

## Notice of a public meeting of

### Staffing Matters & Urgency Committee

**To:** Councillors Steward (Chair), Aspden (Vice-Chair) and Williams

**Date:** Monday, 9 November 2015

**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 7 (Redundancy) on the grounds that they contain information relating to individuals. This information is classed as exempt under paragraph 6 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 - 6)

To approve and sign the minutes of the meetings of the Staffing Matters and Urgency Committees held on 28 September and 26 October 2015.

### 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 6 November 2015**. 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 sound recorded, this will be uploaded onto the Council website following the meeting.*

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**5. Appointment of Acting Assistant Director of Adult Services Strategic Commissioning (Pages 7 - 12)**

This report seeks approval to establish an Appointments Sub-Committee to enable it to conduct the recruitment process, select and appoint an Acting Assistant Director of Adult Services Strategic Commissioning, subject to the requirements of the standing orders on appointment.

**6. Appointments to Committees and Outside Bodies (Pages 13 - 16)**

This report asks Members to agree to a change in a Member appointment, and two substitute appointments to the Health and Wellbeing Board.

**7. Redundancy (Pages 17 - 20)**

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. This summary information covers the period June 2015 to September 2015.

**8. 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](mailto: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

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Meeting	Staffing Matters & Urgency Committee
Date	28 September 2015
Present	Councillors Steward (Chair) and Aspden (Vice-Chair)
Apologies	Councillor Williams

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**35. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

**36. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Item 6 (Redundancy) (Minute Item 40 refers) 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 of Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

**37. Minutes**

Resolved: That the minutes of the meeting held on 14<sup>th</sup> September 2015 be approved and signed by the Chair as a correct record.

**38. Public Participation**

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

**39. Appointments to Committees and Outside Bodies**

Members were asked to agree the appointment of an additional substitute to the Health and Wellbeing Board.

Resolved: That the following nomination be agreed:

Superintendent Richard Anderson as a substitute member to the Council's Health and Wellbeing Board.

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

**40. Redundancy**

Members received a report which presented them with a number of redundancy cases.

A confidential annex was circulated to Members which included details of the redundancies, and associated expenditure.

Resolved: That the expenditure associated with the employees on the grounds of redundancy as detailed in the confidential annex be noted.

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

Councillor C Steward, Chair  
[The meeting started at 5.30 pm and finished at 5.35 pm].

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Meeting	Staffing Matters & Urgency Committee
Date	26 October 2015
Present	Councillors Fenton (Substitute for Councillor Aspden) and Lisle (Substitute for Councillor Steward)
Apologies	Councillors Aspden, Steward and Williams

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**41. Election of Chair**

Due to the absence of the Chair, Members present were asked to elect a Chair.

Resolved: That Councillor Fenton be elected Chair.

**42. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda. No interests were declared.

**43. Minutes**

Resolved: That the minutes of the meeting held on 28 September 2015 be deferred to be signed at the next meeting due to the absence of Members who were present at the meeting to confirm their accuracy.

**44. Public Participation**

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

**45. Appointment of Assistant Director (Consultant) in Public Health**

Members received a report which asked them to establish an Appointments Committee and to delegate powers to that Committee to conduct the recruitment process, select and appoint an Assistant Director (Consultant) in Public Health, subject to the requirements of the standing orders on appointments and the statutory instrument NHS (Appointment of Consultants) Regulations 1996 as amended (S.I. 1996/701 as amended by S.I. 2002/2469; S.I. 2003/1250; S.I. 2004/696 and S.I. 2004/3365).

- Resolved: (i) That the position of the Assistant Director (Consultant) in Public Health be filled on a permanent basis on a Chief Officer Grade 10 £68,197 to £75,766.
- (ii) That the opportunity be advertised on the CYC Jobs Website, the NHS Jobs Website and in a hard copy journal such as the Health Service Journal as well as promoting the opportunity using social media channels and public health networks.
- (iii) That an Advisory Appointments Committee, constituted in accordance with NHS Statutory Instruments governing recruitment to consultant level roles in the NHS be established.
- (iv) That it be agreed the Chair of the Health and Wellbeing Board alongside a representative from the Conservative and Labour groups sits on the Advisory Appointment Committee as nominated by the respective political group.
- (v) That the Advisory Appointment Committee be authorised to conduct the interviews, select successful candidates and make offers of employment subject to the necessary employment procedures and standing orders.

