



Notice of a public meeting of

Staffing Matters & Urgency Committee

- To:** Councillors Carr (Chair), Aspden (Vice-Chair), and Looker
- Date:** Monday, 18 July 2016
- Time:** 5.30 pm
- Venue:** The Thornton Room - Ground Floor, West Offices (G039)

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 to Agenda Item 6 (Senior Management Arrangements within the City of York Council Redundancy/Flexible Retirement) on the grounds that they contain information relating to individuals. This information is classed as exempt under paragraph 2 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 20 June 2016.

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 **Friday 15 July 2016 at 5.00 pm**. 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 this meeting may be filmed and webcast or audio recorded and that includes 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/downloads/file/6453/protocol_for_webcasting_filming_and_recording_of_council_meetingspdf

5. Appointments to Committees and Outside Bodies (Pages 5 - 8)

At the Annual Council meeting on 26 May 2016, appointments were made to Committees for the 2016/17 municipal year.

Since then a request for a change in the membership of the Local Plan Working Group has been received. A request has also been received for a change to an appointment to the York, North Yorkshire and East Riding Local Enterprise Partnership Infrastructure Programme Board.

6. Senior Management Arrangements within City of York Council Redundancy / Flexible Retirement (Pages 9 - 14)

This report advises the Committee of the expenditure associated with the proposed dismissal of a Chief Officer on the grounds of redundancy and expenditure associated with an employee's request for flexible retirement which can be considered as a pension discretion. Each decision requires the approval of this committee.

7. Urgent Business

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

Democracy Officer:

Name: Judith Betts

Contact details:

- Telephone – (01904) 551078
- E-mail – judith.betts@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

City of York Council

Committee Minutes

Meeting	Staffing Matters & Urgency Committee
Date	20 June 2016
Present	Councillors Carr (Chair), Aspden (Vice-Chair) and Looker

1. 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.

2. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the consideration of an annex to agenda item 6 (Redundancy) (Minute item 6 refers) on the grounds that it contained information relating to the individual and the financial affairs of the particular person. 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

Resolved: That the minutes of the Staffing Matters and Urgency meeting held on 17 May be approved and then signed by the Chair as a correct record.

4. Public Participation

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

5. Appointments to Outside Bodies - Nomination and Substitute Nomination

Members were asked to agree two member appointments to Outside Bodies.

The Committee was informed that since the publication of the agenda an additional request had been received from York College for the Executive Member for Education, Children and Young People to join their Governing Body. Details had been added to the published agenda in advance of the meeting.

Members were informed that the other appointment, a substitute nomination, for the North Yorkshire Fire and Rescue Authority had been brought for consideration as the next meeting of the Fire and Rescue Authority was due to take place on 22 June. The Council nominated Member, Councillor D Myers could not attend this meeting and there was a need for a substitute to attend in his place.

Resolved:

That;

- (i) Councillor Boyce be approved as a Labour substitute appointee to the North Yorkshire Fire and Rescue Authority.
- (ii) The Executive Member for Education, Children and Young People be approved as the authority's representative on York College's Governing Body.

Reason: In order to make appropriate appointments to the Council's Outside Bodies for the current municipal year.

6. Redundancy

Members received a report which advised them of the expenditure associated with the proposed dismissal of an employee on the grounds of voluntary redundancy.

A confidential annex was circulated amongst Members at the meeting.

Resolved: That the expenditure associated with the proposed dismissal of the employee on the grounds of voluntary redundancy be noted.

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

Councillor D Carr, Chair

[The meeting started at 5.30 pm and finished at 5.40 pm].

This page is intentionally left blank



Staffing Matters and Urgency Committee**18 July 2016**

Report of the Assistant Director, Governance and ICT

Appointments to Committees and Outside Bodies**Summary**

1. At the Annual Council meeting on 26 May 2016, appointments were made to Committees for the 2016/17 municipal year.
2. Since then a request for a change in the membership of the Local Plan Working Group has been received. The request has been made as Councillor Steward wishes to remain on the Committee but not in the role of Vice Chair.
3. A request has also been received for a change to an appointment to the York, North Yorkshire and East Riding Local Enterprise Partnership Infrastructure Programme Board. This follows Councillor Carr's recent appointment as Conservative Group Leader and Leader of the Council. The next meeting of the Programme Board takes place on 20 July, hence the urgent request for the change in membership.

