
MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	9 MAY 2008
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), GILLIES, JAMIESON-BALL, POTTER AND SCOTT

33. 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.

Cllr Scott declared a personal, non prejudicial interest in agenda item 7 (Equal Pay Settlements), as an employment lawyer specialising in equal pay claims. He noted that he had not been involved in any equal pay claims in relation to employees of this Council.

34. MINUTES

RESOLVED: That the minutes of the Staffing Matters and Urgency Committee meeting held on 18 April 2008 be approved and signed by the Chair as a correct record.

35. PUBLIC PARTICIPATION

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

36. CHIEF OFFICER RECRUITMENT PROTOCOL

Members considered a report which sought formal approval to establish a Chief Officer Recruitment Protocol, in order to bring consistency to the Council's procedures for recruiting Chief Officers.

A draft Protocol, developed by the Head of HR Services in consultation with the Chief Executive, was attached as Annex 1 to the report. Members were invited to approve and / or suggest amendments to the draft.

It was noted that agreement of a Protocol would enable the financial decisions around the use of recruitment consultants to be made on a case by case basis, thus helping to ensure value for money. The Protocol would be advisory in nature and would not affect mandatory legal requirements in respect of recruitment.

RESOLVED: That the proposed Chief Officer Recruitment Protocol at Annex 1 to the report be approved.¹

REASON: To ensure consistency of approach and value for money.

Action Required

1. Implement Recruitment Protocol.

KS

37. DIRECTORATE REORGANISATION

Members considered a report which outlined the case for a reorganisation of responsibilities amongst the Council's Directorates. It also presented short-term proposals for managing over the summer, given the number of key Chief Officer recruitment processes currently pending.

In summary, the proposals involved:

- Moving Highways, CCTV and parking operational responsibilities from City Strategy to Neighbourhood Services
- Moving Leisure grounds maintenance from Leisure, Culture and Children's Services to Neighbourhood Services
- Moving Planning, Performance and Improvement from the Chief Executive's Directorate to Resources
- Moving Payroll to Human Resources (HR) and moving Property from Resources to the Chief Executive's Directorate
- Putting in place interim arrangements during the appointment of the new Director of Resources, Head of HR and Head of Audit and Risk Management, including those set out in item 6 on this agenda (Minute 38 refers).

Members commented that the proposals were logical and would achieve the savings required. However, Cllrs Scott and Potter felt that the proposed re-organisation did not go far enough and abstained from the vote on that basis.

RESOLVED: That the 'direction of travel' for the organisation, as set out in the report, be approved.¹

REASON: In order to deliver the Council's corporate objectives better and more effectively and to contribute to budget savings.

Action Required

1. Implement the agreed changes and amend the Constitution accordingly.

SC

38. HEAD OF FINANCIAL SERVICES, SECTION 151 OFFICER AND PROPER OFFICER FOR THE REGISTER OFFICE

Members considered a report which sought approval to re-allocate responsibilities currently held by the Director of Resources and to appoint the current temporary Head of Financial Services on a permanent basis.

The responsibilities to be transferred were the Section 151 role and the role of Proper Officer for the Register Office. The Proper Officer role had been transferred to the Director of Resources when the Head of Public Services left the Council last December. In view of the decision to reduce the scope of the Director of Resources post (Minute 37 refers), it was proposed that this role now be transferred to the Assistant Director of Neighbourhoods and Community Safety, Andy Hudson. The Section 151 responsibilities were currently performed by the Director of Resources and the Head of Audit and Risk Management, both of whom were leaving the Council in June 2008. It was proposed to transfer Section 151 and pensions responsibilities to the Head of Financial Services until a new Director of Resources had been appointed and to designate the Audit and Fraud Manager, Max Thomas, as Chief Internal Auditor until the appointment of a new Head of Audit and Risk Management.

With regard to the Head of Financial Services post, Members were asked to consider confirming the current temporary holder of this post, Sian Hanson, as the permanent Head of Financial Services. In discussing this proposal, Members stressed that they had no issues regarding the competency of the current post holder. However, some Members felt that the new Director should have some input into the decision. Cllr Gillies therefore moved, and Cllr Scott seconded, a proposal to delegate the decision to confirm the permanent appointment to the new Director of Resources. On being put to the vote, this alternative proposal was declared carried, with three Members voting in favour.

RESOLVED: (i) That the Register Office be transferred to Neighbourhood Services.¹

(ii) That Andy Hudson be appointed as the Proper Officer for the Register Office, subject to there being no impact on grade as a result of this change.²

(iii) That Sian Hansom, temporary Head of Financial Services, be appointed as the Council's Section 151 Officer and as officer responsible for all pensions issues currently delegated to the Director of Resources, until a new Director of Resources starts in post.³

(iv) That the decision whether to appoint Sian Hansom permanently to the Head of Financial Services post be delegated to the new Director of Resources.⁴

(v) That Max Thomas be appointed as Acting Chief Internal Auditor.⁵

REASON: In order to ensure that adequate and timely measures are put in place to cover the Council's statutory responsibilities and to limit risks during this period of staff changes.

Action Required

1. Implement the transfer, including making any necessary changes to the Constitution. SA

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| 2. Make the appointment. | SA |
| 3. Make the appointment and transfer responsibilities on a temporary basis. | SA |
| 4. Seek a decision from the new Director of Resources. | SA |
| 5. Make the appointment, on a temporary basis. | SA |

39. EQUAL PAY SETTLEMENTS

Members considered a report which sought formal approval for agreements that had been reached with four firms of solicitors acting for clients who had submitted equal pay claims against the Council.

In total, 235 equal pay cases had been submitted to employment tribunal and a date had been set for a two week hearing commencing on 21 April 2008. In view of the expense associated with defending the Council's case and the risk and reputational issues involved, a decision had been taken to enter into negotiations, assisted by legal advisors Dickinson Dees, to try to reach a settlement with the claimants' solicitors prior to the hearing. The four firms involved were: Thompsons, representing UNISON members; Whittles, representing GMB members; Stefan Cross, solicitors, based in Newcastle; and Hetherton's, solicitors, representing one claimant.

To date, Memoranda of Understanding had been drafted for Whittles and Stefan Cross, who had agreed the settlement. Hetherton's case would be dealt with individually and UNISON were currently awaiting approval from their national headquarters before they could agree the deal. The contents of the Memoranda were confidential, but were based upon a similar offer of compensation to that offered to staff in March 2008 and made it clear that the Council did not accept any liability and that it had not contravened equal pay law. An analysis of the total equal pay cost and funding was set out in paragraph 11 of the report. This indicated a shortfall of £0.553m in available funding. The first option for funding this shortfall would be to apply to Government for a further capitalisation request. If this was unsuccessful, the shortfall would have to be funded from the forecast underspend across the Council in 2007/08.

RESOLVED: (i) That the settlement reached with solicitors, as outlined in paragraphs 7 to 10 of the report, be approved.¹

(ii) That the respective payments to equal pay claimants indicated in paragraph 11 be approved, to be funded as outlined in paragraph 12.²

REASON: To reach an acceptable settlement and avoid the tribunal being re-convened.

Action Required

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| 1. Agree and sign the settlements with solicitors. | SA |
| 2. Make the payments as agreed in the Memoranda of Understanding. | SA |

S F Galloway, Chair

[The meeting started at 10.30 am and finished at 11.05 am].

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