



## **Notice of a public meeting of**

### **Staffing Matters and Urgency Committee**

- To:** Councillors Aspden (Chair), D'Agorne (Vice-Chair), Hook and D Myers
- Date:** Monday, 19 April 2021
- Time:** 5.30 pm
- Venue:** Remote Meeting

### **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 9 and Annexes A, B, and C of Agenda Item 10 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 - 4)**

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held 15 March 2021.

### **4. Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is Thursday 15 April 2021.

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting please contact the Democracy Officer for the meeting whose details can be found at the foot of the agenda.

#### Webcasting of Remote Public Meetings

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

### **5. Changes to Membership of Committees, Joint Committees administered by other Councils, Regional Local Authority Bodies and Other Bodies (Pages 5 - 8)**

This report sets out the proposed changes to Committee, Sub-Committees and Outside Bodies appointments.

**6. Request to extend the Interim Assistant Director Housing**  
(Pages 9 - 12)

This report requests the extension to the interim Assistant Director post for two months until end of May 2021, to ensure service delivery and staff support is maintained.

**7. Work Plan** (Pages 13 - 16)

To consider the Committee's draft work plan for the municipal year 2020-21.

**8. Urgent Business**

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

**9. Settlement Agreements** (Pages 17 - 28)

This report the Committee of the expenditure and council activity on settlement agreements and the inclusion of a non-disclosure clause in accordance with council policy.

**10. Redundancy and Retirement** (Pages 29 - 42)

This report advises the Committee of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

Democracy Officer

Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- Email – [robert.flintoft@york.gov.uk](mailto:robert.flintoft@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**

City of York Council

Committee Minutes

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Meeting	Staffing Matters and Urgency Committee
Date	15 March 2021
Present	Councillors Aspden (Chair), D'Agorne (Vice-Chair), Hook and D Myers
Apologies	

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### **61. 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.

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

Resolved: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Item 8 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).

### **63. Minutes**

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 15 February 2021 be approved and then signed by the Chair as a correct record.

### **64. Public Participation**

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

## **65. Update on progress to implement the new Corporate Leadership Group (CLG)**

Members considered an update on the Corporate Leadership Group Restructure it was noted that there had been no slippage on timescales from the Committees last update on 15 February 2021. It was confirmed that there had been no appeals against the assimilation process, 3 director posts had been filled and remaining vacant posts would be advertised externally.

Resolved:

- i. Noted the progress made to date in implement the new Corporate Leadership Group (CLG).

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

## **66. Work Plan**

Resolved:

- i. Requested that an update on progress to implement the new Corporate Leadership Group (CLG) be added to the Committee's 17 May 2021 meeting;
- ii. Noted the Committee Work Plan.

Reason: To ensure that the committee has a planned programme of work in place.

## **67. Redundancy, Retirement and Settlement Agreements**

Members considered a report which advised them of expenditure associated with proposed phased retirements. Details of the proposals and there implications were set out in the business cases in exempt Annex A, B, and C to the report.

Resolved:

- i. That the expenditure associated with the proposed flexible retirement, as detailed in the report annex be noted.

Reason: So that the Committee has an overview of expenditure associated with pension or exit discretions.

Cllr Aspden, Chair

[The meeting started at 5.33 pm and finished at 5.46 pm].

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**Staffing Matters and Urgency Committee****19 April 2021**

Report of the Director of Governance and Monitoring Officer

**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. Due to the cancellation of the 2020 Annual Council meeting, those appointments were carried over to the 2020/21 municipal year, subject to a number of changes, as approved by the Staffing & Urgency Committee at their meeting on 15 June 2020. Further changes are now required to the membership, 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 any in-year changes or appointments to any Committees and Outside Bodies, and the following changes are put forward for consideration:

Licensing and Regulatory Committee

Councillor Melly to replace Councillor Wells as the Vice Chair of the Committee.

**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 a 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 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 committee and outside body appointments as set out in paragraph 2.

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

**Contact Details**

**Author:**

Dawn Steel  
Head of Civic and Democratic  
Services  
dawn.steel@york.gov.uk

**Chief Officer Responsible for the report:**

Janie Berry  
Director of Governance and Monitoring  
Officer

**Report**  **Date** 9 April 2021

**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****19 April 2021**

Report of the Corporate Director Place

**Request to extend the Interim Assistant Director Housing****Summary**

1. SMU in September agreed to appoint to the Interim Assistant Director of Housing. This interim position was based on the fact that the CLG structure was being consulted on and hence no requirement to fill on a permanent basis at that time.
2. SMU have agreed the interim structure in December's meeting and that structure is being implemented.
3. Due to the complexities of the structures and the transitional periods we are seeking an extension to the interim Assistant Director post for two months until end of May 2021, to ensure service delivery and staff support is maintained.

**Background**

4. The committee agreed in September that the vacant Assistant Director Housing would not be appointed to on a permanent basis due to the impending CLG restructure.
5. An internal recruitment and selection process was carried out and an Interim AD appointed.
6. The CLG structure as agreed in SMU on 20 December has begun implementation, however the movement of services around is transitional and cannot all happen on one day.
7. The Head of Service structure to support the new CLG structure is currently being finalised ready for consultation.
8. The current interim arrangements are only agreed until the 31 March 2021, however it is not possible for the Head of Service structure within housing to be consulted on in such a short space of time. Therefore we have concern about the potential gap in leadership.

9. We are therefore seeking to extend the interim arrangements until the end of May 2021.

## **Options**

### **Option 1 – To extend the interim arrangements for one month**

10. This maintains the current arrangements and gives some stability across the service.
11. It enables meaningful consultation to take place with all affected staff within the proposed new Head of Service structure.
12. The cost of this option is £1.8k per month including oncosts. A total of £3.6k.

