

## **Employment & Appeals Committee – Meeting held on Thursday, 25th January, 2018.**

**Present:-** Councillors Sarfraz (Chair), N Holledge (Vice-Chair), Bedi, Brooker, Qaseem (from 6.49pm), R Sandhu and Swindlehurst (from 6.35pm)

**Apologies for Absence:-** None received.

### **PART 1**

#### **25. Declarations of Interest**

No declarations were made.

#### **26. Minutes of the Meeting held on 24th October 2017**

**Resolved –** That the minutes of the meeting held on 24th October 2017 be approved as a correct record.

#### **27. Membership of Appointments Sub-Committee - Appointment of Chief Executive**

The Senior Democratic Services Officer summarised a report that sought approval for a number of proposals about the membership of the Appointments Sub-Committee.

A politically proportionate Sub-Committee of five members had been established in August 2017 to undertake the appointment process for a Chief Executive. The Council had decided in November 2017 not to make an appointment and in December 2017 it had agreed the recruitment process for the vacant post. This included a recommendation to the Committee to increase the membership of the Appointments Sub-Committee from five to eight members and to waive the requirement for political proportionality to ensure the membership was more fully reflective of the Council as a whole. The five members of the Sub-Committee appointed on 3<sup>rd</sup> August 2017 had resigned to enable the new membership to be established.

The Council had recommended that the Sub-Committee should comprise the Leaders and Deputy Leaders of the Conservative and Labour Groups (or their nominees), Councillor Coad, the Chair of the Employment & Appeals Committee and two further Labour members. Nominations for the two Labour members were awaited and, in response to a question, it was confirmed that the two further Labour members should be members of the Employment & Appeals Committee where possible but this was not a requirement.

*(Councillor Swindlehurst joined the meeting)*

Members were informed that political proportionality could only be waived if no member voted against the proposal, and the Committee voted

## **Employment & Appeals Committee - 25.01.18**

unanimously to waive proportionality for the Sub-Committee. The other recommendations regarding the number of members, composition and terms of reference were approved.

### **Resolved –**

- (a) That the Appointments Sub-Committee be increased from 5 members to 8 members to undertake the recruitment of the Chief Executive and Head of the Paid Service.
- (b) That the terms of reference of the Sub Committee as set out in Paragraph 5.8 of the report be noted.
- (c) That the requirement for political proportionality, as set out in the Local Government and Housing Act 1989, be waived with regard to the appointment of the Sub Committee and that seats be allocated on the Sub-Committee as set out in paragraph 5.6 of the report.
- (d) That Members be appointed to serve on the Sub-Committee in accordance with the wishes expressed by Political Groups in respect of seats allocated to them within the parameters as at paragraph 5.3 of the report and as set out below:
  - i. Leader and Deputy Leader of the Labour Group (or their nominees);
  - ii. Leader and Deputy Leader of the Conservative Group (or their nominees);
  - iii. Councillor Coad;
  - iv. Chair of the Employment & Appeals Committee; and
  - v. Two further Labour members (where possible, but not as a requirement, drawn from the Employment & Appeals Committee).

## **28. Arrangements for the Dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer - Flow Chart of Procedure and Membership of Investigating and Disciplinary Committee, Appeals Committee and Independent Panel**

The Committee received a report that provided an update on the arrangements for the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer.

The new process had been approved by the Council in May 2017 and a report had been provided to the Committee in October 2017 at which it had been requested that a flowchart be provided to show the new disciplinary procedure. This was provided at Appendix A to the report and was noted.

The Committee was also updated on the membership of the new committees and panels established to undertake any such disciplinary procedures. It was noted that the members appointed to the Investigating and Disciplinary

## **Employment & Appeals Committee - 25.01.18**

Committee and the Appels Committee was be agreed by Council on 30<sup>th</sup> January 2018. The members of the Independent Panel had been appointed and were confirmed as Louis Lee, David Comben and Murray Litvak.

**Resolved** – That the Disciplinary Procedure flowchart attached at Appendix 1 to the report and the appointment of the Investigating and Disciplinary Committee, Appeals Committee and Independent Panel as set out in the report be noted.

