

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **GENERAL PURPOSES COMMITTEE** held at Council Chamber, Priory House, Chicksands, Shefford on Wednesday, 10 February 2010.

PRESENT

Cllr Mrs J G Lawrence (Chairman)
Cllr K Sharer (Vice-Chairman)

Cllrs P A Blaine
P Rawcliffe

Cllrs R C Stay
Mrs P E Turner MBE

Apologies for Absence: Cllrs R A Baker

Substitutes: Cllrs K C Matthews

Members in Attendance: Cllrs J G Jamieson

Officers in Attendance: Mr J Atkinson Head of Legal Services
Mrs C Jones Head of HR Strategy and Policy
Mr L Manning Democratic Services Officer
Mr G McFarlane Acting Assistant Director Human
Resources and Organisational
Development

GPC/09/1 **Minutes**

RESOLVED

that the Minutes of the meeting of the General Purposes Committee held on 17 December 2009 be confirmed and signed by the Chairman as a correct record.

(Note: prior to the above resolution the meeting was advised that resolution 6 of Minute GPC/09/08 - Redundancies had been amended by the insertion of the words 'voluntary and'. As a result the beginning of the resolution now read 'that for a limited period only, in relation to any voluntary and compulsory redundancies/early retirements...').

GPC/09/2 **Declarations of Interest**

(a) **Personal Interests:-**

None notified.

(b) **Personal and Prejudicial Interests:-**

None notified.

GPC/09/3 Chairman's Announcements and Communications

With regard to Minute GPC/09/07 – Polices, the Committee noted that the drafting amendments to the Managing Change Policy and Redundancy/Employment Guidelines for Employees had been incorporated and highlighted within the copies of the documents circulated to Members following the meeting.

In response to a Member's query regarding the term 'establishment' in Section 8 of the Managing Change Policy the Head of HR Strategy and Policy explained that this term referred to all Council properties.

Finally, the meeting noted that item 11 (Appointments to Outside Bodies – Policy) would now be considered prior to Item 10 (Use of Delegated Power regarding Authorisation of Compulsory Redundancy/Early Retirement).

GPC/09/4 Public Questions, Statements and Deputations

No questions, statements or deputations from members of the public were received in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution.

GPC/09/5 Petitions

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Annex 2 of Part A4 of the Constitution.

GPC/09/6 Update on Harmonisation Project

The Committee received a report by the Acting Assistant Director Human Resources and Organisational Development which updated Members on the progress of the three main elements of work covered by the harmonisation project; these being job evaluation, terms and conditions of employment and HR policies and procedures. The officer drew Members' attention to the various issues which were impacting on the completion and implementation of the project including the Business Process Re-engineering (BPR) work in the Sustainable Communities Directorate which involved the administrative and lower level technical roles from the district council legacy authorities.

A Member sought comment from the Acting Assistant Director on his existing and anticipated workload given the scale of change. The Member also sought comment from the Head of HR Strategy and Policy regarding BPR and the Delivering Efficient Corporate and Transactional Services (DECATS) programme, mindful that the latter, which identified and examined overlaps in activity and possible efficiencies, could effect roles and structure, and the need to ensure that neither was carried out in isolation from the other. In response the Acting Assistant Director first stated that he was fully engaged with the Corporate Management Team with regard to his capacity and the need for additional support if required. He added that the long term capacity requirement also received consideration by the relevant Director. With regard to DECATS the officer stated that this would be applied to the ongoing reviews.

The Committee turned to consider the role of TUPE and the opportunity to move employees across on to one common set of terms and conditions. In response to a Member's request for clarification the Acting Assistant Director explained that if driven by economic or business reasons it was directly related to TUPE. If, however, the transfer was related to business reorganisation for example a year after the original reorganisation, the driver was not seen as related to TUPE.

In response the Head of HR Strategy and Policy explained that there was no time limit with regard to the implementation of TUPE however a challenge to the Council could arise with regard to equal pay if employees were paid different rates for the same job beyond a reasonable period. The Acting Assistant Director stated that the aim was to provide a 'level playing field' across the Council but the work was being carried out in the face of conflicting legislative requirements. The Head of HR Strategy and Policy stressed that it was hoped to complete the process by the end of June. In the meantime a decision was required regarding the arrangements for protecting legacy authority pay and terms and conditions which would probably be for a maximum period of three years.

A Member referred to the costs for this work. In response the Head of HR Strategy and Policy explained that additional funding had been included within the budget. The Acting Assistant Director stated that it might be possible to create efficiencies in connection with the employee car schemes. He emphasised that harmonisation was not cost neutral and the unions fully accepted that harmonisation did not mean an upwards harmonisation of pay and terms and conditions.

In response to a Member's query the Head of HR Strategy and Policy stated that Appendix A, which provided a summary of the completed job evaluations and those outstanding as at 1 February and which had been marked to follow, would be emailed out to Members the following day.

A Member expressed concern regarding the outstanding work required for the remaining Sustainable Communities posts given the completion date for job evaluations of 26 April and that BPR would not be finish until October. In response the Head of HR Strategy and Policy stated that it was possible the completion date might not be met in which case the job evaluations which had been completed for all other Council posts would be made available to prevent further delay. She emphasised that any associated changes would be backdated to 1 April 2010.

A Member commented on the likely cost arising from increases in salary levels as a result of regrading. Following discussion the Chairman indicated that the Committee would wish to see a breakdown of costs within the near future.

