

Notice of meeting of

Staffing Matters & Urgency Committee

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

Date: Monday, 28 May 2012

Time: 1.00 pm

Venue: The Guildhall, York

AGENDA

1. Declarations of Interest

At this point in the meeting, 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:

An Annex to Agenda Item 6 on the grounds that it contains information relating to individuals and the 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 14 May 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 25 May 2012 at 5.00 pm.**

5. Appointments Sub Committee for Assistant Director (Assessment and Safeguarding) (Pages 5 - 14)

This report seeks formal approval to establish an Appointments Sub-Committee for the post of Assistant Director (Adult Assessment and Safeguarding) and to delegate sufficient powers to that 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.

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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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

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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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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

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City of York Council

Committee Minutes

MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	14 MAY 2012
PRESENT	COUNCILLORS ALEXANDER (CHAIR), GUNNELL, FRASER, RUNCIMAN AND GILLIES

136. 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.

Councillor Alexander declared a personal non prejudicial interest in the general remit of the Committee as a member of GMB.

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

Councillor Gunnell also declared a personal non prejudicial interest in the general remit of the Committee as a member of UNISON.

No other interests were declared.

137. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during the consideration of annexes to Agenda Item 5 (Redundancy) on the grounds that they contain information relating to individuals and the financial affairs of particular persons.

138. MINUTES

RESOLVED: That the minutes of the meeting of the Staffing Matters and Urgency Committee held on 30 April 2012 be approved and signed by the Chair as a correct record subject to the deletion of:

“Councillors Fraser and Gunnell also declared personal non prejudicial interests in the general remit of the Committee as a retired member of UNISON and Unite (TGWU/ACTS sections) *and as a member of UNISON.*”

139. PUBLIC PARTICIPATION

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

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

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

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].



Staffing Matters & Urgency Committee**28 May 2012**

Report of the Director of Adults, Children and Education

Appointments Sub-Committee for Assistant Director (Adult Assessment and Safeguarding)**Summary**

1. This report seeks formal approval to establish an Appointments Sub-Committee for the post of Assistant Director (Adult Assessment and Safeguarding) and to delegate sufficient powers to that 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. This post was created and approved by Cabinet on 6 December 2011 as part of the Organisational Review 2011.
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 ACE Directorate and the council's Corporate Leadership Group to operate effectively with a permanent appointment.

Background

3. The post is currently being covered on an interim basis following the implementation of structural changes across the authority, affecting all Chief Officers at Assistant Director level. The current post holder has been in role on a temporary basis since July 2011. In line with the Cabinet decisions taken on 6 December 2011 the current post holder took over the new role on continued temporary basis of Assistant Director (Adult Assessment and Safeguarding), from 1 April 2012.
4. Given challenge of the development of integrated commissioning of health and social care services 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. The role is crucial in providing strategic leadership of all local authority adult assessments including those involving adult safeguarding and Mental Health Act responsibilities.

5. The Council's Constitution allows for an Appointments Sub-Committee, including at least one member of the Cabinet, to shortlist and interview applicants for a post and to determine who should be offered the vacant post.
6. It is requested that for the Assistant Director (Adult Assessment and Safeguarding) Appointments Sub-Committee, that the Sub-Committee be constituted on a 2:1 basis. This will mean that there will be two Labour members, and one Conservative or Liberal Democrat Member. Nominations for these appointments will be co-ordinated by Democratic Services.
7. Attached at Annex A are details of the pay package and conditions of service for the post of Assistant Director (Adult Assessment and Safeguarding). The Committee is asked to confirm the pay package for this post which will be offered as part of the recruitment process which is set at a job evaluated grade of Assistant Director at a salary of £66,068 to £73,401, with access to the standard set of Chief Officer terms and conditions. There are no other enhancements recommended for this role.
8. Consultation has taken place with the Corporate Management Team as to the need for this appointment. It is requested that the political groups now nominate Members to participate in the Appointments Sub-Committee.

Options/Analysis

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

Council Plan

10. Making an appointment to this post will contribute to delivering the Council Plan and its priorities, in particular Protecting Vulnerable People and Building Strong Communities.

Implications

Financial

11. The ACE Directorate will bear the cost of this post within current resources.

Human Resources (HR)

12. The job description for the Assistant Director of Adult Assessment and Safeguarding was agreed as part of the Organisational Review 2011 and has been subject to the Council's established job evaluation mechanism and a grade established for the post. 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 (Annex B).

Legal

13. The Appointments Sub-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 Sub-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 Sub-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).

Other Implications

14. There are no implications relating to Equalities, Crime & Disorder, Information Technology or Property arising from this report.