Background

4. The Council makes appointments at its Annual Meeting, to Committees and Outside Bodies. As the Staffing Matters & Urgency Committee has authority to deal with any changes or appointments to those Committees and Outside Bodies the following are put forward for consideration;
 - That Councillor Carr replaces Councillor Steward as Vice Chair of Local Plan Working Group.
 - That Councillor Gillies replace Councillor Carr on the York, North Yorkshire and East Riding Local Enterprise Partnership Infrastructure Programme Board.

Consultation

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

Options

8. There are no alternative options available as this is simply for the Group concerned to nominate appropriate candidates to replace the Members concerned.

Council Plan

9. 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

10. 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

11. 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

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

Recommendations

13. Staffing Matters and Urgency Committee is asked to:
 - Approve the appointment of Councillor Carr to replace Cllr Steward as Vice Chair of the Local Plan Working Group
 - Approve the replacement of Councillor Carr with Councillor Gillies on the Yorkshire and East Riding Local Enterprise Partnership Infrastructure Programme Board.

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

Author:

Dawn Steel
Head of Civic and
Democratic Services
Telephone: 01904 551030

Chief Officer Responsible for the report:

Andy Docherty
Assistant Director, Governance and ICT

**Report
Approved**



Date 7 July 2016

Specialist Implications Officers

Not applicable

Wards Affected: All

All



For further information please contact the author of the report

Background Papers

None

Annexes

None

This page is intentionally left blank



Staffing Matters and Urgency Committee**18 July 2016**

Report of the Director of Customer and Business Support Services

**Senior Management Arrangements within City of York Council
Redundancy / Flexible Retirement****Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of a Chief Officer on the grounds of redundancy and expenditure associated with an employee's request for flexible retirement which can be considered as a pension discretion. Each decision requires the approval of this committee.

Background

2. At the meeting of Executive on 25th June 2015 approval was given to commence a review of the senior management arrangements in the council, including the Chief Executive, Director and Assistant Director posts and for a minimum of £150k saving to be achieved from the review.
3. At a meeting of Executive on 30th June 2016 approval was given for a new senior management structure and allocation of functional responsibilities. The proposed change will achieve a £230k reduction in costs and reduce the Corporate Management Team by one Director but retains the current number of Assistant Directors at 12 FTE to retain capacity to deliver the Council Plan and priorities. These changes would mean that since 2010 there has been a 35% reduction in Chief Officer posts from 28 to 18 and approximate savings of £1 million per year.
4. As is normal practice in the circumstance and in light of the pending changes to structure, that Chief Officers were asked to consider whether they wanted to express an interest in voluntary redundancy or other voluntary changes to hours, there have been two expressions of interest received in response to this.
5. Statutory guidance issued under the Localism Act 2011 makes clear an expectation that any severance package which has a cost to the

council in excess of £100,000 is subject to a vote by members. The guidance indicates that these matters should be placed before Full Council. However, this issue was considered at Council on 18th July 2013 and it was approved that all Chief Officer severance costs are considered and approved at Staffing Matters and Urgency Committee. This was to reduce the timescales and associated costs relating to any Chief Officer dismissal given the relative infrequency of Full Council meetings compared to meetings of this Committee. This Council's Pay Policy has been amended to reflect this.

