

Notice of meeting of

Staffing Matters & Urgency Committee

To: Councillors Waller (Chair), Runciman (Vice-Chair),
Fraser, Gillies and Scott

Date: Monday, 1 June 2009

Time: 12.30 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 Staffing Matters & Urgency Committee held on 18 December 2008.

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 **5.00 pm on Friday, 29 May 2009**.

4. Appointments Committee for Assistant Director of Commissioning and Partnerships post (Housing and Adult Social Services) (Pages 5 - 10)

This report seeks formal approval to establish an Appointments Committee for the post of Assistant Director of Commissioning and Partnerships (Housing and Adult Social Services) and to delegate sufficient powers to that committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

5. Urgent Business

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

Democracy Officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@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.

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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.

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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

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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.

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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 Decision Session) 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;
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City of York Council

Committee Minutes

| | |
|---------|--|
| MEETING | STAFFING MATTERS & URGENCY COMMITTEE |
| DATE | 18 DECEMBER 2008 |
| PRESENT | COUNCILLORS WALLER (CHAIR), GILLIES, POTTER, RUNCIMAN AND SCOTT |

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**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.

No interests were declared.

25. EXCLUSION OF PRESS AND PUBLIC

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

Annex E to Agenda Item 5 (West of York Household Waste Site – Land Option) (minute 28 refers) on the grounds that it contained information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under paragraph 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).

26. MINUTES

RESOLVED: That the minutes of the Staffing Matters & Urgency Committee meeting held on 3 December 2008 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.

PART B - MATTERS REFERRED TO COUNCIL

28. LAND PURCHASE

Members received a report which asked them to approve, subject to approval by the Executive, the purchase through the general capital programme of a field at Harewood Whin which had come onto the market and was an option for a replacement of the Beckfield Lane Household Waste Recycling Centre (HWRC).

The reason for the matter being brought to a Staffing Matters & Urgency Committee was the need to close the land deal promptly as another party was interested in purchasing the site.

The report presented two options for consideration by Members:

- Option 1 – To wait for the completion of the feasibility study to see what the full cost of the solution for the replacement of Beckfield Lane HWRC is and then make a decision as to what action to take;
- Option 2 – To purchase the field and hold it in reserve for the potential development of the West of York HWRC.

Members discussed in detail the risks associated with both options.

Some Members expressed concern regarding the appropriateness of dealing with this issue at a Staffing Matters & Urgency Committee.

RECOMMENDED: That the decision on funding the purchase of the land at Harewood Whin through the general capital programme be dealt with by Full Council on 22 January 2009.¹

REASON: To allow the Executive's views on the matter to be considered when the decision is taken and in the light of the risks associated with purchasing the land.

Action Required

1 - To forward the matter to Full Council, following its consideration at the Executive.

GR

A WALLER, Chair

[The meeting started at 5.30 pm and finished at 6.00 pm].



Staffing Matters & Urgency Committee

1 June 2009

Report of the Chief Executive

Appointments Committee for Assistant Director of Commissioning and Partnerships post (Housing and Adult Social Services)

Summary

1. This report seeks formal approval to establish an Appointments Committee for the post of Assistant Director of Commissioning and Partnerships (Housing and Adult Social Services) and to delegate sufficient powers to that committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.
2. The report is being considered because of the need to plan to fill the substantive post which is being covered on an interim basis and thus to enable the Housing and Adult Social Services Directorate to operate effectively, and to avoid any further delay.

Background

3. The previous post-holder retired in January 2009. A decision was made to fill the post on an interim basis for 6 months to give an opportunity to discuss more integrated arrangements for strategic commissioning with the NHS in North Yorkshire and York (NHS in NY&Y formerly known as the Primary Care Trust). It has now been agreed with the new management team at NHS in NY&Y that the objectives of integration can be achieved through 'virtual team' working on joint plans without the need to appoint a joint post at Chief Officer level.
4. Given the importance of joint commissioning and partnership working to the achievement of the council's aims for health and social care it is important to make a permanent appointment to this post as soon as possible as the post-holder will play a crucial part in shaping the future working arrangements.
5. 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.
6. It is requested that for the Assistant Director of Commissioning and Partnerships 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.

