service duties in the ongoing absence of the Chief Executive.
2. It was agreed to review this arrangement in October if the Chief Executive had not returned to work.

**Background**

3. The Chief Executive remains unwell to attend work, however the Council need to continue to carry out its full functions and the Chief Executive role is key, as Head of Paid Service, in ensuring the delivery of the council's functions and in moving the council forward.
4. There is currently no known end date for the absence. The interim arrangements, as agreed in August, were on the basis that the Chief Executive remained off work, however if she return to work then the interim arrangements, as agreed, would cease with immediate effect.
5. It was agreed in August that the Deputy Chief Executive will be the Interim Head of Paid Service and that the Deputy Statutory Section 151 Officer is assigned as the Statutory Section151 Officer.
6. The cost of this arrangement, as detailed in August paper is an additional £2,408 per month for the Chief Executive and an additional £690 per month for the officer acting as the Section 151 Officer.

**Options and Analysis for interim cover**

**Option 1**

7. To continue on the current arrangements. Leaving the Deputy Chief Executive as Interim Head of Paid Service and the Deputy Section 151

Officer as Section 151 Officer. The cost per month of this arrangement is £3,098.

### **Option 2**

8. In August's paper option 2 was for the DCEX to act as interim Head of Paid service but consideration could be given to increase the Chief Officer establishment on a temporary basis to have an AD for Finance incorporating the Section 151 duties.
9. This will require approval at Council as there is an increase in the establishment of Chief Officers, even if temporarily, and there would need to be an internal recruitment process which will take time.
10. The cost of this option would be:
  - £2,408 per month for the DCEX and then a cost of an AD post,
  - Additional cost from grade 12 to AD estimated at £1,531 per month
  - Backfill would be required within Finance estimated for the purpose of this report at a grade 10. £3,392 per month.
11. We would need to recruit internally for the AD position if approved.
12. However it should be noted that the interim arrangements, as detailed in option 1 are working satisfactorily at the moment.

### **Option 3**

13. To advertise and recruit for an Interim Chief Executive on an initial 3 month contract, with the flexibility to extend.
14. This would retain the DCEX in his current role.
15. However to recruit for this is likely to take at least two months until someone is in post. There would be the cost of advertising and interviewing, estimated at around £5,000.
16. As it is an interim arrangement the cost per day is estimated at £1,000 including expenses. This on average per month based on 21 working days would cost the authority £21,000.
17. The committee should note that the Chief Executives absence is reviewed on a monthly basis and therefore she may be fit to return to work at any point in the future and therefore careful consideration should

be given as to whether it is appropriate to commit to any longer term interim provision at this time.

### **Consultation**

18. Trade Unions were consulted on the current interim provision and were supportive of the need for interim provision. Staff indirectly affected through the interim arrangements have been supportive of the approach taken to date.

### **Council Plan**

19. Making an appointment to this post will contribute to delivering the Council Plan and its priorities.

### **Implications**

20. The following implications have been considered:

- **Financial** – The cost of each option is detailed above.
- **Human Resources (HR)** – Temporary changes to contracts will be needed in options 1 and 2, therefore the necessary process will be followed. Option 2 would require recruitment to the post.
- **Equalities** - There are no equalities implications.
- **Legal** – Internal appointments into statutory positions can be done without the need for an appointments sub-committee and can be sanctioned by SMU. There is no requirement to go through to full council.
- **Crime and Disorder** – There are not 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**

21. The interim arrangements mitigate the risk to the Authority of not separating out the statutory functions of the Section 151 and Head of Paid Service which could impact upon the effective delivery of services to the residents of York.

### **Recommendations**

22. It is recommended that SMU

- a) Agree to option 1 and continue with the current interim arrangements.
- b) To agree to continue to pay the additional supplements for Interim Head of Paid Service and Section 151 Officer as detailed in option 1.

- c) To note that all interim arrangements would cease with immediate effect upon the return of the Chief Executive.
- d) To review the interim arrangements in January if the Chief Executive remains absent.

Reason: To provide suitable cover in the absence of the Chief Executive.

**Contact Details**

Trudy Forster  
Head of HR  
Human Resources  
01904 553985

**Report Approved**  **Date** 26/9/09

**Wards Affected:**

**All**



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



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**Staffing Matters and Urgency Committee****7 October 2019**

Report of the Interim Head of Paid Services

**Redundancy****Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

**Background**

2. The background and detailed case surrounding each proposal are contained in the individual business cases to be circulated at the meeting as annexes to this report.

**Consultation**

3. All of the proposed redundancies have been subject to consultation in accordance with the Council's statutory obligations.

**Options**

4. The Committee has the power within the Council's procedures to approve discretionary enhancements to redundancy and/or pension payments. The Committee does not have the power to make lower payments. By law the decisions as to whether or not to make an employee redundant rests with the Chief Executive or Officers nominated by her.

**Analysis**

5. The analysis of each proposal can be found in the respective business case.

**Council Plan**

6. Whilst the actions being proposed in the report are not material to the Council Plan they are consistent with the required outcomes of the Workforce Strategy (People Plan).

**Implications**

- 7. The implications of each proposal can be found in the respective business case.

**Risk Management**

- 8. The specific risks associated with each proposal and how they can be mitigated is contained in each business case. In summary, the risks associated with the recommended option are financial, legal, operational and reputational.

**Recommendations**

- 9. Staffing Matters and Urgency Committee is asked to:
  - 1) Note the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy detailed in the annexes.

Reason: In order to provide an overview of the expenditure.

**Contact Details**

**Author:**

Trudy Forster  
Head of HR  
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Ext 3985

**Chief Officer Responsible for the report:**

Ian Floyd  
Interim Head of Paid Service

**Report Approved**



**Date** 26/9/19

**Specialist Implications Officer(s):**

**Wards Affected:**

All



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

**Background Papers:**

None

**Annexes**

Annex A - Confidential Business Case  
Annex B – Confidential Business Case



By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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