

Notice of meeting of

Staffing Matters & Urgency Committee

To: Councillors Alexander (Chair), Gunnell, Fraser, Runciman and Gillies

Date: Monday, 5 March 2012

Time: 1.00 pm

Venue: The Guildhall, York

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. **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 Item 6 on the grounds that they contain information relating to individuals and 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 3 - 4)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 20 February 2012.

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 2 March 2012 at 5.00 pm.**

5. Organisation Review 2011-12 (Pages 5 - 14)

This report provides Staffing Matters and Urgency Committee with information regarding the restructuring of Assistant Director (AD) roles and responsibilities within the City of York Council as part of the 2011-2012 review. The report seeks approval to establish an Appointments Sub-Committee, to be responsible for the selection aspects of the restructure.

6. Redundancy (Pages 15 - 16)

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.

7. Any Other Matters which the Chair decides are 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 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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Further information about what's being discussed at this meeting

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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

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City of York Council

Committee Minutes

MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	20 FEBRUARY 2012
PRESENT	COUNCILLORS ALEXANDER (CHAIR), GUNNELL, FRASER, RUNCIMAN AND GILLIES

103. DECLARATIONS OF INTEREST

Members were asked to declare at this point in the meeting any personal or prejudicial interests that they might have in the business on the agenda.

Councillor Alexander declared a personal non prejudicial interest in Agenda Item 5 (Redundancy) as a member of GMB.

Councillor Fraser declared a personal non prejudicial interest in the same item as a member of the retired sections of UNISON and Unite (TGWU/ACTS sections).

No other interests were declared.

104. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during the consideration of annexes A-C to agenda item 5 (Redundancy) on the grounds that they contain information relating to individuals and the financial affairs of those particular persons, which is classified as exempt under Paragraphs 1, 2 and 3 of Schedule 12A to Section 100 of the Local Government Act 2006 (Access to Information) (Variation Order).

105. MINUTES

RESOLVED: That the minutes of the meeting held of the Staffing Matters and Urgency Committee held on 6 February 2012 be approved and signed by the Chair as a correct record.

106. PUBLIC PARTICIPATION

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

107. REDUNDANCY

Members considered a report which informed them of the proposed dismissal of six voluntary redundancies and details associated with a request from a former employee of the Council for granting discretionary retirement.

Details of the six individual employees and the former employee were contained in three business cases circulated at the meeting. All of the six redundancies were voluntary and no discretionary enhancements were proposed.

Members were informed that the details and cost associated with granting the former employee early retirement access, as set out in the third business case, was subject to a discretionary decision that they could make in line with Council policy.

- RESOLVED:
- (i) That the expenditure associated with the proposed dismissal of six employees on the grounds of redundancy, as detailed in the annexes B and C be noted.
 - (ii) That the request made by a former employee to access their pension, as detailed in annex A, be refused on grounds of cost.

REASON: So that Members have an overview of the expenditure.

Councillor J Alexander, Chair
[The meeting started at 1.00 pm and finished at 1.05 pm].



Report of the Chief Executive**5 March 2012****Staffing Matters and Urgency Committee****Organisation Review 2011-2012****Summary**

1. This report provides Staffing Matters and Urgency Committee with information regarding the restructuring of Assistant Director (AD) roles and responsibilities within the City of York Council as part of the 2011-2012 review. The report seeks approval to establish an Appointments Sub-Committee, to be responsible for the selection aspects of the restructure.

Background & Context

2. The detail of the background to the organisational review was provided in a cabinet report on 6th December 2011. The key elements of the report were:
 - changes to the roles, responsibilities, capabilities and numbers of Chief Officer posts as they lead and deliver on the Council plan priorities
 - investment in the development of senior managers and development of a fast track programme to identify and develop emerging talent and contributions from all levels of the organisation
 - proposals for the implementation of the new responsibilities of the local authority for public health from April 2012
 - proposals for some rearrangement of service functions to maximise focus on delivery of council plan priorities

As a result, Cabinet on 6 December 2011 gave delegated authority to the Chief Executive to:

- Redefine responsibilities for Directors and Assistant Directors
 - Take action to strengthen staff and organisational development
 - Delete two Chief Officer posts, in addition to the one from ACE agreed in the previous Organisation Review, which will entail a permanent saving of £250k per annum in the cost of the Chief Officer structure
3. Corporate Management Team (CMT) have had lengthy discussion on the new configuration of portfolios and, following a consultation exercise, have agreed the following realignment of Directorate responsibilities:

Adults, Children and Education (ACE)

- **Adult Assessment and Safeguarding** - to include Reablement, Learning Disability Assessment and Care Management, Physical and Sensory Impairment, OT provision, Mental Health Assessments and Care Management, Mental Capacity Act /DOL, Carers, Personalisation, Adult Safeguarding Board.
- **Children's Specialist Services** - to include Children's Social Care, Looked After Children, Fostering and Adoption, Residential Care, Disability Lead Children, SEN and Specialist Teaching, Transition Service, Integrated Young People's Service, Children's Safeguarding Board, CAMHS.
- **Education and Skills** - to include Primary and Secondary Improvement, 14-19, Early Years, Colleges, All Age Skills Strategy, Children's Centres, Danesgate and Alternative Provision, Travellers and Ethnic Minority Education Service.
- **Adult Commissioning Modernisation and Provision** - to include Day and Respite Services for LD and MH, EPH provision, SHEC provision, Supported Employment for LD, Warden Call/Telecare, Adult Social Care Commissioning Programme, Older People/Mental health

Strategy, Adult Transformation Programme, Supporting People Agenda, QA and Contract Monitoring.

