

Notice of meeting of

Staffing Matters & Urgency Committee

To: Councillors Steve Galloway (Chair), Gillies, Jamieson-Ball, Potter and Scott

Date: Friday, 18 April 2008

Time: 4.00 pm

Venue: The Guildhall

AGENDA

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes (Pages 3 - 4)

To approve and sign the minutes of the meeting of the Urgency Committee held on 10 December 2007.

3. 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 Thursday 17 April 2008, at 5.00 pm.

4. Appointments Committees for Chief Officer Posts (Pages 5 - 8)

This report seeks formal approval to proceed with an appointment process for the Director of Resources, the Head of Human Resources and the Head of Audit, and to establish Appointments Committees for these posts and to delegate sufficient powers to these committees to enable them to conduct the recruitment process and select and appoint candidates, subject to the requirements of the standing orders on appointments.

5. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.

Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – simon.copley@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlamak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	URGENCY COMMITTEE
DATE	10 DECEMBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), GILLIES, SCOTT, WALLER (SUBSTITUTE) AND HORTON (SUBSTITUTE)
APOLOGIES	COUNCILLORS JAMIESON-BALL AND POTTER

24. 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.

Cllr Scott declared a personal, non prejudicial interest in agenda item 5 (Removal of Bonus Payments), as a 'no win, no fee' solicitor specialising in employment law. He indicated that neither he nor his firm was dealing with any cases directly related to the matter under consideration.

25. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 1 to Agenda Item 5 (Removal of Bonus Payments), on the grounds that it contains information relating to negotiations in connection with a labour relations matter and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. Such information is classed as exempt under paragraphs 4 and 5 respectively of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006.

26. MINUTES

RESOLVED: That the minutes of the Urgency Committee meeting held on 28 September 2007 be approved and signed by the Chair as a correct record.

27. PUBLIC PARTICIPATION

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

28. REMOVAL OF BONUS PAYMENTS

Members considered a report which outlined the offer made to Council staff in relation to the removal of bonus payments and sought endorsement for the agreement and its implementation.

The matter had been brought to Urgency Committee in view of the agreement by Corporate Management Team (CMT) that proposals for a buy out of bonus be negotiated with trades unions then brought to Members to enable implementation by mid-December. Details of the five options considered by CMT, and the proposals recommended by them and subsequently negotiated with the unions, were set out in the exempt Annex 1 to the report.

Officers confirmed at the meeting that negotiations were now complete and union members had been balloted on the offer recommended by CMT. Results of the ballot, received last week, showed 95% in favour of the offer.

RESOLVED: That the offer made to affected staff, and its subsequent implementation, be approved.

REASON: To enable the agreement to be processed before 31 December 2007.

Action Required

Implement the agreement.

KS

S F Galloway, Chair

[The meeting started at 12.30 pm and finished at 12.40 pm].



Staffing Matters & Urgency Committee**18th April 2008**

Report of the Director of People and Improvement

Appointments Committee for Chief Officer posts**Summary**

1. This report seeks formal approval:
 - i. to proceed with an appointment process for the Director of Resources, the Head of Human Resources and the Head of Audit;
 - ii. to establish an Appointments Committee for the posts and to delegate sufficient powers to that committee to enable it to conduct the recruitment process and select and appoint candidates, subject to the requirements of the standing orders on appointments;
2. The report is being considered because of the need to plan to fill vacancies for all 3 substantive posts and bring stability to the Resources and Chief Executive's directorates.

Background

3. Standing Order 40 (c) (1) of the Council's Constitution requires that an Appointments Committee, including at least one member of the Executive, interviews all qualified applicants for Chief Officer posts or selects a shortlist of such applicants and interviews those on this shortlist.
4. It is requested that for the Director of Resources Appointments Committee, that the Committee be constituted on a 2:2:1 basis. This will mean that there will be two Liberal Democrat members, two Labour members and one Conservative member. It is requested that for the Head of Human Resources and the Head of Audit that the Committee be constituted on a 1:1:1 basis. This will mean that there will be one Liberal Democrat member, one Labour member and one Conservative member.

Consultation

5. Consultation has taken place with Group Leaders, the Chief Executive, and the Corporate Management Team as to the need for these appointments. It is requested that the three largest political groups now nominate members to participate in the Appointments Committee.

Options

6. There are no alternative options for Members to consider, other than simply not proceeding with the recruitment to the posts. The failure to create an Appointments Committee at this stage would delay any subsequent appointment to the posts.

Corporate Priorities

7. Making an appointment to these posts will contribute to delivering the Corporate Strategy by supporting the Council's values and all of the improvement statements.

Implications

8. The following implications have been considered:
 - **Financial** – The Directorate will bear the cost of these posts within current resource.
 - **Human Resources (HR)** – The job description for the proposed Head of Human Resources post has been subject to the Council's established job evaluation mechanism and a grade of Chief Officer 10 has been confirmed for the post. The creation of an Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers.
 - **Equalities** – There are no equalities implications.
 - **Legal** – The Appointments Committee is created pursuant to S.102(C) of the local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the vacant posts Director of Resources, Head of HR and Head of Audit. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989 provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Executive and further, that no formal offer of appointment may be made until all members of the Executive have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are no crime and disorder implications.

- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

Risk Management

9. There are no known risks associated with the recommendations of this report.

Recommendations

10. Members are asked to agree:

- i. That Appointments Committees be created for all 3 posts, and that formal approval is given to proceed with the process of appointment for the post of Director of Resources, the Head of Human Resources, and the Head of Audit.

Reason: To allow appointments to the posts to be made and bring stability to the Resources and Chief Executive's directorates

Contact Details

Author:

Heather Rice
Director, People and
Improvement

Chief Officer Responsible for the report:

Bill McCarthy
Chief Executive

Report Approved **Date** April 2008

Specialist Implications Officer(s)

Legal: Quentin Baker, Head of Civic, Democratic & Legal Services
Human Resources: Chris Tissiman, Head of HR Services
Finance: Patrick Looker, Accountancy Manager

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None.

Annexes:

None.

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