Risk Management

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

Recommendations

16. It is recommended that Staffing & Urgency Committee:
- i. Establishes an Appointments Sub-Committee consisting of three members, two from Labour, and one Conservative or Liberal Democrat, to be authorised to conduct the final interviews for the Assistant Director (Adult Assessment and Safeguarding).
 - 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 Adult Assessment and Safeguarding to be made.

Contact Details

Author:

Pete Dwyer
Director, Adults, Children and
Education

Chief Officer Responsible for the report:

Pete Dwyer
Director, Adults, Children and
Education

Report **Date** 18 May
Approved 2012

Specialist Implications Officer(s)

Legal: Andrew Docherty, Assistant Director (Legal, Civic, Democratic and IT)

Finance: Richard Hartle, Finance Manager, ACE

HR: Claire Waind, HR Business Partner, ACE

Wards Affected:

All

For further information please contact the author of the report
Background Papers:

6 December 2011 – Report to Cabinet: Organisation Review 2011

Annexes

Annex A - Conditions of Service – Assistant Director (Adult Assessment and Safeguarding)

Annex B - Chief Officer Recruitment Protocol

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	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

	<p>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
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)

ANNEX B

Conditions of Service

Assistant Director Adult Assessment and Safeguarding

The post you are interested in is subject to the Schemes and Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities as supplemented by any local collective agreements negotiated on behalf of the employees and by the rules of the Council.

Health

Prospective employees must be cleared by the Occupational Health Service as medically fit for employment by City of York Council, and are advised not to give notice to terminate their present employment until clearance has been received.

Probationary period

Appointments from outside local government are subject to the successful completion of a six month probationary period.

Reporting line

This post reports to the Chief Executive.

Targets

Objectives and targets will be agreed with the Director of Adults, Children and Education to reflect the Council's strategic priorities.

Salary

The appointment will be made in the Chief Officer Grade 9 range. The salary levels within the grade are as follows:

61	£66,068
62	£68,413
63	£70,752
64	£73,401

The starting salary will be determined by the Appointments Panel of elected Members.

ANNEX B

Salaries are paid on the last working day of the month. The salary is indexed to the JNC cost of living pay awards currently effective from 1st April each year.

Relocation allowance

There will be an entitlement to relocation expenses up to a ceiling of £6,500 subject to certain conditions. The terms of the relocation scheme are dependent on the post holder residing within the City of York Council boundary. Further details are set out in the Council's relocation policy.

Annual leave

The annual leave entitlement is 34 days increasing by five days after five years continuous local government service, plus eight public holidays per annum.

Pension

Membership of the Local Government Pension Scheme will be automatically continued for all employees who transfer from another Local Authority, unless they gave notice that they no longer wish to contribute. Membership of the scheme is automatic for new employees unless they state otherwise.

Car mileage for business use/Car parking

A mileage allowance of 45p per mile (up to 8,500 miles) is payable for business use.

Hours of Work

Working hours in this post will be subject to the needs of the service.

Whole time service

The postholder will be expected to devote his or her whole time to the work of the Council and not engage in any other business or employment without the prior knowledge and approval of the Council.

Sickness Absence

Any entitlements related to absence due to sickness or injury are as set out in the JNC for Chief Officers agreement. Officers are entitled to receive sick pay for the following periods:

During 1 st year of service (service)	1 month's full pay and (after completing 4 months 2 months half pay
During 2 nd year of service	2 months full pay and 2 months half pay

ANNEX B

3 rd year of service	4 months full pay and 4 months half pay
During 4 th & 5 th year of service	5 months full pay and 5 months half pay
After 5 years of service	6 months full pay and 6 months half pay

Retirement

The normal retirement age of all Council employees, irrespective of gender, is 65 years.

Period of Notice

The written notice required to terminate employment in this post will be three months on either side.

Canvassing

Applicants for appointment must not canvas any Member or employee of the City of York Council in respect of their application. There is, however, no objection to any of the aforementioned providing written references in respect of applicants. Applicants related to any of the above must disclose the fact.

Political Restriction

This post is politically restricted and is subject to the restriction of political activities imposed by the Local Government and Housing Act 1989, and as outlined in the City of York Council's Employee Code of Conduct.

Further Information

If you would like an informal discussion about the post, please contact Pete Dwyer, Director of Adults, Children and Education, on 01904 554200.

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Staffing Matters and Urgency Committee**28 May 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 the 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:

Consider and note each proposal presented on the grounds of redundancy 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:

Mark Bennett
Head of HR Directorate
Support
Human Resources
Ext 4518

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**

Date 18 May 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)