



Notice of a public meeting of

Staffing Matters & Urgency Committee

- To:** Councillors Gillies (Chair), Aspden (Vice-Chair) and Looker
- Date:** Monday, 18 March 2019
- Time:** 5.00 pm
- Venue:** The Craven Room - Ground Floor, West Offices (G048)

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 – C to agenda items 5 (Pension or Exit Discretion) and 6 (Redundancy) on the grounds that they contain information relating to individuals, information which is likely to reveal the identity of individuals and information relating to the financial or business affairs of particular persons (including the authority holding that information).

- Annex 1 to agenda item 7 (Appointment of Independent Assessor) on the grounds that it contains information relating to individuals and information which is likely to reveal the identity of individuals.

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 - 2)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 26 February 2019.

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 15 March 2019 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_film_and_recording_of_council_meetings_20160809.pdf

5. Pension or Exit Discretion (Pages 3 - 16)

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

6. Redundancy (Pages 17 - 24)

This report advises the Committee of the expenditure associated with the proposed dismissal of employees on the grounds of redundancy.

7. Appointment of Independent Assessor (Pages 25 - 32)

Staffing Matters and Urgency Committee are asked to consider the appointment of an independent assessor in relation to a complaint received by the Council about senior staff and policy and process.

8. 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 and 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

Meeting	Staffing Matters & Urgency Committee
Date	26 February 2019
Present	Councillors Gillies (Chair), Aspden (Vice-Chair) and Looker

62. 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.

63. Minutes

Resolved: That the minutes of the Staffing Matters and Urgency Committee held on 4 February 2019 be approved and then signed by the Chair as a correct record.

64. Public Participation

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

65. Changes to Membership of Committees 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 authority to deal with any in-year changes or appointments to any Committees and Outside Bodies and they noted the following proposed changes as detailed in the agenda papers:

City of York Trading Company

- Councillor Rawlings to be appointed as a non-executive Director, and Chair, to replace Councillor Gates.
- Councillor Cuthbertson to be appointed as an additional non-executive Director, as CYC has been asked to increase board members from 2 to 3.
- To note that Councillor Funnell is to remain a non-executive Director.

Resolved: That the above Outside Body membership changes be agreed.

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

Councillor Gillies, Chair

[The meeting started at 4.30 pm and finished at 4.35 pm].



Staffing Matters and Urgency Committee

18 March 2019

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.

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

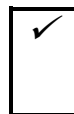
Author:

Trudy Forster
Head of HR
Human Resources
01904 553984

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Corporate Services

Report Approved

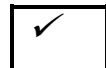


Date 7/3/19

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
- Annex B – Confidential Business Case
- Annex C - 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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Staffing Matters and Urgency Committee

18 March 2019

Report of the Deputy Chief Executive and Director of Customer and Corporate 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.

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 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 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 is 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:
 - 1) Note the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy detailed in the annexes.

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

Contact Details

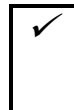
Author:

Trudy Forster
Head of HR
Human Resources
01904 553985

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**



Date 7/03/19

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
- Annex B – Confidential Business Case
- Annex C – Confidential Business Case

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Staffing Matters and Urgency Committee

18 March 2019

Report of the Head of Human Resources

Appointment of Independent Assessor**Summary**

1. Staffing Matters and Urgency Committee are asked to consider the appointment of an independent assessor in relation to a complaint received by the Council about senior staff and policy and process.

Background

2. A detailed complaint has been received by the Council which has a number of allegations about senior staff and a number of complaints about policy and process.
3. In accordance with the Constitution, Staffing Matters and Urgency Committee are delegated to consider staffing matters and hence the appropriate Committee to initially consider the complaint received.

Analysis

4. Due to the issues raised in the complaint, attached in exempt annex 1, Staffing Matters and Urgency Committee will need to receive advice relating to which elements of the complaint they should consider under their role of Staffing Matters and Urgency Committee and which should be referred elsewhere in the Council.
5. It is not considered appropriate for Officers to distinguish the aspects of the complaint which are relating to staff or other matters, therefore the engagement of an independent assessor through the Local Government Association (LGA) is advised.
6. The outcome of the independent assessor will then be considered at a future meeting of Staffing Matters and Urgency Committee.

Consultation

7. This is the initial assessment and therefore consultation has not been necessary, other than to inform relevant parties of the process.

Options

8. Having regard to the complaint, the Committee can determine the appointment of an independent assessor or not, to distinguish the aspects of the complaint that are relevant for Staffing Matters and Urgency Committee to consider and the other matters to be referred elsewhere.

Council Plan

9. Whilst the Council Plan sets out this Council's priorities for services for the period covering 2015-2019, how we deliver those services underpins those priorities. It is important, therefore, that the Council manages delivery of its services.

Implications

10. There are no implications to this Report in relation to:
 - Equalities
 - Crime and Disorder
 - Information Technology (IT)
 - Property
11. It is expected that the Council will be charged a small fee by the Local Government Association to carry out the independent assessment, at this stage this can be met from within existing budgets.
12. There are implications for HR, in that the Council must ensure that the necessary process is followed correctly.
13. Although there are no specific legal implications associated with the recommendations, there are constitutional implications in that the Staffing Matters and Urgency Committee is delegated to consider staffing matters and therefore the requirement to determine the issues under the complaint that it can legitimately consider under its remit.

Risk Management

- 14. The Council must ensure that complaints received are handled correctly and the appropriate policy and procedure is applied. This stage is an initial assessment of the complaint prior to the Council identifying the correct policy and procedure to follow.

Recommendations

- 15. Staffing Matters and Urgency Committee are asked to review the complaint received, and to consider the options, and if considered appropriate to approve the engagement of an independent person, through the LGA, to assess the full complaint and identify the direct staff related issues that Staffing Matters and Urgency Committee should consider, and also to recommend where the other aspects of the complaint can be considered within the Council structure.

Reason: To ensure that a proper assessment is carried out of the complaint to identify the appropriate process to follow enabling Staffing Matters and Urgency Committee to consider information relevant to the remit of their committee.

Contact Details

Author:

Trudy Forster
Head of HR
Human Resources
01904 553985

Chief Officer Responsible for the report:

n/a

Report Approved



Date 05/03/19

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Complaint (exempt information)

Abbreviations

CCS – Customer and Corporate Services

CEX – Chief Executive

CMT – Corporate Management Team

LGA – Local Government Association

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

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