### **Option 2 – Not to extend the interim arrangements**

13. There is the option not to extend however there is concern on service delivery and also impact on staff wellbeing.
14. This would increase the direct reports into the Director by a further 3, at a time when we need to Director to be leading through the other changes and transition to the new Directorate. In addition the delegated authorities are not in place within Housing and hence increase of decisions going up to the Director level.

## **Consultation**

15. The Head of Paid Service is supportive of this proposal.

## **Council Plan**

16. Ensuring roles are sufficiently covered contribute to delivering the Council Plan and its priorities.

## **Implications**

17. The following implications have been considered:
  - **Financial** – An additional cost of £3.6k for the two month extension if option one is agreed. This can be funded through budgets held within the Housing Revenue Account

- **Human Resources (HR)** – There are no additional HR elements to be followed if option one is agreed, as the person was appointed to the interim role through the Appointments sub-committee.
- **Equalities** - There are no equalities implications.
- **Legal** – There are no implications.
- **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**

18. The risk of no extension may result in a cap in management capacity that could risk delivery against the Council Plan and its priorities.

### **Recommendations**

19. It is recommended that Staffing Matters and Urgency Committee:
  - Approve to option one and extend the current interim arrangements for two months.
  - This extension if approved will cost £3.6k.

Reason: To ensure full managerial cover is provided to ensure service delivery can be maintained.

**Contact Details**

**Author:**  
Trudy Forster  
Head of HR & OD

**Chief Officer Responsible for the report:**  
Neil Ferris - Corporate Director Place

**Report  
Approved**



**Date** 06/04/2021

**Specialist Implications Officer(s)**

Legal: Janie Berry – Director of Governance  
Finance: Patrick Looker - Finance Manager

**Wards Affected:**

**All**



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



**Staffing Matters & Urgency Committee**  
**Draft Work Plan 2020-21**

14 December 2020	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> <li>2. CLG Structure</li> </ol>
11 January 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> <li>2. Workforce demographics at 30 September 2020 (deferred) <ul style="list-style-type: none"> <li>• FTE</li> <li>• Equality Data</li> <li>• Absence and Well Being</li> <li>• Starters and Leavers</li> <li>• Reasons for leaving i.e. retirement, redundancy, dismissal, settlement agreement</li> <li>• Agency</li> </ul> </li> </ol>
15 February 2021	<ol style="list-style-type: none"> <li>1. Changes to Membership of Committees, Joint Committees administered by other Councils, Regional Local Authority Bodies and Other Bodies</li> <li>2. Pension Discretions</li> <li>3. Update on progress to implement the new Corporate Leadership Group (CLG)</li> <li>4. Redundancy, Retirement and Settlement Agreements</li> </ol>
15 March 2021	<ol style="list-style-type: none"> <li>1. Update on progress to implement the new Corporate Leadership Group (CLG)</li> <li>2. Redundancy, Retirement and Settlement Agreements</li> </ol>

19 April 2021	<ol style="list-style-type: none"> <li>1. Request to extend the Interim Assistant Director Housing</li> <li>2. Redundancy, Retirement and Settlement Agreements</li> </ol>
17 May 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>
(TBC) June 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> <li>2. Workforce demographics at 31 March 2021 <ul style="list-style-type: none"> <li>• FTE</li> <li>• Equality Data</li> <li>• Absence and Well Being</li> <li>• Starters and Leavers</li> <li>• Reasons for leaving i.e. retirement, redundancy, dismissal, settlement agreement</li> <li>• Agency</li> </ul> </li> </ol>
(TBC) July 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>
(TBC) August 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>
(TBC) September 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>
(TBC) October 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>
(TBC) November 2021	<ol style="list-style-type: none"> <li>1. Redundancy, Retirement and Settlement Agreements</li> </ol>

(TBC) December  
2021

1. Redundancy, Retirement and Settlement Agreements

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## **Staffing Matters & Urgency Committee**

**19<sup>th</sup> April 2021**

Report of the Chief Operating Officer

### **Settlement Agreements and Non-Disclosure Clause**

#### **Summary**

1. This report advises Staffing Matters and Urgency Committee of the expenditure and council activity on settlement agreements and the inclusion of a non-disclosure clause in accordance with council policy.

#### **Background**

2. The background and detailed cases surrounding the settlement agreement is contained in the individual business cases attached as a confidential annexes to this report.

#### **Consultation**

3. The proposed settlement agreements have been subject to set conditions to make it a legally binding contract, used to end the employment relationship on agreed terms.

#### **Options**

4. The Committee is noting the payments made in accordance with the settlement agreement process as agreed by SMU and Audit & Governance. The appropriate Executive member has been party to the parameters on which the settlement agreement has been based. The decision as to whether or not to end an employment relationship on agreed terms sits with the Chief Operating Officer or Officers nominated by him.

#### **Analysis**

5. The analysis of the proposal can be found in the respective business cases in the confidential annex(s).

#### **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 Organisational Development Plan.

**Implications**

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

**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 ending of an employment contract on agreed terms by a settlement agreement detailed in the annexes.

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

**Contact Details**

**Author:**

Trudy Forster

Head of HR

Human Resources

01904553985

**Chief Officer Responsible for the report:**

Ian Floyd

Chief Operating Officer

**Report Approved**

**Date** 06/04/21

**Specialist Implications Officer(s):**

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

**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

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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**Staffing Matters and Urgency Committee****19 April 2021**

Report of Chief Operating Officer

**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 Operating Officer or Officers nominated by him.

**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 Organisation Development 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  
Human Resources  
01904553985

**Chief Officer Responsible for the report:**

Ian Floyd  
Head of Paid Service

**Report Approved**



**Date** 01/04/21

**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
- Annex C – Confidential Business Case

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