

Notice of a public meeting of

Staffing Matters & Urgency Committee

To: Councillors Alexander (Chair), Aspden, Boyce, Fraser and Steward

Date: Tuesday, 27 May 2014

Time: 1.00 pm

Venue: The Severus Room - 1st Floor West Offices (F032)

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 Items 5 (Pension or Exit Discretions) & 6 (Redundancy) 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 - 4)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 12 May 2014.

4. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **Friday 23 May 2014 at 5.00 pm.**

5. Pension or Exit Discretions (Pages 5 - 6)

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

6. Redundancy (Pages 7 - 10)

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 February 2014 to April 2014.

7. Urgent Business

**a) Appointments to Committees and Outside Bodies
(Pages 11 - 16)**

At the Annual Council meeting on 20 May 2014, appointments were made to Committees, outside and partnership bodies together with appointments to Chairs and Vice-Chairs for the 2014/15 municipal year, with the exception of appointments to the Health Overview & Scrutiny Committee. Appointments to this Committee were referred to Staffing & Urgency Committee to resolve. Since that time, some further changes have also come to light.

b) Any Other 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

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 میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

Meeting	Staffing Matters & Urgency Committee
Date	12 May 2014
Present	Councillors Alexander (Chair), Aspden, Boyce, Fraser and Steward

95. 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. None were declared.

96. Minutes

Resolved: That the minutes of the last meeting held on 28 April 2014 be approved and signed by the Chair as a correct record subject to the following amendment;

Minute Item 94a) (Changes to Cabinet Appointments and Council Bodies) “Local Government North Yorkshire Strategic Planning and Transport Board” to “Local Government North Yorkshire *and York Spatial* Planning and Transport Board”

97. Public Participation

It was reported that there had been one registration to speak under the Council’s Public Participation Scheme.

Gwen Swinburn raised the following points in relation to Agenda Item 4 (Changes to Terms and Conditions for Chief Officers). She felt that the proposed standby allowance for Chief Officers of 52p an hour was unprofessional. She told Members that in previous employment that she had with a Local Authority as a Chief Officer she did not get a standby allowance. She questioned why Chief Officers were getting £12,000 in lieu of giving up leave. In regards to another matter, the recruitment of an Assistant Director in the Education Directorate, she questioned why this had only been advertised on the City of York Council website.

In response to the question about advertising in the recruitment process, the Chair felt that it was better to advertise for free on the website, rather than paying for an external contractor to do this.

98. Changes to Terms and Conditions for Chief Officers

Members received a report which confirmed the outcome of consultations with Chief Officers regarding a proposed 4 day reduction to their annual leave entitlement and the introduction of a link between incremental salary progression and the Chief Officer Performance Development Review (PDR) process. It recommended that these contractual changes to Terms and Conditions be implemented and recommended that the Chief Officer out of hours on call rota arrangements were made contractual and a requirement of the role.

Discussion took place between Members. Some Members felt that the proposed standby allowance of 52p per hour was not needed if the member of staff had a salary over £100,000. They also made reference to the public speaker who had commented that members of staff were being paid compensation for giving up leave. Officers confirmed that this was not the case. Two Members also suggested that a vote should be taken on each separate recommendation rather than deciding on the recommendations together as a whole block.

The Chair agreed to this request and on being put to the vote this motion fell.

Officers received a further question from a Member which related in regards to the total cost of the Chief Officer standby payment and how many times had Chief Officers been called out over the past two years.

It was reported that the total cost of the standby payment was £3,390 per year and that each Chief Officer (17 in total) was likely to be on call three times a year. There had been only three call outs over the past two years.

Other Members felt that if standby payments had been part of the existing Terms and Conditions for Chief Officers' and this reflected part of their contracts that the Council should continue to honour them.

Resolved: That the report be noted and the following agreed;

- (i) The introduction of a link between incremental salary progression and the Chief Officer PDR process. This change would be implemented from the next round of PDR's commencing in May 2014.
- (ii) A 4 day reduction to Chief Officer annual leave for Chief Officers, meaning their entitlement would be 30 days increasing by five days to 35 days after five years continuous local government service. This change would take effect from the start of their next annual leave year.
- (iii) A contractual requirement that Chief Officers are included on the out of hours on call rota and that they are paid a standby allowance and when necessary a call out payment. This change would be implemented with immediate effect.

Reason: In order that Chief Officer terms and conditions meet current organisational requirements.

Councillor J Alexander, Chair

[The meeting started at 1.00 pm and finished at 1.20 pm].

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Staffing Matters and Urgency Committee**27th May 2014**

Report of the Director of Customer and Business Support Services

Pension or Exit Discretions**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 to be circulated at the meeting as 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.

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

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:

Mark Bennett
Head Business HR
Human Resources
Ext 4518

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**

Date 16th May
2014

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

Individual Business Cases (Confidential and to be circulated at the meeting)



Staffing Matters and Urgency Committee**27th May 2014**

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 February 2014 to April 2014.

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 9th 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 24th 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 her.

