

Notice of a public meeting of

Staffing Matters & Urgency Committee

To: Councillors Alexander (Chair), Boyce, Fraser, Gillies and Aspden

Date: Monday, 10 June 2013

Time: 1.00 pm

Venue: The Green Room, West Offices, York

AGENDA

1. **Declarations of Interest**

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of 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 (Redundancy) on the grounds that they contain information relating to individuals. 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 - 6)

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on Tuesday 28 May 2013.

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 7 June 2013 at 5.00 pm.**

5. Changes to Appointments to Council Bodies (Pages 7 - 10)

At the Annual Council meeting on 23 May 2013 appointments were made to Committees, outside and partnership bodies together with appointments to Chairs and Vice-Chairs for the 2013/14 municipal year. However, since those appointments were made we have been advised that a couple of changes are required to the agreed list.

6. Redundancy (Pages 11 - 14)

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. The report also seeks agreement from the Staffing Matters and Urgency Committee for the dismissal of a Chief Officer on the grounds of compulsory redundancy and the approval for the Council to make payments in respect of both statutory and contractual obligations in respect to the dismissal.

7. Urgent Business

Any other business which the Chair considers 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.

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.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন ভাষাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোভাষী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

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

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ میا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

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 following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, 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;
- York Explore Library and the Press receive copies of **all** public agenda/reports;
- All public agenda/reports can also be accessed online at other public libraries using this link

<http://democracy.york.gov.uk/ieDocHome.aspx?bcr=1>

City of York Council

Committee Minutes

MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	28 MAY 2013
PRESENT	COUNCILLORS ALEXANDER (CHAIR), FRASER, GILLIES AND ASPDEN

1. **DECLARATIONS OF INTEREST**

At this point in the meeting, Members were invited to declare any personal, prejudicial or pecuniary interests, other than their standing interests, that they might have in the business on the agenda.

Councillors Alexander and Gillies declared personal non prejudicial interests as members of the Visit York Board, as one of the individuals mentioned in an exempt annex had worked for Visit York. As no decision other than noting the particular redundancy needed to be made by Members, the interests were deemed to not be prejudicial.

No other interests were declared.

2. **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) (Minute Item 5 refers), on the grounds that it contains information relating to individuals and the financial affairs of particular persons. This information is classified 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 Act (Access to Information) (Variation) Order 2006).

3. MINUTES

RESOLVED: That the minutes of the meeting of the Staffing Matters and Urgency Committee held on 13 May 2013 be approved and signed by the Chair as a correct record.

4. PUBLIC PARTICIPATION

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

5. REDUNDANCY

Members considered a report which advised them of the expenditure associated with the proposed dismissal of four employees.

Details of the employees were contained as exempt annexes to the report. The annexes were circulated at the meeting. Two of the redundancies were voluntary and had no proposed discretions.

The other two requests had been submitted in line with the policy for Pension and Exit discretions. One request was for flexible retirement and the other was exit discretion on the grounds of serious ill health.

Discussion took place relating to the cost benefit of each proposal and the potential impact upon the service. Members asked that further information on costs associated with future requests for flexible retirement be brought back to Committee.

- RESOLVED:
- (i) That the expenditure associated with the requests which did not have discretions be noted.
 - (ii) That the requests for pension and exit discretions be agreed.

- (iii) That further information be considered by Members at a future meeting on costs associated with requests for flexible retirement.¹

REASON: In order to provide an overview of the expenditure.

Action Required

1. To provide the requested information.

MB

Councillor J Alexander, Chair

[The meeting started at 1.05 pm and finished at 1.35 pm].

This page is intentionally left blank



Staffing Matters and Urgency Committee**10 June 2013**

Report of the Assistant Director, Governance and ICT

Changes to Appointments to Council Bodies**Summary**

1. At the Annual Council meeting on 23 May 2013 appointments were made to Committees, outside and partnership bodies together with appointments to Chairs and Vice-Chairs for the 2013/14 municipal year. However, since those appointments were made we have been advised that a couple of changes are required to the agreed list.

Background

2. The requested changes to the agreed appointments are:

Quasi-Judicial/Regulatory Function

- Audit and Governance Committee – to add Councillor Brooks as the Conservative member and Vice Chair of the Committee in place of Councillor Steward. Councillor Steward to be listed as the first Conservative substitute in place of Cllr Brooks.

