



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 October 2020
- 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 to Agenda Item 7 (Pension or Exit Discretion) 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 - 6)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 21 September 2020.

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 at 5.00pm on Thursday 15 October 2020.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out 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. Changes to Membership of Committees, Joint Committees administered by other Councils, Regional Local Authority Bodies and Other Bodies (Pages 7 - 10)

This report seeks approval for amendments to the Council's appointments to committees and outside bodies.

6. Work Plan (Pages 11 - 14)

To consider the Committee's draft work plan for the municipal year 2019-20.

7. Pension or Exit Discretion (Pages 15 - 20)

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

8. Urgent Business

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

Democracy Officer

Angela Bielby

Contact details:

- Telephone – (01904) 552599
- Email – a.bielby@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	21 September 2020
Present	Councillors Aspden (Chair), D'Agorne (Vice-Chair), Hook and D Myers
Officers in Attendance	Janie Berry (Director of Governance and Monitoring Officer), Trudy Forster (Head of HR), Ian Floyd (Interim Head of Paid Service), Amanda Hatton (Corporate Director Children, Education and Communities) and Dawn Steel (Head of Civic and Democratic Services)

23. 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.

24. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the consideration of annex A to Agenda Item 9 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).

25. Minutes

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 24 August 2020 be approved and then

signed by the Chair as a correct record at the next available opportunity.

26. Public Participation

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

27. Update on recruitment of the Assistant Director (AD) Housing and Community Safety

Members considered a report updating them on the recruitment of the Assistant Director (AD) Housing and Community Safety. The Interim Head of Paid Service advised that following the withdrawal of the candidate, the Committee had three options in taking the recruitment process forward. He outlined the three options and it was:

Resolved:

- (i) That approval be given to Option 3 for the filling of Assistant Director (AD) Housing and Community Safety post on an interim basis as recommended by the appointments sub-committee.
- (ii) That approval be given to the remuneration package for the Assistant Director posts at a job evaluated salary of £71,521 to £79,459.
- (iii) That approval be given to the establishment of an Appointments Sub-Committee consisting of three members, one from each main party (1 Liberal Democrat 1 Labour and 1 Green) to include a member of the Executive. The membership of the Committee is agreed as Cllrs Craghill, Waller and Pavlovic.
- (iv) That the Appointments Sub-Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures.

Reason: To allow an interim appointment to the Assistant Director posts to be made.

28. Proposed CLG interim structure

Members received a report detailing the proposal to cover the interim vacancy for Corporate Director of Health, Housing and Adult Social Care (HHASC) who had resigned from the authority, with her last day of employment being 18 October 2020. Therefore arrangements needed to be identified to ensure the continued delivery of statutory services are provided to the councils residents. Annex A detailed the interim and proposed the structure. The Interim Head of Paid Service and Head of HR and OD outlined the interim structure.

In response to questions raised by Members, it was confirmed that:

- Concerning the Corporate Director of People working with the LGA to undertake an assurance review during the interim period, the Corporate Director Children, Education and Communities explained that the LGA had developed a methodology for this to ensure that the right governance and quality assurance arrangements were in place.
- The consultation meetings with staff had finished.
- Trade Unions were supportive of the structure and they would be engaged in discussions regarding discussions on the permanent structure.

It was:

Resolved:

- a) That approval be given to progress with the interim structure as proposed for the following posts:
 - i. Interim Corporate Director of People
 - ii. Housing & Community Safety to move to Economy & Place
 - iii. Interim Director of Childrens
 - iv. Interim Director of Place

- b) That approval be given to progress the interim Director opportunities to progress through chief officer recruitment and appointment process.

- c) That approval be given to progress the interim opportunity to be advertised internally only and limited to the Assistant Directors within the Directorate areas identified.
- d) That agreement be given to set up two Appointment Sub-Committees to appoint to the interim Director roles. The membership of these were agreed as:
 - 1. Appointment Sub-Committee for appointment of Interim Director of Place – Cllrs Craghill (Chair), Waller and Pavlovic.
 - 2. Appointment Sub-Committee for appointment of Interim Director of Childrens – Cllrs Cuthbertson (Chair), and Smalley and the Labour Group proposed appointment to be confirmed by Cllr Myers (Leader, Labour Group) to the Chair.
- e) That the Appointment Sub-Committees be delegated sufficient powers enable them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

Reason: To allow essential work to be covered by the vacancy of Corporate Director of HHASC.