NOTED

- 1. the issues impacting on the completion and implantation of the Harmonisation project.***

2. ***the timetable for completion of the job evaluation of legacy District Council posts.***
3. ***the legal context for the implantation of harmonisation.***
4. ***that the DECATS programme is running in parallel with the harmonisation process.***

GPC/09/7 **Delegation of Assistant Director Appointments**

The Committee received a report originally submitted to the Constitution Advisory Group (CAG) on 25 January 2010 which proposed an amendment to the Constitution to allow for the Head of Paid Service (or delegated Director) to appoint Assistant Directors. A copy of the draft minute for that item was also submitted to the Committee and this set out the Group's decision to recommend to Council that, subject to the endorsement of the General Purposes Committee, the proposal be approved. The meeting was advised that the final version of the minute included additional wording so that the statutory posts of S151 Officer and Monitoring Officer were excluded from the proposal and these officers would continue to be appointed by Members through the Appointments Sub-Committee.

The Committee's views were sought on the proposed recommendation to Council.

The meeting acknowledged that it would be necessary for the Council to act speedily to appoint Assistant Directors during the current review of the Senior Management Structure and that the proposed recommendation would enable this to take place. However, Members were of the opinion that any delegation of authority to the Head of Paid Service (or delegated Director) in connection with the appointment of Assistant Directors should be time limited and that full consideration should be given in the future to the need, if any, to permanently amend to the Constitution for this purpose.

RECOMMENDED to Council:

1. ***that the authority to appoint posts at Assistant Director level is delegated to the Head of Paid Service together with the relevant Director, subject to recommendation 2 below.***
2. ***that the period of delegation to the Head of Paid Service and relevant Director is for no more than 6 months, or until such time as the Head of Paid Service reports to the Committee on the outcome of the Review of the Senior Management Structure, whichever is the sooner.***
3. ***that the posts of S151 Officer and Monitoring Officer remain at Assistant Director level or above and that these appointments continue to be made by the Appointments Sub-Committee.***

GPC/09/8 **Appointments to Outside Bodies - Policy**

The Committee received a report which set out a draft policy for the making of Member appointments to outside bodies. The draft policy included a proposal that Members should not be appointed, other than as non-voting observers, to companies and charities unless the latter provided their own indemnity cover to Council appointees. The meeting noted that it was also proposed that, should the policy be adopted, a review be undertaken in the autumn of 2010 of the bodies to which appointments should be made from May 2011.

The meeting was aware that the Constitution Advisory Group (CAG) had made various recommendations regarding the draft policy at its meeting on 25 January 2010.

Members welcomed the draft policy and raised no objection to the CAG's recommendations. In connection with the proposed review of the bodies to which Members were appointed, a Member stressed the importance of Member representation at meetings of bodies to which the Council had provided financial assistance to ensure that such funding was spent effectively.

RESOLVED

1. ***that, subject to amendment to accommodate the recommendations of the Constitution Advisory Group, as set out in resolution 2 below, the draft policy for making Council appointments to outside bodies, attached at Appendix A to the report of the Assistant Director Legal and Democratic, be approved and circulated to all Members.***
2. ***that the following recommendations of the Constitution Advisory Group be adopted:***
 - a) ***that a separate category be established within the policy to recognise those bodies which, whilst not part of the Council's formal governance structure, are in effect, informal Council-initiated consultative or liaison forums (eg leisure centre joint consultative groups) and do not therefore fall within the strict definition of "outside bodies" set out in paragraph 1 of the policy.***
 - b) ***that the list of outside bodies be reviewed to ensure that it is correct.***
 - c) ***that outside bodies be required to provide all necessary information before agreement is given to the appointment of a Council representative.***
3. ***that, as a matter of principle, Council appointments should not be made, other than as non-voting observers, (a) to companies or charities which have not provided their own insurance-backed indemnity cover to Council appointees; and (b) to any unincorporated association where there is a significant risk of***

personal liability; and that any such existing appointments be rescinded unless the body confirms it intends to provide suitable cover.

4. ***that, in relation to all other current Council appointments, the Assistant Director Legal and Democratic be requested:-***
 - a) ***to ask all Members who have been appointed to an outside body to report in 6 months' time on the value or not of the Council continuing to appoint Members after May 2011, on the basis of the criteria set out in the policy; and***
 - b) ***to report back to this Committee on the outcome.***
5. ***that Members meanwhile be requested to report from time to time on the work of the bodies to which they have been appointed via the Members' Newsletter.***

GPC/09/9 **Use of Delegated Power regarding Authorisation of Compulsory Redundancy/Early Retirement**

The Committee received an oral report by the Acting Assistant Director Human Resources and Organisational Development. The officer stated that, because the consultation process with senior managers on the need to achieve a 20% reduction in their numbers was still underway, it was not possible at this stage to update the meeting on the use of delegated powers for the authorisation of compulsory redundancy and early retirement.

The Acting Assistant Director explained that details of the voluntary severance scheme had been circulated to senior managers and he was confident that the scheme would be successful in identifying a number of senior managers who wished to leave the Council voluntarily. Although it was too early to in the process to be certain of numbers these would become clearer at the end of the consultation period in April.

NOTED the oral report.

GPC/09/10 **Date of Next Meeting**

The Committee was advised that the meeting scheduled for 4 March 2010 had been cancelled due to lack of business. The next meeting of the Committee would therefore be held on 15 April 2010.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.30 p.m..)