

## Notice of meeting of

### **Staffing Matters & Urgency Committee**

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

**Date:** Monday, 30 April 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. Minutes** (Pages 3 - 6)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on Monday 16 April 2012.

**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 **Friday 27 April 2012 at 5.00 pm.**

**4. Appointments Committee for Director of City & Environmental Services-Revised Membership (Pages 7 - 10)**

At its meeting on 16 April 2012, this Committee agreed to establish an Appointments Committee for the post of Director of City & Environmental Services and to delegate sufficient powers to that Committee to enable it to conduct the recruitment process, select and appoint a candidate. This report suggests a revised membership for that Appointments Sub-Committee, in the light of further representations and in an effort to remain consistent with previous practice regarding the appointment of Directors.

**5. 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](mailto: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.

## 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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### **Holding the Cabinet to Account**

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet 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 Cabinet 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

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MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	16 APRIL 2012
PRESENT	COUNCILLORS SIMPSON-LAING (SUBSTITUTE FOR COUNCILLOR ALEXANDER), GUNNELL, RUNCIMAN, GILLIES AND CRISP(SUBSTITUTE FOR COUNCILLOR FRASER)
APOLOGIES	COUNCILLORS ALEXANDER AND FRASER

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**126. DECLARATIONS OF INTEREST**

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

Councillors Crisp, Gunnell and Simpson Laing declared personal non prejudicial interests in Agenda Item 6 (Redundancy) as retired and current members of UNISON.

Councillor Fraser also declared a personal non prejudicial interest in Agenda Item 6 (Redundancy) as a retired member of UNISON and Unite (TGWU/ACTS sections).

No other interests were declared.

**127. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Item 6 (Redundancy) on the grounds that they contain information relating to individuals and the financial affairs of particular persons.

**128. MINUTES**

RESOLVED: That the minutes of the Staffing Matters and Urgency Committee held on 2 April 2012 be approved and signed by the Chair as a correct record.

**129. PUBLIC PARTICIPATION**

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

**130. APPOINTMENTS SUB-COMMITTEE FOR DIRECTOR OF CITY AND ENVIRONMENTAL SERVICES**

Members received a report which sought formal approval to establish an Appointments Sub-Committee for the post of Director of City & Environmental Services, and to delegate sufficient powers to the Sub-Committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

Questions from Members to Officers related to pay progression in the new post and if the Sub-Committee could recommend a change from increments to performance related pay. Officers responded that Members could not change the policy through the Committee, as it could only be changed through formal consultation with all concerned parties.

In relation to the composition of the Sub-Committee, it was suggested that a Conservative Member should join two Labour Members, as the Conservative group were the official opposition group on the Council. It was also suggested that the Leader and the Cabinet Member for City Strategy should be the two Labour nominations.

Other Members felt that as the post was significant that the composition of the Sub-Committee should be on a 3:1:1 basis. (three Labour, one Conservative and one Liberal Democrat).

Discussion took place in relation to the appointment of the Director of Public Health. Some Members felt that as the Council would fund the post after its first year of establishment, that the authority should have a greater say in the recruitment process.

- RESOLVED:
- (i) That the report be noted.
  - (ii) That the intention to recruit to the Director of Public Health and Wellbeing (DPHW) and Director of City & Environmental Services concurrently be noted.
  - (iii) That the Council representatives on recruitment panel for the DPHW role be the Cabinet Member for Health Housing and Adult Social Services and the Chief Executive.
  - (iv) That an Appointments Sub-Committee consisting of the Chair, the Cabinet Member for City Strategy and a Conservative Member be established.
  - (v) That the Appointments Sub-Committee be authorised to conduct the final interviews for the Director of City & Environmental services and select a successful candidate with a view to making an offer of employment subject to the necessary employment procedures.
  - (vi) That the proposed pay package of the Director of City & Environmental Services as set out in paragraph 8 of the report be agreed.

REASON: To progress appointment to the posts of Director of Public Health & Wellbeing and Director of City & Environmental Services.

**131. REDUNDANCY**

Members received a report which advised them of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

Details of the six individual employees were contained in business cases circulated at the meeting. Four of the redundancies were voluntary and two redundancies were compulsory and no discretionary enhancements were proposed.

**RESOLVED:** That the expenditure associated with the proposed dismissal of six employees on the grounds of redundancy be noted as detailed in Annexes be noted.