Joint Working – Other

- Ofsted Sub-Group – Replace Councillor Cunningham-Cross with Councillor Boyce as the third Labour member on this Group.

3. This matter has been brought to the Staffing Matters and Urgency Committee for agreement in view of the timing of forthcoming meetings of these bodies.

Consultation

4. In accordance with the usual process for gathering nominations to available places at the Annual Council Meeting, the relevant Groups have been consulted and provided with the necessary information.

Options

5. Options open to the Committee are to approve or not approve the changes to the Council appointments set out at paragraph 2 of the report.

Council Plan 2011-15

6. Establishing an appropriate decision making and scrutiny structure, contributes to the Council delivering its core priorities set out in the Council Plan, effectively.

Implications

7. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider nominations to places on Committees and outside bodies:
 - Financial
 - Human Resources (HR)
 - Equalities
 - Crime and Disorder
 - Property
 - Other

Legal Implications

8. The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with the political balance rules. These rules may only be waived where no Member votes against the proposal.

Risk Management

9. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendation in this report.

Recommendation

10. Staffing Matters and Urgency Committee is asked to consider and agree the amended appointments to the Audit and Governance Committee and the Ofsted Sub-Group, for the remainder of the 2013/14 municipal year.

Reason: In order to make appropriate appointments to the Council's Committees and Outside Bodies for the current municipal year.

Author:

Dawn Steel
Head of Civic and
Democratic Services
Telephone: 01904 551030

Chief Officer Responsible for the report:

Andy Docherty
Assistant Director, Governance and ICT

**Report
Approved**



Date 31 May 2013

Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All

For further information please contact the author of the report

Background Papers

None

Annexes

None

This page is intentionally left blank



Staffing Matters and Urgency Committee**10 June 2013**

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.
2. The report also seeks agreement from the Staffing Matters and Urgency Committee for the dismissal of a Chief Officer on the grounds of compulsory redundancy and the approval for the Council to make payments in respect of both statutory and contractual obligations in respect to the dismissal.
3. There will also be a requirement for the financial package, if approved, to be considered at a Full Council meeting in line with the Council's Pay Policy 2013/14. Given the frequency of Council meetings which could lengthen the decision-making process and associated costs, Members are asked to recommend to Full Council to change the wording in the Council's Pay Policy to allow all future Chief Officer severance packages over £100k in value to be considered and agreed at Staffing Matters & Urgency Committee.

Background

4. 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.
5. There are no discretionary payments to be considered in relation to this report.
6. The Chief Officer severance package will be referred on to Full Council in accordance with the Council's Pay Policy. Council meetings, however, are held only 5 times a year, whereas the Staffing Matters & Urgency Committee meets fortnightly.

To wait for Council meetings to agree packages could delay dismissal hearings and increase costs of retaining the employees at work.

Consultation

7. All of the proposed redundancies have been subject to consultation in accordance with the council's statutory obligations.

Options

8. 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

9. The analysis of each proposal can be found in the respective business case.

Council Plan

10. Whilst the actions being proposed in the report are not material to the Council Plan they are consistent with the required outcomes of the council's budget strategy.

Implications

11. The implications of each proposal can be found in the respective business case.

Risk Management

12. 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

13. Staffing Matters and Urgency Committee is asked to:
 - a) 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 related expenditure.

- b) Agree the proposed dismissal of a Chief Officer on the grounds of redundancy and the associated expenditure detailed in the annexe, and refer the latter to Full Council for its consideration.

Reason: In order to implement the City & Environmental Services restructure and make the required budgetary savings at Assistant Director level.

- c) Recommend to full Council that the wording in the council's Pay Policy is amended to allow all future Chief Officer financial packages to be considered and approved at Staffing Matters & Urgency Committee.

Reason: to reduce timescales and associated costs relating to the Chief Officer redundancy process.

Contact Details

Author:

Mark Bennett
Head of HR Directorate
Support
Human Resources
01904 554518

Chief Officer Responsible for the report:

Ian Floyd
Director of Customer and Business
Support Services

**Report
Approved**



Date 31.5.13

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)

This page is intentionally left blank