[The Interim Head of Paid Service and Corporate Director Children, Education and Communities left the meeting at 17:48]

29. Overview Timeline on Structural Changes

Members considered a report outlining the proposed timeline for the activity being carried out in revising and implementing new structures at Chief Officer Level. The report provided a timeline for the current purposed changes, both permanent and interim.

It was noted that at the August Committee meeting, Members requested visibility of the proposed timeline for the activity being

carried out in revising and implementing new structures at Chief Officer Level. At the meeting they agreed to implement a Chief Operating Officer model to take on the Head of Paid service duties and as such had asked that the Head of Paid Service bring back to them a proposed structure for the Chief Officers. Members were asked to note that these could change due to any impact of the pandemic or as a result of any HR processes and activities that occur during consultation and implementation that cannot be seen in advance.

The Head of HR and OD outlined the timelines and progress of appointments to the interim structure. She reported that appointments to the permanent structure would begin shortly.

Resolved: That the content of the report be noted.

Reason: To give member oversight of timescales to achieve a permanent Chief Officer structure.

30. Work Plan

Members considered the Committee's work plan to the end of the 2020 calendar year and it was

Resolved: That the work plan be approved subject to the inclusion of the appointment timelines as agreed at the meeting.

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

31. Exit Discretion

Members considered a report which advised them of the expenditure associated with the proposed dismissal of an employee on the grounds of redundancy. Details of the proposal and its implications were set out in the business cases in exempt Annex A to the report.

Resolved: That the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy detailed in Annex A be noted.

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

Cllr Aspden, Chair

[The meeting started at 5.30 pm and finished at 5.58 pm].



Staffing Matters and Urgency Committee**19 October 2020**

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:

Climate Change Policy and Scrutiny Committee

Cllr Melly to be appointed onto the Committee

Licensing and Regulatory Committee

Cllr Barnes to replace Cllr Kilbane on the Committee

Customer and Corporate Services Scrutiny Management Committee

Cllr Kilbane to replace Cllr Barnes on the Committee

Economy and Place Policy and Scrutiny Committee

Cllr Musson to replace Cllr Myers as Substitute on the Committee

Planning Committee

Cllr Perrett to be appointed as a Substitute onto 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 October 2020

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
Draft Work Plan 2019-20**

2 December 2019	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements 2. Draft work plan
20 January 2020	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements 2. Workforce demographics at 30 Sept 2019 (would normally be December) <ul style="list-style-type: none"> • FTE • Equality Data • Absence and Well Being • Starters and Leavers <ul style="list-style-type: none"> ○ Reasons for leaving i.e. retirement, redundancy, dismissal, settlement agreement • Agency
3 February 2020	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements
24 March 2020 (cancelled)	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements 2. CMT Structure
6 April 2020 (cancelled)	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements

5 May 2020 (cancelled)	1. Redundancy, Retirement and Settlement Agreements
8 June 2020 (moved to 15 June)	<ol style="list-style-type: none"> 1. Redundancy, Retirement and Settlement Agreements 2. Workforce demographics at 31 March 2020 <ul style="list-style-type: none"> • FTE • Equality Data • Absence and Well Being • Starters and Leavers <ul style="list-style-type: none"> ○ Reasons for leaving i.e. retirement, redundancy, dismissal, settlement agreement • Agency
20 July 2020	1. Redundancy, Retirement and Settlement Agreements
24 August 2020	<ol style="list-style-type: none"> 1. CMT Restructure 2. Redundancy, Retirement and Settlement Agreements
7 Sept 2020	1. Redundancy, Retirement and Settlement Agreements
19 Oct 2020	1. Redundancy, Retirement and Settlement Agreements
Nov 2020 (date tbc)	1. Redundancy, Retirement and Settlement Agreements

<p>Dec 2020 (date tbc)</p>	<ol style="list-style-type: none">1. Redundancy, Retirement and Settlement Agreements2. Workforce demographics at 30 September 2020<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• Agency3. CLG Structure
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Staffing Matters and Urgency Committee**19 October 2020**

Report of the Interim Head of Paid Services

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 Executive 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 Workforce Strategy (People 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
Interim Head of Paid Services

Report Approved

Date 07/10/2020

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

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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