Reason: To progress the appointment and reduce risks highlighted in the report in relation to this critical role to deliver the Council's statutory responsibilities.



**46. Appointments to Committees and Outside Bodies**

Members received a report which asked them agree to the change of status of a substitute on the Health and Wellbeing Board.

Resolved: That the following be agreed:

That Sharon Stoltz, the City of York Council's Interim Director of Public Health become a full Board Member on the Health and Wellbeing Board.

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

Councillor S Fenton, Chair

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

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**Staffing Matters & Urgency Committee****9 November 2015**

Report of the Director of Adult Services

**Appointment of Acting Assistant Director of Adult Services Strategic Commissioning****Summary**

1. This report seeks approval to establish an Appointments Sub-Committee for Chief Officer appointments and to delegate sufficient powers to that Sub-Committee to enable it to conduct the recruitment process, select and appoint an Acting Assistant Director of Adult Services Strategic Commissioning, subject to the requirements of the standing orders on appointment.

**Background**

2. The two previous Assistant Directors in Adult Services left the Council in July and August 2014 and interim arrangements were put in place to cover these leadership posts pending a wider review of the senior management.
3. A permanent appointment was made to one of these Assistant Director roles in July 2015 which has secured the leadership of operational services. The second Assistant Director post was held vacant pending the arrival of the new Director of Adult Services, who is now in post.

**Chief Officer Post**

4. Authorities in England are facing unprecedented challenges in adult social care due to rising demand, constrained funding and fundamental policy changes. The council needs to maintain momentum in our work to respond to the Care Act, the Better Care Fund and the wider service transformation agenda.
5. To help the council shape the detail of our response to this changing local and national policy agenda there is an urgent need for some short term additional capacity which will shape our longer term strategy. This work needs to happen prior to making any decisions about any permanent appointment.

6. It is proposed that an Acting Assistant Director of Adult Services Strategic Commissioning appointment is made on a fixed term basis until 31<sup>st</sup> March 2016.
7. During this period the person would be working with the Director of Adult Services, plus health and voluntary sector partners with a particular focus on delivering the following outcomes:
  - Develop a strategy for commissioning in Adult Social Care;
  - Support the development of the future operating model of Adult Social Care and the broader Council;
  - Develop options for the proposed integration of the commissioning structure in Health and Adult Social Care;
8. The detailed job description for this role would be agreed with the appointment committee.
9. The appointed person will need to have extensive experience of working in the Health and Adult Social Care Sector at a senior level (Director/Assistant Director), and have significant experience of leading and managing change.
10. The opportunity to take on these responsibilities could be seen as a development opportunity for existing senior staff in the council. However the required skill set is very specialist and therefore the opportunity needs to be advertised externally so that anybody with the required knowledge, skills and experience can apply.
11. The post will be advertised on City of York Council Jobs Website, which can be done without cost. The council would also promote the opportunity externally using social media channels and through links with external partners.
12. In view of the urgent need of this additional capacity it is proposed that the opportunity will be advertised on the 10<sup>th</sup> November with a closing date of 23<sup>rd</sup> November and that interviews are held as soon as possible after the application closing date.

### **Remuneration Package**

13. The job description used for this role would be use the generic job description for Assistant Director's which has been job evaluated using the job evaluation scheme for senior roles in the Council and assigned a grade at Assistant Director level i.e. £68,197 to £75,766.

### **Appointments Committee**

14. The Council's Constitution allows for an Appointments Committee, including at least one member of the Executive, to shortlist and interview applicants for a post and to determine who should be offered the vacant post.
15. It is recommended that the appointment sub-committee should consist of three members on a 1:1:1 proportionate basis. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the appointment committee.