- **Facilities management, School and Children's Strategy and Planning** (*Shared with CBSS*) - Role reports to ACE on Children's Strategy and Planning, School organisation, School support. The role also includes council-wide Facilities Management, which will report to CBSS.

Communities and Neighbourhoods (CANs)

- **Public Health Seconded** – the responsibilities for this role are being defined by central government, with the local arrangements currently being worked up with the Public Health Transition Group.
- **Housing and Community Safety** - to include Private Sector Housing Standards, Emergency Planning, Safer York Partnership, Prevent, Registrars and Crematorium, Housing Management, Building Maintenance, Licensing, Environmental Health and Trading Standards.
- **Culture, leisure and Public Realm** - to include Libraries, Arts and Festivals, Sport and Active Leisure, Play, Adult Education Delivery including York Training Centre, City Centre Management, Tourism, Neighbourhood Management, Equalities, Parks and Open Spaces, Neighbourhood Pride, Street Cleaning, Street Environment Team, Parking Management and Parking Enforcement.

Customer and Business Support Services (CBSS)

- **Finance, Asset Management and Procurement** – to include Financial Management, Capital and Treasury, Governance and Risk, Income Collection, client role for Veritau, management of all Council Land and Property Assets, Property Reviews, Rationalisation and Disposals, Procurement.
- **Legal, Civic, Democratic and IT** – to include Legal, Democratic and Civic Support and ICT.
- **Customers and Employees** – to include HR Advice and Support, Payroll, Health and Safety, Customer Centre, Benefits and Face-to-face Services.

- **Facilities Management, School and Children's Strategy and Planning** (*Shared with ACE*) – As described in ACE, above.

City and Environmental Services (CES)

- **City Development and Sustainability** - to include Major Development Projects and Initiatives, Development Management, Urban Design, Heritage and Conservation, Natural Environment Services, Sustainability and Climate Control, Building Control Property Information.
- **Strategic Planning and Transport** - to include Local Development Planning, Local Transport Plan, Quality Bus Partnership, Park and Ride, Highways and Network Management, Public Transport, Parking Policy and Major Infrastructure Projects.
- **Highways Fleet and Waste** - to include Fleet, Highways Maintenance, Waste Services and the transformation of these services.

In addition to the above portfolios, the following functions will report directly to The Chief Executive as part of the Office of the Chief Executive: Research, Policy, Strategy, Partnerships and Communications, Performance Management, Performance Improvement, Innovation and Business Change, and Economic Development.

The intention of these new portfolio groupings is to bring the services of CYC more closely in line with the customers and residents of York.

These portfolios will be delivered by the following 13 Assistant Directors posts:

- Adult Assessment and Safeguarding
- Children's Specialist Services
- Education and Skills
- Adult Commissioning Modernisation and Provision
- Facilities management, School and Children's Strategy and Planning
- Housing and Community Safety
- Culture, leisure and Public Realm
- Finance, Asset Management and Procurement

- Legal, Civic, Democratic and IT
- Customers and Employees
- City Development and Sustainability
- Strategic Planning and Transport
- Highways Fleet and Waste

In addition, an individual from the Health sector will be appointed to lead the preparation for the transition of Public Health responsibilities from the PCT to the council. This will be on a secondment basis pending further discussion around the scope and responsibilities of the role.

Consultation

4. Extensive consultation was undertaken between 12 December and 10 February 2012, the outcomes of which have informed the development of the proposals agreed by CMT.
5. Consultation has comprised of the following:
 - briefings with Group Leaders, Cabinet portfolio holders and the Leader
 - workshop discussions with the Corporate Leadership Group, Senior Management
 - workshop sessions with staff from across the organisation (400 staff in total)
 - briefings with Unison and the GMB and discussions at the Joint Consultative Committee negotiation meetings with all trade unions represented within the Council workforce;
 - submissions received by email to chiefexec@york.gov.uk or in writing to the Chief Executive at the Guildhall from employees of the Council;
 - discussions with partners through the public sector round table meetings
 - discussion with the Council's regulatory bodies – the Audit Commission, Ofsted and the Care Quality Commission
 - detailed consultation with the Assistant Directors and Unison on potential redundancies resulting from the proposals

including collective consultation which ended on February 10 and individual consultation which is ongoing.

6. The consultation was framed around the following three dimensions:
 - the principles which drive restructuring of senior management;
 - the process which should be followed to implement the restructure
 - options for the senior management structure of the organisation
 - potential redundancies and the process to be followed
7. Feedback from all the consultation has been collated and responded to.

