



## **Notice of a public meeting of**

### **Staffing Matters & Urgency Committee**

- To:** Councillors Gillies (Chair), Aspden (Vice-Chair) and Looker
- Date:** Monday, 5 November 2018
- Time:** 5.30 pm
- Venue:** The King Richard III Room (GO49) - West Offices

### **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 6 on the grounds that it contains 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 11 October 2018.

### 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 on **Friday 2 November at 5.00pm**. 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 Officers for the meeting, on the details at the foot of the agenda.

#### **Filming, Recording or Webcasting Meetings**

Please note that, subject to available resources, this meeting will be filmed and webcast, or recorded, including 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 Officers (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/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

**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 appointments to outside bodies as detailed in the report.

**6. Pension or Exit Discretion (Pages 11 - 16)**

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

**7. Urgent Business**

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

Democracy Officers

Catherine Clarke and Louise Cook (job share)

Contact details:

- Telephone – (01904) 551031
- Email [catherine.clarke@york.gov.uk](mailto:catherine.clarke@york.gov.uk) and [louise.cook@york.gov.uk](mailto:louise.cook@york.gov.uk)

(If contacting by email, please send to both Democracy Officers named above).

For more information about any of the following please contact the Democratic Services Officers 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	11 October 2018
Present	Councillors Gillies (Chair), Aspden (Vice-Chair) and Looker

### **29. 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.

### **30. 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 7 on the grounds that it contains information relating to individuals and information which is likely to reveal the identity of an individual. This information is classed as exempt under paragraphs 1 and 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).

### **31. Minutes**

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 3 September 2018 be approved and then signed by the Chair as a correct record.

### **32. Public Participation**

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

### **33. Interim arrangements for the cover of the Assistant Director of Adult Social Care**

Members considered a report that sought approval to allow the Interim Corporate Director of Health, Housing and Adult Social Care to progress recruitment for an interim Assistant Director, Adult Social

Care without the need for an appointments sub-committee, but through either a secondment or a combination of acting up arrangements from amongst the council's existing employees, which was in line with paragraph 3.1, section 4d of the Councils constitution.

The Interim Corporate Director of Health, Housing and Adult Social Care and Head of Human Resources attended the meeting to present the report. They confirmed the current role of Assistant Director of Adult Social Care provided senior management and leadership for the following Adult Social Care service areas:

- Assessment and care management;
- Safeguarding,
- Mental Health and Learning Disabilities Provision
- Provider services.

In response to Member questions officers stated:

- 'Interim' would be until the substantive Corporate Director of Health, Housing and Adult Social Care was in post, which was estimated to be in January 2019;
- That the constitution stated a sub-committee was not necessary for an appointment where it was being made from existing officers;
- Until an internal advert was out it was difficult to know who may be interested in the role and what skill base they had. This made it challenging to make decision as the best solution to create capacity, whether that be one person or several covering the role;
- It was important to make this decision based on the skill base of those applying, rather than the practicalities of recruitment;
- Executive Members would be involved in the process in a meaningful way, as had happened previously; and
- A sub-committee would be convened for substantive appointments.

Councillor Aspden stated that there were two options to fill this role, either one person being appointed to cover the role on an interim basis, or several people taking on different parts of the role. He felt that if one person was being appointed to the role there was a strong case to convene an appointments sub-committee. He also felt that the report was too vague and too open. He stated that if Officers were not certain they could appoint one person internally with the right skills then the role should also be advertised externally.

Other Members were content that, as this was a short term appointment and the substantive Corporate Director post had already

been recruited to, it was not necessary to convene a sub-committee. Appointing internally would allow that Officer, or several Officers, to step up and develop.

Members thanked officers for their update and they agreed that appointing to this post, on an interim basis, until the secondment of the substantive post holder came to an end would ensure the Council could fulfil its duties in Adult Social Care.

Resolved: That it be approved that the Interim Corporate Director can progress the backfilling of the Assistant Director Adult Social Care, from amongst current Officers, on a temporary basis without the need for an appointment sub committee, in line with paragraph 3.1, section 4d of the constitution and that Executive Members would be involved.

Reason: To progress the appointment and reduce risks highlighted in the report in relation to this critical role.

#### **34. Changes to Membership of Committees, Joint Committees administered by other Councils, Regional Local Authority Bodies and Other Bodies**

Members noted that at the Annual Council meeting on 24 May 2018, appointments were made to committees, sub-committees and other bodies for the 2018/19 municipal year and that it was now necessary to make changes, to the membership of committees and other bodies.