### **Consultation**

16. Consultation has taken place with the Corporate Management Team.

### **Options/Analysis**

17. The paper describes the required process for offering a chief officer post under a contract of employment. The only other option would be to not proceed with the recruitment to the post.
18. The only other potential alternative would be to go to the external consultant or interim market and fill the post on a contract for services basis on a temporary duration. However Council have recently decided to end to the use of interim consultants on medium/long term assignments at rates that are significantly above the Council's grading structure.

### **Council Plan**

19. Making an appointment to this post will contribute to the continued delivery of the Council Plan and its priorities.

### **Implications**

20. The following implications have been considered:
  - **Financial** – The salary cost will be managed from within the existing budget for the post and there will be no recruitment costs.
  - **Human Resources (HR)** – The job description for the post will be subject to the Council's established job evaluation mechanism and the grade established for the post and the agreed Council Pay Policy.

The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers. The appointment will be carried out in accordance with the Chief Officer recruitment protocols.

- **Equalities** - There are no specific equalities implications.
- **Legal** – The Appointments Committee is created pursuant to S.102 (1)(c) of the Local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the vacant post. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989 provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Cabinet and further, that no formal offer of appointment may be made until all members of the Cabinet have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are no 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**

21. The risk of no or delayed appointment could risk delivery against the Council Plan and its priorities.

## Recommendations

22. It is recommended that the Committee:
- i. Approve the filling of the post of Acting Assistant Director of Adult Services Strategic Commissioning.
  - ii. Advertise this opportunity on the CYC Jobs Website.
  - iii. Agree that an Appointments Sub-Committee is established and authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures. The sub-committee should consist of three members, *on a 1:1:1 proportionate basis*. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the Appointment Committee.

Reason: To allow appointment to an Acting Assistant Director of Adult Services Strategic Commissioning to be made.

### Contact Details

**Author:**

Claire Waind  
Senior HR Business  
Partner

**Chief Officer Responsible for the report:**

Martin Farran  
Director Adult Services

**Report  
Approved**



**Date** 30 October  
2015

### Specialist Implications Officer(s)

Legal: Andrew Docherty, Assistant Director, IT Democratic & Legal Services

Finance: Richard Hartle Head of Finance Adults, Children & Education

HR: Mark Bennett, Head of Human Resources & Organisation Development

**Wards Affected:**

All

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

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**Staffing Matters and Urgency Committee****9 November 2015**

Report of the Assistant Director, Governance and ICT

**Appointments to Committees and Outside Bodies****Summary**

1. At the Annual Council meeting on 21 May 2015, appointments were made to Committees, Outside and Partnership bodies together with appointments to Chairs and Vice-Chairs for the 2015/16 municipal year.
2. A number of changes to appointments were made at the following Full Council meetings on 16 July 2015 and 8 October 2015. The majority of these outstanding appointments were agreed at those meetings, but since then requests for changes in previous nominations have been received for one of the Council's Boards. In addition, a change is required to the membership of the Staffing Matters and Urgency Committee following a change in the Labour Group Leadership.

**Background**

3. The Council makes appointments at its Annual Meeting, to Committees for the coming year. As the Staffing Matters & Urgency Committee has authority to deal with any changes or appointments to those Committees and bodies within year, the following additions have been put forward for consideration:

4. **Staffing Matters and Urgency Committee**

Following the resignation of Councillor Dafydd Williams, Councillor Janet Looker has been elected as the new Labour Group Leader. As the Committee is made up of the three main Group Leaders it is recommended that Councillor Looker, as the new Labour Group Leader replaces Councillor Williams on the Committee.