### **29. Employment Policies and Procedures - Organisational Change Policy, Secondment Policy, Grievance Policy, Rehabilitation of Offenders Policy and Disclosure and Barring Service Policy**

The Committee considered a report which sought approval for the following new and revised policies and procedures:

- New Organisational Change Policy;
- New Secondment Policy (including Acting Up arrangements);
- Revised Grievance Policy and Procedure; and
- Update to the Rehabilitation of Offenders Policy, Disclosure and Barring Service Policy and SBC Application Forms to reflect the amendments to the Rehabilitation of Offenders Act 1974 Exceptions Order 1975 (2013).

The HR Policy Manager summarised the key aspects of each of the policies and procedures. The Organisational Change Policy brought together a number of a range of information and guidance for managing organisational change into a single, easily accessible document for managers. The Secondment Policy and Procedure had been updated and incorporated a section on how to manage 'Acting Up' arrangements. The amendments to the Grievance Policy emphasised the importance of resolving issues early through mediation if required, and provided greater clarity on a number of aspects of the process. The changes to the Rehabilitation of Offenders Policy and associated documents had been made to reflect legislative requirements.

The Committee was informed that all the policies and procedures met legislative requirement and had, where appropriate, undergone the relevant feedback and consultation with managers, staff and trade unions. Members considered each of the appendices in turn and approved the new or revised policies and procedures.

**Resolved** – That the new and revised policies and procedures be approved as follows:

- Organisational Change Policy;
- Secondment Policy & Procedure;
- Grievance Policy & Procedure; and
- Rehabilitation of Offenders.

## Employment & Appeals Committee - 25.01.18

### 30. Temporary Agency Staff - Progress on Implementation and Baseline Monitoring

The Service Lead People and the Director of Finance & Resources summarised a report that updated the Committee on the temporary agency staff contract with Matrix.

The total spend between April to December 2017 was £4.1m and a breakdown of spend in each directorate was noted. Members commented that the figure appeared to be high, and that the net spend was likely to be higher in 2017 than in the previous two years, however, it was highlighted that the total cost of placements through Matrix as shown in the report did not reflect that the costs would often be met through existing staffing budgets and that the placements were covering for existing posts. It was therefore agreed that future reports include more contextual information showing the a more accurate net cost of using temporary agency placements against existing staffing budgets.

*(Councillor Qaseem joined the meeting)*

The Committee discussed a number of other aspects of the report including the number of long term placements. There were various reasons why temporary agency staff may be with the authority for an extended period of time, for example, hard to recruit roles such as qualified social workers or occupational therapists and some interim management posts such as the Monitoring Officer and Director of Place & Development. Members requested a breakdown of the placements exceeding two years in the Chief Executive's department. Assurance was provided that the Council was actively trying to permanently recruit temporary workers where appropriate and the benefits of centrally managing agency staff through a single contract with Matrix reduced maverick spend and increased internal controls.

At the conclusion of the discussion, the report was noted.

**Resolved –** That details of the report be noted.

### 31. Pay Policy Statement Update 2018/19

The Service Lead People introduced a report that provided Members with an update of the revisions to the Pay Policy Statement for 2018/19. The Committee was requested to recommend approval to full Council.

The revised Pay Policy reflected the new senior management structure which came in effect in October 2017. Members had previously raised the issue of compliance with the obligation to pay the National Living Wage and it was confirmed that the Council paid above this level and a commitment to comply was set out in paragraph 1.4 of the Statement. The ratio between the remuneration of the Chief Executive and lowest paid employees was lower than previously reported as the base salary of the Chief Executive had been reduced.

## **Employment & Appeals Committee - 25.01.18**

Members asked a number of questions about the Statement and further information was requested on whether the cost of living pay award was calculated using the CPI or RPI measure of inflation. The cost of the Monitoring Officer (MO) function was raised and the previous and current MO were paid a daily rate of £650 as part of the interim arrangements which would continue in the short term to deal with a high backlog of complaints under the Councillors' Code of Conduct and to address a number of identified governance issues. It was noted that if the position was added to the role of an existing member of staff, as envisaged, a supplement would be paid but the overall cost would be reduced.

At the conclusion of the discussion, the Committee agreed that the Pay Policy Statement 2018/19 would be recommended to full Council.

**Recommended –** That details of the Pay Policy Statement 2018/19 be approved.

### **32. Attendance Record**

**Resolved –** That the Members' Attendance Record be noted.

### **33. Date of Next Meeting - 11th April 2018**

The date of the next meeting was confirmed as 11<sup>th</sup> April 2018.

Chair

(Note: The Meeting opened at 6.31 pm and closed at 7.08 pm)