Members agreed that Staffing Matters & Urgency Committee had the authority to deal with any changes or appointments to committees and other bodies, and they noted the following changes:

##### York Outer Ring Road (YORR) Lead Members Board

Cllr Cuthbertson to be appointed to this Board.

Cllr Brooks to replace Cllr Dew on this Board.

##### West Yorkshire Combined Authority - Overview and Scrutiny Committee

For clarification, Cllr Brooks is to retain her place on this committee (agreed at Annual Council on 24 May 2018) and Cllr Lisle was to be appointed as the conservative substitute on this committee.

#### Quality Bus Partnership (QBP)

That the representation on the QBP be amended to one place (plus one substitute) per political group and confirmed as follows:

- Green Group – Cllr D’Agorne with Cllr Craghill as substitute
- Conservative Group – Cllr Dew with Cllr Richardson as substitute
- Lib Dem Group – Cllr Fenton with Cllr Reid as substitute
- Labour Group – Cllr Cannon with Cllr N Barnes as substitute  
*(updated at the meeting as the report stated S Barnes in error)*

Resolved: That the above changes to committees and other bodies be agreed.

Reason: In order to make appropriate appointments to the Councils Committees and Outside Bodies for the remainder of the current municipal year.

### **35. To agree to formal consultation for changes to the Council's Operating Model and the restructure of Customer and Corporate Services**

Members considered a report that requested their agreement to allow the Chief Executive to commence with formal consultation on options for key changes to the Council’s operating model and a refocusing of the Customer and Corporate Services (CCS) of the Council. They also considered the background and detailed case surrounding the proposed options for the restructure and consultation process which were contained in the business case as exempt information in the form of an annex to the report.

The Chief Executive and Head of HR attended to present the report. They informed Members that formal consultation would take place, in accordance with existing Council policies, with those staff directly affected by the proposals.

Members thanked Officers for their update and noted that the objectives of these key changes were to ensure that the Council’s Customer and Corporate Services were effective and resilient enough



to support frontline services, and were responsive enough to address future financial, governance and customer challenge to ensure the council continued to deliver improved outcomes for residents and communities.

Resolved: That the Chief Executive's proposals to consult on the proposed restructure of Customer and Corporate Services be endorsed.

Reason: To keep Members informed of this high level review, affecting statutory roles.

Councillor Gillies, Chair

[The meeting started at 2.00 pm and finished at 3.10 pm].

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**Staffing Matters and Urgency Committee**

5 November 2018

Report of the Assistant Director - Legal and Governance

**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 24 May 2018, appointments were made to Committees, Sub-Committees and Outside Bodies for the 2018/19 municipal year. A further change is now required to one of the council's appointees on the York Museum's Trust, 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 with any in-year changes or appointments to any Committees and Outside Bodies and the following changes are put forward for consideration.

York Museums Trust

3. Notification has been received of one appointee's term of office is due to come to an end in November 2018. That appointee is Councillor Keith Myers. The Council is entitled to appoint two elected Members onto the Trust. At the time of forming the coalition, and when these appointments were adopted by council, it was agreed that each of the Conservative and Liberal Democrat groups would take one place each.

Two nominations have now been received in respect of the pending vacancy. These are as follows:

- Councillor Crawshaw (Labour)
- Cllr Keith Myers (Conservative)

Members will be aware that local elections will be held in May next year. It is therefore suggested that the council nominates one of the above as its appointee to York Museums Trust for the remainder of the municipal

year pending further discussions following the outcome of the elections in May 2019.

### **Consultation**

4. 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**

5. 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 the position that has become available. This Committee will then consider and determine those nominations.

### **Council Plan**

6. 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**

7. 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**

8. 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

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

## Recommendations

10. Staffing Matters and Urgency Committee is asked to consider an appropriate appointee to the York Museums Trust for the remainder of the municipal year as outlined in paragraph 3 above.

Reason: In order to make an appropriate appointment to the York Museums Trust for the remainder of the current municipal year.

## Contact Details

### Author:

Dawn Steel  
Head of Civic and  
Democratic Services  
Tel: (01904) 551030

### Chief Officer Responsible for the report:

Andy Docherty  
Assistant Director, Legal and Governance

**Report**



**Date** 26 October 2018

### Specialist Implications Officers

Not applicable

**Wards Affected:** All

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****5 November 2018**

Report of the Director of Corporate and Customer 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 her.

**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  
01904 553984

**Chief Officer Responsible for the report:**

Ian Floyd  
Director of Corporate and Customer Services

**Report Approved**

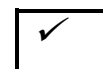


**Date** 25/10/18

Specialist Implications Officer(s): None

**Wards Affected:**

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.

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