5. **Health and Wellbeing Board**

The following requests have been received for changes to substitute Members on the Council's Health and Wellbeing Board

- Catherine Surtees, Head of Business Development to replace Melanie McQueen, Deputy Chief Executive of York CVS as substitute for Kevin Curley, Chief Executive.
  - Shaun Jones, Head of Assurance and Delivery to replace Gillian Laurence, Head of Clinical Strategy (Yorkshire and the Humber) as substitute for Julie Warren, Locality Director (North) for NHS England.
6. The appointment of Councillor Looker has been brought to this meeting, to enable her replacement of the former Labour Leader on this Committee to take effect as quickly as possible.
  7. The Health and Wellbeing Board substitute appointments have been brought for agreement as the next meeting of the Board is due to take place on 2 December 2015.

### **Consultation**

8. As these are a direct replacement and substitute appointments to the Health and Wellbeing Board no consultation has been necessary in respect of these appointments.

### **Options**

9. There are no alternative nominations for these appointments.

### **Council Plan 2015-19**

10. This report is relevant to two key priorities of the new Council Plan 2015-19 namely a 'A Council That Listens to Residents' and 'A Prosperous City for All'. In particular, the appointments to the Health and Wellbeing Board ensure that partnership working is core to decision making. Maintaining an appropriate decision making and scrutiny structure and appointees to that, together with appropriate nominees to outside bodies, contributes to the Council delivering its core priorities set out in the current Council Plan, effectively.

### **Implications**

11. There are no known implications in relation to the following in terms of dealing with the specific matters before Members:
  - Financial
  - Human Resources (HR)
  - Equalities

- Crime and Disorder
- Property
- Other

### Legal Implications

12. 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.

### Risk Management

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

### Recommendations

14. Staffing Matters and Urgency Committee is asked to;
- (i) Agree to the replacement of Councillor Williams with Councillor Looker on the Staffing Matters and Urgency Committee
  - (ii) Endorse the appointment of Catherine Surtees and Shaun Jones as substitutes on the Council's Health and Wellbeing 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** 29 October 2015

**Specialist Implications Officers**

Not applicable

**Wards Affected:** Not applicable

**All**



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

**Background Papers**

None

**Annexes**

None



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**Staffing Matters and Urgency Committee****9 November 2015**

Report of the Director of Customer and Business Support Services

**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. This summary information covers the period June 2015 to September 2015.

**Background**

2. In November 2010 a decision was taken that all proposed redundancies and exit payments needed to be formally presented to Staffing Matters & Urgency Committee (SM&UC).

A new reporting process took effect from January 2011. SM&UC meetings were arranged on a fortnightly basis to ensure reports were received on a regular basis.

At a meeting of Group Leaders on 9<sup>th</sup> July 2012, the following proposal was agreed for future redundancies;

- That a quarterly report of all redundancy cases summarising the data for all cases will be presented to SM&UC.
- All individual cases with total costs over £25k (redundancy and employers pension costs) would still be reported in the established way to SM&UC.

Under these new arrangements managers are still required to develop a redundancy business case for every redundancy and these will continue to be agreed by the Chief Executive and Director of CBSS.

On 24<sup>th</sup> June 2013 it was agreed that the quarterly report would identify all bumped redundancies.

### **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 Executive or Officers nominated by him.

### **Analysis**

5. The analysis of each proposal has been subject to scrutiny by the Chief Executive and Director of CBSS as part of the decision making process.

### **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 Workforce Strategy.

### **Implications**

7. The implications of each proposal has been subject to scrutiny by the Chief Executive and Director of CBSS as part of the decision making process.

### **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:

Note the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy detailed in the annex.

Reason: In order to provide an overview of the expenditure and to maintain transparency and scrutiny of the process.

**Contact Details**

**Author:**

Mark Bennett  
Head of Human Resources  
& Organisational  
Development  
Human Resources  
Ext 4518

**Chief Officer Responsible for the  
report:**

Ian Floyd  
Director of Customer and Business  
Support Services

**Report  
Approved**

**Date** 30<sup>th</sup> October  
2015

**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**

Summary of redundancies for the period June 2015 to September 2015  
(to be circulated at the meeting).

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