
MEETING	URGENCY COMMITTEE
DATE	20 MARCH 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), HORTON (AS SUBSTITUTE FOR POTTER), MERRETT, REID (FOR AGENDA ITEMS 5 & 7) AND WALLER
APOLOGIES	COUNCILLOR POTTER

28. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared.

29. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

Annexes 4 & 5 to Agenda Item 5 (Management Re-structure of Learning, Culture and Children's Services) (minute 32 refers) on the grounds that they contained information relating to individuals. This information was classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

30. MINUTES

With regards to minute 25 (Leeds City Region Leaders' Board), the Chair reported that it had been agreed by the Board to hold meetings in public and to make agenda and minutes publicly available.

RESOLVED: That the minutes of the meeting of the Urgency Committee held on 28 February 2007 be approved and signed by the Chair as a correct record, with the following amendments:

- (i) To minute 25 (Leeds City Region Leaders' Board), to add a sentence to the end of the fourth paragraph to read, "It was agreed that this would be pursued, subject to the willingness of other participants in the Board";

- (ii) To minute 26 (Science City York Limited: Membership of Company and Nomination of Representative), to add a sentence to the end of the fourth paragraph to read, "It was agreed that regular report backs should be received from Science City York Ltd."

31. PUBLIC PARTICIPATION

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

32. MANAGEMENT RE-STRUCTURE OF LEARNING, CULTURE AND CHILDREN'S SERVICES

Members received a report which proposed a management re-structure of the Directorate of Learning, Culture and Children's Services and sought approval for re-grading a number of posts that were subject to significant variations in the job description.

The report was being considered by the Urgency Committee because the recruitment process needed to start as soon as possible to avoid a gap in the management of key services.

Paragraph 5 of the report set out the key principles on which the proposed reorganisation was based. The proposed structure, set out in Annex 2 of the report, was based on five service arms, each led by an Assistant Director and each providing a grouping together of services that benefited from sharing the same line management arrangements:

- School Improvement and Staff Development;
- Children and Families;
- Resource Management;
- Lifelong Learning and Culture;
- Partnership Working and Early Intervention.

The report presented four options for consideration:

- Option 1 – to retain the current structure on a temporary basis until the appointment of a new Director of Learning, Culture and Children's Services;
- Option 2 – to adopt the proposed structure as shown in Annex 2 of the report;
- Option 3 – to modify the proposed structure;
- Option 4 – to request officers to develop an alternative structure based on different principles from those outlined in paragraph 5 of the report.

Councillor Merrett expressed concern regarding the timing of the proposed re-structure, in terms of imposing new arrangements on a new director, leaving him or her with no chance to mould the directorate, and given the possibility of a change in administration at the elections in May 2007 and that they may have different views on the proposals.

Councillor Merrett also raised a number of detailed queries regarding the proposals in the report. He queried the need for a partnerships post at Assistant Director level and questioned whether the grading for the post of Assistant Director (Lifelong Learning & Culture) needed to be reviewed given the reduction in responsibilities proposed. He also expressed the view that the proposed job descriptions in Annex 3 were traditional and narrow, lacking adequate references to partnership working and not reflecting the corporate priorities. He sought clarification regarding the separate reserve that had been set aside for if some posts required further re-grading and officers explained that this would only be necessary if the proposed grades were not competitive in the employment market and recruitment proved to be difficult.

RESOLVED: That Option 2 be approved and the proposed structure, as shown in Annex 2 of the report, be adopted.

REASON: In order to provide a new management structure for Learning, Culture and Children's Services.

33. APPOINTMENTS COMMITTEE FOR THE HEAD OF HUMAN RESOURCES

Members received a report which sought formal support to proceed with the appointment of a Head of Human Resources and approval for the membership of an Appointments Committee for the post within the Chief Executive's Directorate.

The report was being considered by the Urgency Committee because of the need to stabilise the current interim arrangements without any further delay, to enable the Directorate to operate effectively.

RESOLVED: That an Appointments Committee be created for the post of Head of Human Resources, with two Liberal Democrat Members, to be confirmed by their Group Secretary, and one Labour Member, Councillor Merrett, subject to the confirmation of his Group.

REASON: To stabilise the current interim arrangements without any further delay, to enable the Directorate to operate effectively.

34. WHISTLEBLOWING

Members received a report which outlined proposed changes to the Council's Whistleblowing Policy, Procedure and Guidelines and sought approval of these revisions.

The report was being considered by the Urgency Committee because the Council was required to make and implement changes to its whistleblowing arrangements before 31st March 2007. The Council's whistleblowing arrangements were critical to the Council's overall Comprehensive Performance Assessment (CPA) score due to the scoring methodology of

the CPA. The 31st March 2007 was a critical date in this respect as it was the cut off date advised by the District Auditor and the Audit Commission nationally for considering the Council's arrangements for the purposes of the 2007 CPA Use Of Resources (UOR) assessment. Should the amendments not be made and implemented before this date the assessment would be based on pre-review arrangements which were known to require strengthening.

The report presented two options for consideration:

- Option 1 – to revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to continue to allow Elected Members access to the policy;
- Option 2 – to revise the Whistleblowing Policy, Procedure and Guidelines to add clarity to the process and to remove Elected Members' access to the policy.

The proposed revised Whistleblowing Policy, Procedure and Guidelines were attached as Annexes 1-3 of the report.

Councillor Merrett proposed and Councillor Horton seconded a motion to defer consideration of this item to the Urgency Committee meeting scheduled for 27 March 2007, to allow consultation with the Labour Group at their forthcoming meeting, given that the proposals affected all Elected Members. On being put to the vote, this motion was lost. The Head of Civic, Democratic & Legal Services advised Members that any concerns that they had regarding the proposals could be raised with her and taken forward under the agreed procedures for amending the constitution.

The Chair noted that other means existed for Elected Members to raise concerns in an open, transparent and accountable manner and expressed the view that it was not desirable or necessary for them to raise issues confidentially under the Whistleblowing Procedure. He therefore proposed that Option 2 be agreed, with an amendment to allow an Elected Member to act as a channel for registering a concern, where it was demonstrable that a third party had requested them to do so.

RESOLVED: That Option 2 be agreed and the Whistleblowing Policy, Procedure and Guidelines be revised to add clarity to the process and to remove Elected Members access to the policy, subject to them being able to act as a channel for registering a concern, where it was demonstrable that a third party had requested them to do so.

REASON: To add clarity to the Policy, Procedure and Guidelines and to ensure openness, transparency and accountability.

COUNCILLOR S F GALLOWAY

Chair

The meeting started at 12.15 pm and finished at 1.00 pm.