Options

8. Members of this Committee have the option to:
 - (i) Comment upon the organisational review although the Cabinet has already agreed the overall structure as reported in paragraph 3 above and this Committee does not have the authority to alter or amend it ;
 - (ii) Consider composition and arrangements for setting up an Appointments Sub-Committee to deal with appointments to Assistant Director roles, arising from the organisational review, where two or more candidates have expressed an interest and may be suitable

Process Outline

9. The process, which conforms to CYC change and redundancy policies, is as follows:
 - As there are two fewer posts in the new structure, a formal redundancy process is now in place
 - CMT agreed the new portfolios and AD responsibilities

- New job descriptions developed and consulted on with ADs and TUs
- An assimilation exercise was conducted on 20th February resulting in 8 posts being matched
- 7 ADs were not assimilated and 5 posts remain vacant
- The next phase is a selection process to fill the remaining 5 posts and establish which AD posts we be declared redundant if this proves unavoidable

Selection Process

10. The above proposals will be implemented using the Council's established Council's procedures for the management of change and also the protocol for appointing Chief Officers. The steps involved in these processes are:

Convening an Appointments Sub-Committee, comprising Members, to select successful postholders where there may be two or more candidates suitable for one post. Potentially, up to 5 Appointments Sub-Committees could be required depending on the applications for posts. It is likely to fewer than that but the exact number will not be known until the closing date for applications – 9 March 2012. In the light of this, it is suggested that Members establish one Appointments Sub-Committee with appropriate substitutes, so that the most appropriate Members can be arranged to sit on the Sub-Committee, dependent on the area of the appointment to be made. This would traditionally reflect how the Council has dealt with Chief Officer Appointments in the past.

11. The logistics of the selection process are:

- All those who are eligible for the selection activity will be asked to express an interest in the roles they wish to be considered for by March 9 2012
- The selection activity will consist of an interview, presentation, written exercise and information from a psychometric test. The psychometric evaluations undertaken at the last selection activity remain valid and will be used for this process

- The assessment of the candidates will be evidence based and all assessment activity will have written notes and a scoring methodology so that consistent scoring takes place. This information will be used to take the final decision

Council Plan 2011-15

12. Supporting the organisational review and putting in place an appropriate management structure is fundamental in enabling the Council to continue to deliver its key priorities under its Council Plan 2011-15.

Implications

13. Any implications arising from the issues raised in this report will be addressed within any associated decision making reports required in the future.
14. As a result of the selection exercise, up to two posts will be surplus to requirements and potentially two ADs declared redundant. The process described above and other activity in the implementation of this restructure will be in accordance with legal requirements and the policies of the Council. All reasonable options to avoid compulsory redundancy will be explored.

Risk Management

15. As with any significant reorganisation a risk is that the energies and focus of services and staff are distracted and uncertainty undermines morale. For that reason effective management of the change process is essential, with priority given to frequent communication throughout the organisation, support and guidance for staff affected by the change process, use of agreed procedures for the management of change and (whilst taking sufficient time to ensure the changes are properly planned for) moving at a pace to provide certainty for staff. Reduction in management posts will be challenging and put additional demands on staff unless a thorough review is undertaken of internal operations to ensure all non essential processes are minimised. As ever close attention will be paid to the performance of the organisation through this period to ensure early action on any issues which arise.

Recommendations

16. Staffing Matters and Urgency Committee is asked to:
- (i) Note and comment on the organisation review, as appropriate but on the basis outlined in paragraph 7 above;
 - (ii) Establish an Appointments Sub Committee on a 2(Labour): 1(Conservative or Liberal Democrat) basis with 4 Labour substitutes, and 2 from each of the Conservative and Liberal Democrat Groups; and
 - (iii) The Appointments Sub Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures to any of the newly created Assistant Director posts, if required; and
 - (iv) Endorse arrangements for the final interviews to be held between 16 and 23rd March and Democratic Services be authorized to liaise with Groups regarding Members and dates for those interviews

Reason: To ensure that the appointment arrangements for Assistant Directors are made in line with existing Council Policies

Contact Details

Author:

Kersten England
Chief Executive
Tel: 551000

Chief Officer Responsible for the report:

Kersten England
Chief Executive

Report Approved

Date 27.02.2012

Specialist Implications Officer(s):

Wards Affected:

Background Papers:

Details of new portfolios and AD responsibilities
Committee report of 6 December 2011

Annexes

None



Staffing Matters and Urgency Committee**5 March 2012**

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.

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 this report are not material to the Council Plan they are consistent with the required outcomes of the More 4 York programme.

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:
 - 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:	Chief Officer Responsible for the report:
Mark Bennett Head of HR Directorate Support Human Resources Ext 4518	Ian Floyd Director of Customer and Business Support Services Report <input checked="" type="checkbox"/> Approved <input type="checkbox"/>
	Date 23 February 2012

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 (to be circulated at the meeting)