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

Councillor T Simpson-Laing, Chair  
[The meeting started at 1.00 pm and finished at 1.15 pm].





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**Staffing Matters & Urgency Committee****30 April 2012**

Report of the Chief Executive

**Appointments Committee for Director of City & Environmental Services – Revised Membership****Summary**

1. At its meeting on 16 April 2012, this Committee agreed to establish an Appointments Committee for the post of Director of City & Environmental Services and to delegate sufficient powers to that Committee to enable it to conduct the recruitment process, select and appoint a candidate. This report suggests a revised membership for that Appointments Sub-Committee, in the light of further representations and in an effort to remain consistent with previous practice regarding the appointment of Directors.

**Background**

2. As reported to this Committee previously, the Council's Constitution allows for an Appointments Committee, including at least one member of the Cabinet, to shortlist and interview applicants for a Director post and to determine who should be offered the vacant post.
3. It is requested that this Appointments Committee be re-constituted on a 3:1:1 basis, as opposed to a 2:1 basis as recommended to and agreed at the last meeting. This will mean that there will be three Labour members, one Conservative and one Liberal Democrat Member.
4. Following the last meeting of Staffing & Urgency Committee, the Council Leader received representations from the Leader of the Liberal Democrat Group regarding the composition of the Appointments Committee for the Director of City & Environmental Services. Whilst Appointment Committees for recent various Assistant Director posts were established on a 2(Labour):1 (Opposition Group) basis, it would be fair to say that Appointments

Committees for previous Director posts have comprised more Members, in view of the strategic level of the position. Extending the membership of the Appointments Committee is an option open to this Staffing & Urgency Committee. This would be more consistent with previous practice for appointments at Director level and would achieve a wider cross-party involvement. Equally, it will increase accountability and confidence in the appointment process for this significant and strategic post.

### **Consultation**

5. Since the last meeting of this Committee, further feedback has been received from Groups on the composition of the Sub-Committee and in light of the comments made in paragraph 3 above, the proposal to revise the membership and composition is now contained within this report.

### **Options/Analysis**

6. Members have the option to revise the composition as set out in this report to 3:1:1 or to adhere to the previously agreed membership of 2:1.

### **Council Plan**

7. Making an appointment to this post will contribute to delivering the Council Plan and its priorities, in particular Get York Moving and Protect the Environment.

### **Implications**

8. There are no direct financial or HR implications arising from the recommendation to review composition of the Appointments Committee. There may well be practicalities associated with agreeing dates, times, locations of the Appointments Committee, given the suggested increase in membership. However, the benefits of widening representation on the Appointments Committee are considered to outweigh the logistical problems.
9. **Legal** – The Appointments Committee is created pursuant to S.102 (1)(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 Director of City & Environmental

Services. 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 Cabinet and further, that no formal offer of appointment may be made until all members of the Cabinet 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 not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are not other implications.

### **Risk Management**

10. There are no known risks associated with the recommendations of this report. It is suggested that widening the composition of the Appointments Committee will improve confidence in the overall decision making process in this recruitment exercise.

### **Recommendation**

11. It is recommended that Staffing & Urgency Committee agree to reconstitute the Appointments Committee for the Director of City & Environmental Services on a 3 (Labour): 1 (Conservative); and 1 (Liberal Democrat) basis

**Reason:** To progress appointment to the post of Director of City & Environmental Services.

## Contact Details

### Author:

Pauline Stuchfield  
Assistant Director,  
Customers  
& Employees

Dawn Steel  
Head of Civic & Democratic  
Services

### Chief Officer Responsible for the report:

Kersten England  
Chief Executive

**Report  
Approved**



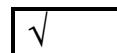
**Date** 19<sup>th</sup> April 2012

### Specialist Implications Officer(s)

Legal: Andrew Docherty, Assistant Director, IT Democratic & Legal  
Services

### Wards Affected:

All



**For further information please contact the author of the report**

### Background Papers:

6 December 2011 – Report to Cabinet: Organisation Review 2011

3 April 2012 – Report to Cabinet: Recruitment to the roles of Director of Public Health & Wellbeing and Director of City & Environmental Services

16 April 2012 – Report to Staffing & Urgency Committee on Appointments Committee for Director of City & Environmental Services

### Appendix:

None