

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, 15 March 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:

Agenda Item 5 should Members need to refer during their discussion to matters 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)

Annexes A, B, and C to Agenda Item 8 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 on 15 February 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 11 March 2021.

To register to speak please visit 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.

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

5. Update on progress to implement the new Corporate Leadership Group (CLG) (Pages 5 - 14)

This report provides a regular update on the progress of implementation of the new structure for the Corporate Leadership Group.

6. Work Plan (Pages 15 - 18)

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

7. Urgent Business

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

8. Redundancy, Retirement and Settlement Agreements (Pages 19 - 32)

This report advises the Committee of the expenditure associated with pension or exit discretions in accordance with council policy.

Democracy Officer

Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- Email – 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
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

City of York Council

Committee Minutes

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

52. 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.

53. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Items and 10 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).

54. Minutes

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 11 January 2021 be approved and then signed by the Chair as a correct record.

55. Public Participation

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

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

Members considered a report which sought approval to amend the Council's appointments to the Quality Bus Partnership outlined below.

Quality Bus Partnership

Councillor Melly to become the Labour appointment to the Partnership, Councillor K Taylor to become the Labour substitute to the Partnership.

Resolved:

- i. Approved the appointment changes to Quality Bus Partnership as set out in paragraph 2 of the agenda.

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

57. Pension Discretions

Officers introduced the report and advised the committee that at this time there would be no further update regarding the £95,000 cap, which was originally proposed by central government after it had been withdrawn ([Mandatory HM Treasury Directions - GOV.UK \(www.gov.uk\)](http://www.gov.uk)). Officers confirmed that the Council had commissioned specialists pensions lawyers to produce redrafted the Council's Discretionary Policy Statement as included in the annex, that this was the first time the councils had included all of the discretion in one place and had all been updated to ensure legally compliant. Members discussed the Council's consultation in redrafting the policy and how that compared with other Council's Policy Statements.

Resolved:

- i. The Committee approved the revised Discretionary Policy Statement.

Reason: To invite Members to consider changes to the Council's Discretionary Policy Statement to comply with the LGPS Regulations and Discretionary Compensation Regulations and approve the new statement.

58. Corporate Leadership Group Restructure Update

Members considered an update on the Corporate Leadership Group Restructure, it was noted that consultations had taken place with all staff effected and with trade unions, who also attended assimilation panels. Next steps for the restructure would now include recruiting to vacant posts. The Committee supported the Chief Officer Sub Committees progress with external recruitment after the internal processes have concluded and noted the update and requested another update be provided to the Committee.

Resolved:

- i. Noted the progress made to date and requested a further update be brought to the Committee.
- ii. 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.

59. Work Plan

Resolved:

- i. Noted the Committee Work Plan;
- ii. Requested that an update on progress to implement the new Corporate Leadership Group (CLG) be added to the Committee's 15 March 2021 meeting.

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

60. Redundancy, Retirement and Settlement Agreements

Members considered a report which advised them of expenditure associated with proposed phased retirement. Details of the proposal and its implications were set out in the business cases in exempt Annex A to the report.

Resolved:

- i. That the expenditure associated with the proposed phased 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 K Aspden, Chair

[The meeting started at 5.30 pm and finished at 5.56 pm].



Staffing Matters & Urgency Committee**14 March 2021**

Report of the Head of Human Resources

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

1. The committee has requested a regular update on the progress of implementation of the new structure for CLG, as agreed by this committee in December 2020.
2. This paper provides an update as at date of publication of the report. A further verbal update will be provided at committee.

Background

3. In February's update the committee were provided assurance that the full consultation process had been completed, along with the assimilation process.
4. The timeline provided to committee in December 2020 has been followed with no changes to date. This is provided for reference in Annex A along with the whole structure.

Activity since the last meeting

5. Staff were informed of the outcome of assimilation and had a period during which they could appeal. No appeals were received.
6. Staff who were not assimilated were asked to express interest in the vacant posts within the new structure. This is an important step to that the council follows to mitigate any compulsory redundancies.
7. The posts that were vacant were:
 - Director Environment, Transport and Planning

- Director Economy, Regeneration and Housing
- Director Customer & Communities
- Director Safeguarding People
- Director Commissioning & Prevention
- Assistant Director Policy & Strategy

8. Five staff expressed interest in posts and were invited to a selection process.
9. The selection process for all posts comprised of a Leadership panel, a stakeholder panel and the final Member appointment panel.
10. The stakeholder panel involved a selection of the councils key partners.
11. The selection process took place week commencing 1 March 2021.
12. At the time of this report being published final results were not known.

