

Meeting	Staffing Matters & Urgency Committee
Date	8 January 2018
Present	Councillors Carr (Chair), Aspden (Vice-Chair) and Looker

49. 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.

No Member present had any interests to declare.

50. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Items 5 (Redundancy) and 6 (Pension or Exit Discretion) on the grounds that they contained 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).

51. Minutes

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 11 December 2017 be approved and then signed by the Chair as a correct record.

52. Public Participation

It was reported that there had been 3 registrations to speak at the meeting under the Council's Public Participation Scheme.

Cllr Mark Warters spoke further to Minute 48 of the last meeting, drawing out issues relating to governance and transparency and specifically referring to the resolution regarding 'an appropriate report' for Audit & Governance Committee. He queried what that would mean in practice.

He then referred to impending legal action regarding matters arising at and relating to a meeting of Audit & Governance Committee in February 2017 and to what were, in his opinion, deficiencies in transparency and process since then. Finally, he queried why the two councillors who had been removed from the Executive had not yet been reinstated and requested the Chair to consider reviewing the situation at the next meeting of this Committee, together with the consequential changes made to Planning and other Committees.

Gwen Swinburn, a local resident, also spoke further to Minute 48 of the last meeting, highlighting issues around transparency and governance about which she was concerned, including the publication of agendas (and specifically that of the December meeting of this Committee, which, in her opinion, was inadequately published), and minutes for meetings. She raised concerns about the way in which democracy was managed in York and the way in which complaints against senior officers had been administered. Finally, she called for, a complete review of the constitution with the creation of a Standing Investigations and Chief Officer Disciplinary Committee.

Tony Fisher, a local resident, spoke further to resolutions (ii) and (iii) of Minute 48 of the last meeting, commenting that the organisational culture did need improving and should be considered by all Members at a full Council meeting and adding that some officers and Members did not appear to understand their respective roles, nor demonstrate the appropriate respect.

He queried why the full original Local Government Association report referred to at resolution (iii) could not be released, questioning the transparency and openness of the Council, Members constitutional rights and the current Executive system depriving a number of councillors the opportunity to be involved in decision making. Stating that, in his opinion, reintroducing a committee system would ensure every political party had an influence on the decisions made.

53. Redundancy

Members considered a report which detailed expenditure associated with the proposed dismissal of an employee on the grounds of redundancy.

The background and detailed case surrounding the proposal was contained in the individual business case attached as a confidential annex to the report.

Resolved: That the expenditure associated with the proposed dismissal of an employee on the grounds of redundancy, as detailed in Annex A of the report, be noted.

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

54. 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 each proposal, which were contained in the business cases attached as confidential annexes to the report and following a discussion around Annex B, it was agreed:

Resolved:

- (i) That the expenditure associated with the proposed pension or exit discretion, as detailed in Annex A, Annex B, Annex C and Annex D of the report, be approved.
- (ii) That the Executive Member for Environment and the Interim Executive Member for Culture, Leisure and Tourism be informed of the concerns raised by the Committee to the proposed exit discretion detailed in Annex B.

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

55. Appointment of Interim Assistant Director, Children's Specialist Services

Members considered a report that sought 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 of Children's Specialist Services.

The Corporate Director of Children, Education & Communities was in attendance to present the report and he informed Members that there was a vital need to recruit on an interim basis as the current Assistant Director of Children's Specialist Services would resign from his post late January.

Members noted that this would ensure that Children's Social Care would continue to have sufficient leadership capacity in the interim period and it would also enable a continued focus on the Councils statutory responsibilities.

Members were informed that a permanent appointment would follow a review of the post and the departmental management arrangements.

In answer to Members questions it was noted that the Interim Deputy Leader had not been consulted on the proposals and the Corporate Director of Children, Education and Communities agreed to inform him.

Resolved:

- (i) That the recruitment in an interim capacity to the role of Assistant Director Children's Specialist Services Chief Officer grade 10 £68,744.00 to £76,374.00 be approved.
- (ii) That the advertising of this opportunity be approved as internally only.
- (iii) That the establishment of the Appointments Committee and the committee be authorised to conduct the interview, and select a successful candidate and make an offer of interim employment subject to the necessary employment procedures and standing orders, be approved.

- (iv) That Cllr Rawlings and Cllr Runciman be members of the Appointments Committee and that a Labour Member be nominated.
- (v) That the Interim Deputy Leader be consulted on the proposals.

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.

Cllr Carr, Chair

[The meeting started at 3.33 pm and finished at 4.00 pm].