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

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 HR Directorate
Support
Human Resources
Ext 4518

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**

Date 16th May
2014

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 February 2014 to April 2014
(Confidential and to be circulated at the meeting).

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Staffing Matters and Urgency Committee**27 May 2014**

Report of the Assistant Director, Governance and ICT

Appointments to Committees and Outside Bodies**Summary**

1. At the Annual Council meeting on 20 May 2014, appointments were made to Committees, outside and partnership bodies together with appointments to Chairs and Vice-Chairs for the 2014/15 municipal year, with the exception of appointments to the Health Overview & Scrutiny Committee. Appointments to this Committee were referred to Staffing & Urgency Committee to resolve. Since that time, some further changes have also come to light.

Background

2. At its Annual Meeting, the Council makes appointments to Committees for the coming year. Staffing & Urgency Committee has authority to deal with any changes or appointments to those Committees and bodies within year.
3. At this year's Annual Meeting on 20 May 2014, Council did not unanimously agree to the proposal to waive proportionality rules on Health Overview & Scrutiny Committee. Instead, it referred the appointments on Health Scrutiny Committee to Staffing & Urgency Committee to resolve. In addition, there are some minor changes to places to endorse.
4. **Health Overview & Scrutiny Committee**

In order to comply with the rules for political balance on qualifying Committees and bodies, as laid down by the 1989 Local Government & Housing Act, and following the failure to unanimously agree any variation to proportionality at Council relating to this Committee, the following proportionate composition and membership is now suggested:

Party	Composition	Membership	Status
Labour	(4)	Funnell	Chair
		Burton	
		Douglas	
		Hodgson	
		Horton	Substitute
		Fitzpatrick	Substitute
Conservative	(1)	Doughty	Vice Chair
		Richardson	Substitute
Liberal Democrat	(1)	Jeffries	
		Cuthbertson	Substitute
Independent	(1)	Watson	

5. Joint Standards Committee

To avoid any confusion arising from the failure at the Annual Meeting to unanimously agree variation to proportionality rules in relation to the above, Members of this Committee are also asked to endorse the intention of the Annual Meeting to agree variation to strict proportionality in relation the Joint Standards Committee. Over a number of years on the Joint Standards Committee, the ruling Labour Group have not taken the majority of seats available in view of the very specific role of the Committee. Staffing & Urgency are therefore asked to confirm the following composition and membership put to the Annual Meeting on 20 May 2014:

Joint Standards Committee (4)			
Party	Composition	Membership	Status
Labour	(1)	Horton	
		Douglas	Substitute
		Williams	Substitute
Conservative	(1)	Barton	
		Brooks	Substitute
		Galvin	Substitute

		Healey	Substitute
Liberal Democrat	(1)	Runciman	Chair
		Reid	Substitute
Green	(1)	Taylor	
		D'Agorne	Substitute
Parish Council Member	1	Don Crawford	
Parish Council Member	1	Dennis Martin	
Parish Council Member	1	Glyn Simpson	
Independent Person	1	Nicholas Hall	
Independent Person	1	David Laverick	

6. **Corporate Parenting Board**

The Labour Group would propose to replace Councillor Scott with Councillor Fitzpatrick on the Board and this proposal fits with the requirements for membership set out in the Board's Terms of Reference.

7. **Education Appeals Panel**

The Labour Group would propose to replace Councillor Fitzpatrick with Councillor Scott on the Panel, in light of Councillor Scott no longer being able to attend the Corporate Parenting Board.

8. **Local Government Association General Assembly**

The papers for the Annual Meeting incorrectly indicated that the Conservative Group representative on the Assembly would be Councillor Gillies.

Clearly, Councillor Steward is now Conservative Group Leader on the Council and ought to have been appointed to this position by the Annual Meeting.

Staffing & Urgency Committee are asked to approve the Conservative Group representatives to the Assembly as follows:

Councillor Steward – main appointee

Councillor Galvin – substitute

Consultation

9. In accordance with the usual process for gathering nominations to available places, the relevant Groups and individuals have been consulted, as appropriate, and provided with the necessary information.

Options

10. The Committee has the option either to approve or propose alternatives to the nominations proposed in this report. However, if alternative nominations are proposed in relation to the Health Overview and Scrutiny Committee, then these would need to be proportionate unless otherwise agreed by Council with no one voting against.

Council Plan 2011-15

11. Establishing an appropriate decision making and scrutiny structure and appointees to that, contributes to the Council delivering its core priorities set out in the Council Plan, effectively.

Implications

12. 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

- 13. 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. Members are reminded that these rules may only be waived where no Member votes against the proposal.

Risk Management

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

Recommendations

- 15. Staffing Matters and Urgency Committee is asked to consider and agree the appointments and nominations to Health Overview & Scrutiny Committee, together with the other minor changes set out in paragraphs 4 to 8 above.

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

Author:

Chief Officer Responsible for the report:

Dawn Steel
Head of Civic and Democratic Services
Telephone: 01904 551030

Andy Docherty
Assistant Director, Governance and ICT

Report Approved



Date 23 May 2014

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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