Next Steps

13. Where staff have been successful they will be offered the post at the starting salary of £90,033. Posts will commence on 1 April 2021.
14. For staff who were unsuccessful there are now further processes to go through. This includes consideration of redeployment opportunities across the council and the formal HR process for redundancy.
15. The vacant posts within the CLG structure will be advertised externally.

Consultation

16. There has been no formal consultation during the period from the last report in February. The Trade Unions are aware of the process and are being updated throughout.

Council Plan

17. 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

18. 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)

19. There are a number of HR implications and any restructure will be carried out in accordance with the Council's HR change management procedures.
20. 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.
21. 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

22. 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

23. All Chief Officer posts are politically restricted pursuant to the Local Government and Housing Act 1989.
24. 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

25. There are no identified implications.

Risk Management

26. 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

27. It is recommended that Staffing Matters and Urgency Committee:

- Note the progress made to date.

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

Author:

Trudy Forster
Head of HR

Chief Officer Responsible for the report:

Ian Floyd
Chief Operating Officer

**Report
Approved**

Date 05/03/2021

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 A – 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

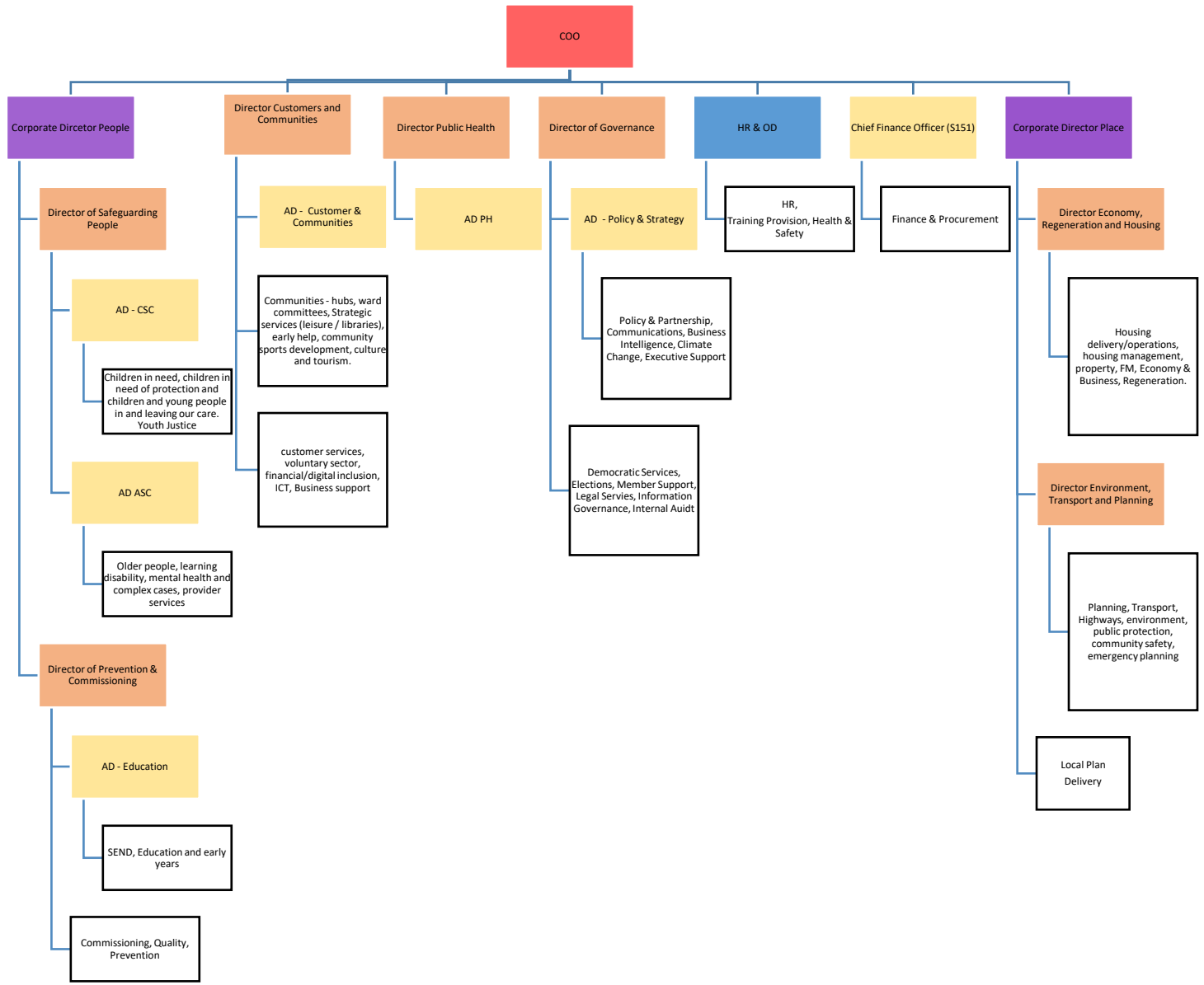
SMU – Staffing Matters and Urgency Committee

