

Staffing Matters & Urgency Committee

15 February 2021

Report of the Chief Operating Officer

Update on progress to implement the new Corporate Leadership Group (CLG)

Summary

1. The purpose of this report is to provide assurance to the committee that progress is being made to implement the changes to the senior management structure of the Council, as agreed by this committee in December 2020.

Background

2. Staffing Matters and Urgency, in December, after considering a number of options proposed by the Chief Operating Officer agreed that option 3 be progressed.
3. Following SMU decision all staff affected were notified and the formal consultation period commenced, in line with the draft timetable presented in December to committee.
4. For reference both the structure chart and timetable are included in Annex 1.

Activity to Date

5. During the consultation period, 15 December to 22 January, staff have had the opportunity for group consultation sessions and individual consultation with the Chief Operating Officer and the Head of HR.
6. All staff have actively participated in the consultation process.
7. Current job descriptions have been confirmed and new job descriptions have been amended following consultation throughout the consultation period.

8. The new job descriptions have been job evaluated through the Chief Officer Job evaluation process using Hay. The job evaluation panel was observed by both GMB and Unison representatives.
9. In line with the timetable the assimilation panel assessed current and new roles on 4 February and staff were informed of the outcome the same day.
10. Some staff have assimilated to posts, whilst for others there is no clear assimilation and therefore they have been given the opportunity to express interest in the vacant posts in the new structure.

Next Steps

11. Staff have the right of appeal against the assimilation panel outcome and have till 18 February to submit. Any appeals will be considered by 25 February.
12. The next stage is to recruit to the vacant positions in the structure where there has been no assimilation.
13. As agreed in December, Chief Officer Appointment Sub-Committees have been set up for week commencing 1 March to appoint to the vacant posts where staff have expressed interest and progress to interview. Small stakeholder panels will also feed into that process.
14. Where an internal candidate has been successful they will be confirmed in post, with the implementation date being 1 April 2021.
15. If an internal candidate is not successful then they will be at risk of redundancy. The council will follow its normal processes and procedures.
16. If there are still vacancies after this process then the jobs will be released for external advertisement.
17. The committee are asked, if they can delegate the external recruitment to the panels that are already established. This will speed up the process to recruit to the vacant positions. An update can be brought back to SMU in March.

Consultation

18. Consultation started back in September and members of CLG have been regularly updated and have had the opportunity to speak with the Head of HR or Chief Operating Officer throughout.
19. Formal consultation has occurred in line with HR policies and procedures and is detailed above in the report.
20. Trade Unions have been involved throughout this process, receiving copies of reports and briefings from the Chief Operating Officer.
21. The Trade Unions observed the job evaluation panel and had the opportunity to comment within it. The Trade Unions also observed the assimilation panel and confirmed the process has been followed correctly.

Council Plan

22. Restructuring will contribute to delivering the Council Plan and its priorities, enabling the Council to remain proactive and fit for purpose for the future.

Implications

Financial

23. There are no specific financial implications associated with this report as it is an updated. The financial implication of the CLG restructure can be found in Decembers report.

Human Resources (HR)

24. There are a number of HR implications and any restructure will be carried out in accordance with the Council's HR change management procedures.
25. As the changes affect chief officers, members are responsible for the appointments of Chief Officers. However the council has a duty to mitigate redundancy and therefore we will consider suitable alternative employment within the structure proposed and across the council.
26. It is recommended therefore where staff assimilate at stage 1 and stage 2 where there is no competition staff will be confirmed in post.

Equalities

27. At this stage of the process there are no known equalities implications, however, the Council needs to have due regard to the public sector equality duty, which will be kept under review via the completion of an equality impact assessment

Legal

28. All Chief Officer posts are politically restricted pursuant to the Local Government and Housing Act 1989.
29. The Council must ensure that its employment policies and procedures are followed so as to avoid any future legal challenge. The council is required to demonstrate they have mitigated compulsory redundancy in any restructure and CYC do this through their assimilation process. In addition, as these are Chief Officer roles then a Members appointment panel considers suitability. In accordance with the Constitution, a member appointment panel will include at least one Member of the Executive.

Crime and Disorder, Information Technology and Property

30. There are no identified implications.

Risk Management

31. This is a key area of the Council and integrated into the members, along with active public involvement. There will be public interest and we have to ensure the confidentiality of staff involved in the restructure is maintained even to the pressure of outside parties.

Recommendations

32. It is recommended that Staffing Matters and Urgency Committee:
 - Note the progress made to date.
 - Agree to the Chief Officer Sub Committees progress with external recruitment after the internal processes have concluded.

Reason: To ensure the council has an appropriate Chief Officer structure to deliver the councils priorities.

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Chief Officer Responsible for the report:

Ian Floyd
Chief Operating Officer

**Report
Approved**

Date 04/02/2021

Specialist Implications Officer(s):

Debbie Mitchell, Chief Finance Officer
Janie Berry, Director of Governance

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

All

For further information please contact the author of the report

Annexes

Annex 1 – Structure and Timeline

Abbreviations

CFO – Chief Finance Officer
CLG – Corporate Leadership Group
CMT – Corporate Management Team
COO - Chief Operating Officer
CYC- City of York Council
FTE - Full time equivalent
HR - Human Resources

LGA – Local Government Association

OD – Organisational Development

SMU – Staffing Matters and Urgency Committee