6. Any costs that are incurred by the council regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.
7. The Government is currently consulting upon options to introduce a cap on the total cost of exit payments for staff working in the public sector. The total figure which has been proposed is £95k. The specific details of the scheme are still subject to consultation and have not been published but there is likely to be some form 'capping' of exit payments introduced at some point in the coming months. On the 24th February, the Minister of State responsible for the introduction of these provisions confirmed that the earliest implementation date would be 1st October 2016.
8. The background and detailed case surrounding each proposal are contained in the individual business cases to be circulated at the meeting as confidential annexes to this report. The financial / severance details are annexed to this recommendation for Members information and consideration and are classified as exempt information in accordance with Paragraph 2 of Schedule 12 A of the Local Government Act 1972.

Consultation

9. The senior managers potentially affected by the proposed restructure and local trade union representatives have been consulted on the proposals in accordance with the Council policy and statutory obligations.

Options

10. The council applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. These are set out in the Council's Pay Policy.

11. The council also applies the appropriate Pensions regulations when they apply. The council has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations.
12. Executive have accepted that a new senior management structure will enable the delivery of our priorities which are set out in the Council Plan and should respond to the LGA peer challenge feedback and action plan.
13. The Committee has the power within the Council's procedures to approve the voluntary redundancy and the discretionary pension flexible retirement which will help to facilitate the move to the new structure.
14. The Committee does not have the power to make a lower redundancy payment.

Analysis

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

Council Plan

16. 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 and the council's budget strategy.

Implications

17. **Financial** – It was agreed that the organisational review process achieves an overall saving in Chief Officer salary costs of at least £150k from 2016/17 and the proposed changes agreed at Executive in June will achieve a £230k reduction in costs per year. The details of each proposal can be found in the confidential annex. The total cost of these proposals is will be funded from within existing budgets set aside to cover exit costs.
18. The cost to the council for pension liability associated with this review is £275k and will be spread over five years, which is standard practice for the council where large pension costs are involved. The cost of the redundancy payment is £53k. It should also be noted that, whilst the final figures are not expected to be significantly different, the pension costs included in the confidential annexes are estimates as the final figures will be dependent on a range of factors.

19. **Human Resources (HR)** – The proposals for the review of senior managers will have an impact on staff, particularly for Directors and Assistant Directors. The trade unions and those directly affected will be fully consulted on the proposals and the process, which will be in line with the councils change management policy.
20. **Equalities** – This review will comply with all Equalities and Employment legislation.
21. **Legal** - The Committee is being asked to approve the financial package associated with a proposed redundancy. The redundancy selection process is separate and will follow normal procedures for a Chief Officer. As the report explains the Council has departed from statutory guidance in permitting these decisions to be made by the Committee rather than Full Council on the grounds of reducing timescales and associated costs. The Committee does have powers to exercise all staffing functions which may be exercised by Members and accordingly has the power to approve the request for flexible retirement.
22. **Crime and Disorder** - None
23. **Information Technology (IT)** - None
24. **Property** – None
25. **Other** – None
26. **Risk Management** – As with any significant organisational review there is a risk that the energies and focus of services and staff are distracted and that uncertainty can undermine morale. For that reason effective management of the change process is essential with priority given to communication throughout the organisation and support and guidance provided to the staff affected by the change process.

Recommendations

26. Staffing Matters and Urgency Committee is asked to:

Approve the proposed dismissal on the grounds of redundancy and the associated expenditure detailed in confidential annex A.

Approve the request for flexible retirement and the associated expenditure detailed in confidential annex B.

Reason: In order to implement the review of senior management structure and make the required budgetary savings.

Contact Details

Author:

Mark Bennett
Head of Human Resources
& Organisational
Development
Ext 4518

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**

Date 8th July 2016

Specialist Implications Officer(s):

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Executive – 25th June 2015 – Organisational Review

<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=733&MId=8839&Ver=4>

Staffing Matters and Urgency Committee – 1st February - Senior Management Arrangements within the City of York Council

<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=120&MId=8791&Ver=4>

Executive – 30th June 2016 – Organisational Review

<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=733&MId=9191&Ver=4>

Annexes

Individual Business Cases (to be circulated at the meeting)

These are classified as exempt information in accordance with Paragraph 2 of Schedule 12 A of the Local Government Act 1972.