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Annex A CLG Restructure Update March 2021

Activity	Dates
Consultation	
Share proposals with CMT, CLG, Heads of Service, Trade Unions and Executive.	w/c 9 November
Share Proposals with wide elected members – Group Leaders, request feedback by 27 November	w/c 9 November
Arrange feedback sessions for CLG with COO <ul style="list-style-type: none"> - Group session - Individual sessions by request 	Between 16 – 27 November
Attend group meetings to discuss proposals – if requested	By 27 November
Consider all feedback and amend proposals where applicable to be considered by SMU	By 3 December 2020
SMU Paper Published including draft job descriptions	4 December 2020
SMU paper shared with all CLG, Trade Unions and all 47 elected members	4 December 2020
SMU Committee	14 December 2020
CLG Updated following discussion at SMU	15 December 2020
<u>Formal consultation Phase</u>	
First formal consultation meeting (30 day consultation period) with staff and the trade unions. Share the written proposal report, draft JD's and timeline. Share current JD's with all staff. In scope letter issued following consultation meeting.	15 December 2020 15 December 2020
Group & individual consultation sessions through workshops / team meetings / 1:1's etc. All staff will be invited to attend an individual 1:1 meeting. At 1:1 meetings, staff will be asked to confirm that their job description is the latest version.	15 December 2020 - 22 January 2021
End of consultation period & deadline for final feedback on the proposed structure and all JD's by staff and Trade Unions.	22 January 2021
New job descriptions go through Job Evaluation Process to confirm grades.	Wc 25 January 2021

Share final proposal with SMU for sign off.	Paper published 29 January for SMU on 1 February 2021
Meeting with staff and TUs to confirm the feedback considered, any amendments to the original proposal and to share the final structure and job description grades.	28 January 2021 Meet again if significant change at SMU on 1 Feb 2021
<u>IMPLEMENTATION PHASE</u>	
Assimilation panel held and outcome letters issued to staff.	4 February 2021
Staff identified at this stage as potentially 'at risk' provided with Redeployment Profile Form to complete and offered 1:1 meetings with manager. Allow 2 weeks for staff to complete. Staff placed on the redeployment register.	5 February 2021 19 February 2021
Deadline for assimilation appeals (appeals received within 10 working days of the date of notification letter).	19 February 2021
Assimilation appeals.	Appeals to be heard 25 February 2021
Outcomes of the Appeals process notified to staff	25 February 2021
If necessary, competitive interviews take place – dependant upon the assimilation panel meeting outcome & any subsequent appeals.	Interviews week of 1 March 2021
Outcome letters (following interviews if take place) and/or invite to redundancy hearing letters issued to staff & 1:1 meetings to review and confirm next steps.	W/c 8/3/2021
Skills matching exercise (if necessary) to any remaining posts in structure, if applicable (for staff identified 'at risk' and placed on redeployment register - having completed Redeployment Profile Form). Individuals notified of outcome of skills matching process.	
Redundancy hearings for staff identified as redundant due to either their post being deleted or not assimilated in to the new structure. Contractual notice is issued (dependant on timescales some individual's contractual notice may go beyond structure implementation date).	
Implementation date of the new structure.	1 April 2021
THESE DATES ARE SUBJECT TO CHANGE DEPENDING ON THE OUTCOME OF THE CONSULTATION PROCESS.	



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

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

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

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Staffing Matters and Urgency Committee**15th March 2021**

Report of the Chief Operating Officer

Pension or Exit Discretion**Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with pension or exit discretions in accordance with council policy.

Background

2. The background and detailed case surrounding each proposal are contained in the individual business cases attached as confidential annexes to this report.

Consultation

3. All of the proposed pension or exit discretions 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 are 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:

Consider each proposal as detailed in the annexes.

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

Contact Details

Author:

Trudy Forster
Head of HR
Human Resources
Ext 3984

Chief Officer Responsible for the report:

Ian Floyd
Chief Operating Officer

Report Approved

Date 04/03/2021

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
- Annex C - 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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