



**Notice of a public meeting of
Decision Session - Cabinet Leader**

To: Councillor Alexander
Date: Monday, 20 January 2014
Time: 4.00 pm
Venue: The Drake Room - 1st Floor West Offices (F029)

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by:

4:00 pm on Wednesday 22 January 2014, if an item is called in *after* a decision has been taken.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5pm on **Thursday 16 January 2014**.

1. Declarations of Interest

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:

Annex to agenda item 5 (Extending the Living Wage to Casual Workers) on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. This information is classed as exempt under paragraph 5 of Schedule 12A to Section 100A of the Local Government Act 1972 (as amended).

3. Minutes (Pages 3 - 4)

To approve and sign the minutes of the meeting held on 5 July 2011.

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 **5.00pm on Friday 17 January 2014.**

5. Extending the Living Wage to Casual Workers (Pages 5 - 12)

This report asks for approval to pay the Living Wage to casual staff from 1 December 2013 to March 2014 in line with other casual staff employed through City of York Trading Ltd.

6. Urgent Business

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

Democracy Officer:

Name: Jayne Carr

Contact Details:

Telephone – (01904) 552030

Email – jayne.carr@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

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About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Cabinet to Account

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- York Explore Library and the Press receive copies of **all** public agenda/reports;
- All public agenda/reports can also be accessed online at other public libraries using this link

<http://democracy.york.gov.uk/ieDocHome.aspx?bcr=1>

City of York Council

Committee Minutes

MEETING

DECISION SESSION - CABINET LEADER

DATE

5 JULY 2011

PRESENT

COUNCILLOR ALEXANDER

5. DECLARATIONS OF INTEREST

At this point in the meeting the Cabinet Leader was asked to declare any personal or prejudicial interests he may have in the business on the agenda. He declared a personal non prejudicial interest, as he is a member of the York and North Yorkshire Local Enterprise Partnership (LEP).

6. MINUTES

RESOLVED: That the minutes of the meeting held on 14 June 2011 be approved and signed by the chair as a correct record.

7. PUBLIC PARTICIPATION - DECISION SESSION

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

8. FUTURE JOBS FUND

The Cabinet Leader considered a report that sought approval to allocate funding from the Jobs Fund established at the Council's budget meeting for specific initiatives. .

RESOLVED:

- (i) That the progress made with measures undertaken by the Council in response to the economic downturn be noted.
- (ii) That it be agreed to allocate £10,000 for the current year only from the approved Jobs Fund to support additional

activities to be undertaken by Higher York as outlined in the report.

- (iii) That it be agreed to allocate £8,000 for the current year only to support the York and North Yorkshire Local Enterprise Partnership.
- (iv) That it be agreed that the Cabinet Leader receives further updates on York's economic climate and assessment of the effectiveness of actions initiated as a result of the report.

Reason: To enable the Council to respond effectively to the economic downturn, and promote jobs and growth in the City.

Cllr Alexander, Chair

[The meeting started at 4.30 pm and finished at 4.33 pm].



Decision Session – Cabinet Leader**20 January 2014**

Report of the Director of Customer & Business Support Services

Extending the Living Wage to Casual Workers**Summary**

1. This report asks for approval to pay the Living Wage to casual staff from 1 December 2013 to March 2014, in line with other casual staff employed through City of York Trading Ltd.

Background

2. On 4 December 2012 Cabinet agreed a recommendation as follows:

“To adopt an approach for paying a Living Wage for employees with council contracts (excluding apprentices and casual staff), based initially on a discretionary supplement, commencing from 1st April 2013.”

3. This decision was made in light of the financial and legal risks known at that time.
4. Since that decision was taken, there have been the following important changes:
 - On 4 June 2013 Cabinet agreed to transfer all of the council’s casual work to City of York Trading Ltd, to reduce overall costs of employing casuals to the council and to safeguard/grow employment opportunities for the casual workforce. This is being completed on a phased approach from September 2013 to March 2014.
 - City of York Trading Ltd has paid the Living Wage to its casual workers from 1 December 2013.

- The council became an accredited Living Wage Employer in November 2013 committing to pay the Living Wage to workers on its land and property.
5. Given that some casual staff will still be directly employed by the council during the period 1st December 2013 to 31st March 2014, those staff will still not be receiving the Living Wage, when other City of York Council staff and those engaged via City of York Trading Ltd will be receiving the Living Wage. This fundamentally breaches the commitment given as a Living Wage Employer in November 2013.

Consultation

6. Trade Unions have raised the issue of inequality of casual workers in not receiving the Living Wage.

Options

7. There are two options, either to reject or accept the recommendation in this report.

Analysis

8. The main implications of implementing a Living Wage for City of York casual workers (based on past experience) are:
- An additional estimated cost to the council of £13,000 based on paying the 2012/13 Living Wage rate of £7.45 an hour.
 - Potential software changes for the payroll system but these changes will be small, less than £1k if incurred at all.

Council Plan

9. This report aims to address low pay and employment in the city under the priorities around Creating Jobs and Growing the Economy.

Implications

10.

10.1 Financial

The estimated costs are shown in Paragraph 8 above, based on past patterns of worked assignments, but the final actual costs will be dependent on numbers, types and pay levels of the total casual assignments undertaken. The figure could be higher or lower, and effective budget monitoring will be needed to ensure that the impact of any approvals from this report are managed within service budgets.

The £13,000 costs will be funded from the council's Contingency Fund for within the 2013/14 Financial Year.

Should any residual casual work remain within the council post-April 2014, for any reason, then any workers undertaking that work will be paid at the agreed Living Wage at that point in time, funded through service budgets.

10.2 Human Resources (HR)

All implications are outlined in the report.

10.3 Equalities

If approved the recommendation in this report will ensure fair treatment across casual worker groups, in line with Living Wage principles.

10.4 Legal

See Exempt Annex.

10.5 Crime and Disorder

None

10.6 Information Technology

Minimal as outlined in the report and will be funded from existing budgets for IT development.

10.7 **Property**

None

10.8 **Other**

None

Risk Management

11. If the recommendation in this report is not accepted:

- See exempt annex.
- There will be an employee relations risk as the Trade Unions are concerned about equality of treatment in relation to the Living Wage for casual workers.
- The council will not be seen as compliant with its Living Wage accreditation commitment.

Recommendation

12. The Cabinet Leader is asked to consider and approve the payment of the Living Wage for all casual work at the minimum rate of £7.45 per hour from 1 December 2013 to end March 2014.

Reason: To continue to deliver the council's commitment to address low pay, tackle in-work poverty and as a step towards reducing income inequality which, with the support of other employers in York, will deliver benefits to the whole community.

Contact Details

Author:

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Assistant Director
(Customers
& Employees)
Tel No. 01904 551706

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer & Business
Support Services

**Report
Approved**

Date 8th January
2014

Specialist Implications Officer(s) *List information for all*

Financial, Jean Lewis, Accountant
Legal, Andrew Docherty, Assistant Director.

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

All

For further information please contact the author of the report

Background Papers:

Cabinet 4 December 2012 - Implementing the Living Wage
Cabinet 4 June 2013 - City of York Trading Ltd (CYT) Business
Development

Annexes

Exempt Annex

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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