Consultation

7. Consultation has taken place internally within the council and with senior management at the NHS in North Yorkshire and York as to the need for this appointment. It is requested that the three largest political groups now nominate members to participate in the Appointments Committee,

Options

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

Corporate Priorities

8. Making an appointment to this post will contribute to delivering the Corporate Strategy – particularly in relation to the themes of Health and Inclusion.

Implications

9. The following implications have been considered:
 - **Financial** – The Housing and Adult Social Services Directorate will bear the cost of this post within current resources.
 - **Human Resources (HR)** – The job description for the Assistant Director of Commissioning and Partnerships was agreed by this committee in October 2008 as part of a restructuring of the senior management in HASS and has been subject to the Council's established job evaluation mechanism. The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers. The appointment will be carried out in accordance with the Chief Officer recruitment protocol attached (Appendix A).
 - **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 post Assistant Director of Commissioning and Partnerships. 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

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

Recommendations

11. It is recommended that Council:
 - i.* Establishes an Appointments Committee consisting of five members, two from Liberal Democrat, two from Labour and one Conservative, to be nominated by the respective group leaders.
 - ii.* The Appointments Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures.

Reason: To allow appointment to the post of Assistant Director of Commissioning and Partnerships to be made.

Contact Details

Author:

Bill Hodson
Director of Housing and Adult
Social Services

Chief Officer Responsible for the report:

Bill Hodson
Director of Housing and Adult Social Services

Report Approved

Date 21/05/09

Specialist Implications Officer(s)

Legal: Quentin Baker, Head of Civic, Democratic & Legal Services

Human Resources: Angela Wilkinson, Head of HR & OD

Finance: Rachel Harrison, Finance Manager

Wards Affected:

All

For further information please contact the author of the report

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und Papers:

None.

Appendix:

A. Chief Officer recruitment protocol

Appendix A**Chief Officer* Recruitment Process - Officer / Members decisions**

* A Chief Officer is defined as an officer who is employed under the Joint Negotiating Committee for Chief Officers of Local Authorities Terms & Conditions.

| Key Recruitment & Selection decision stages | Officer Decision / Member Decision |
|---|---|
| 1. Develop proposal to create a new or amend an existing Chief Officer post | Officer decision: Chief Executive or Director |
| 2. Establish a new temporary or permanent Chief Officer post | Member decision |
| 3. Develop and agree Job description & Person Specification | Officer decision |
| 4. Confirm the grade of the post | Officers to implement job evaluation outcomes within Chief Officer pay structure |
| 5. Agree recruitment budget | Officers decision subject to budgetary provision |
| 6. Commence recruitment activity | Officer proposal subject to Member decision |
| 7. Establish Appointments Committee | Officer proposal subject to Member decision |
| 8. Confirm method to source applicants i.e. advert, use of search / consultancy services | <p>Appointments Committee subject to proposal from Officers (Chief Executive or Director and Head of Human Resources or nominated substitute). Proposal to include recommendation on advertising media and a recommendation to use external recruitment consultants or run in-house and if so, what services to use. Options include search, response handling, technical assessment, long-listing, shortlisting, support at final stage or a combination therein. Criteria to be considered are:</p> <ul style="list-style-type: none"> i. Grade and salary in relation to the market; ii. Current employment market situation; iii. Design of post and likelihood of direct skills match; iv. Technical expertise being sought; v. Ability to conduct technical assessment in-house; vi. CYC capacity to handle in-house. |
| 9. Long-list applicants | Officer decision in accordance with job description and person specification |
| 10. Interview long listed applicants / conduct selection tests / assessment centre | Officer panel or recruitment consultant |
| 11. Short list applicants | Officer decision in accordance with job description and person specification |
| 12. Informal reception event(s) for short listed candidates (not part of the recruitment process) | Officer decision in consultation with Appointments Committee to determine invitees |

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| 13. Final selection process | Appointments Committee, advised by Officers (Chief Executive or relevant Director and Head of Human Resources, or nominated substitute) and recruitment consultants (if appropriate) |
| 14. Determine salary of role to be offered | Appointments Committee, subject to Council pay policy and within job evaluated range for post |
| 15. Agree appointment | Appointments Committee subject to Standing Orders (objections from the Executive) |