

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **GENERAL PURPOSES COMMITTEE** held at Room 14, Priory House, Monks Walk, Shefford on Tuesday, 24 August 2010.

PRESENT

Cllrs J A E Clarke
J Murray

Cllrs P Rawcliffe
Mrs P E Turner MBE

Apologies for Absence: Cllrs A Fahn
Mrs J G Lawrence
R C Stay

Substitutes: Cllrs Mrs C F Chapman MBE (In place of Mrs J G Lawrence)
M Gibson (In place of A Fahn)
K C Matthews (In place of R C Stay)

Members in Attendance: Cllrs A Fahn*
P Snelling

*Having submitted his apologies for absence Councillor A Fahn subsequently attended the meeting. However, due to the presence of his substitute, he ceased to be a member of the Committee throughout the duration of the meeting (paragraph 6.3 of Part E3 of the Constitution refers).

Officers in Attendance: Mrs D Delaney Solicitor – Employment Law
Mrs C Jones Head of Strategy
Mr L Manning Democratic Services Officer
Mr G McFarlane Acting Assistant Director - People

GPC/10/12 **Election of Chairman**

RESOLVED

that, in the absence of both the Chairman and Vice-Chairman of the Committee, Councillor Mrs P E Turner MBE be elected Chairman for this meeting only.

GPC/10/13 **Minutes**

RESOLVED

that the Minutes of the meeting of the General Purposes Committee held on 3 June 2010 be confirmed and signed by the Chairman as a correct record.

GPC/10/14 **Members' Interests**

(a) **Personal Interests:-**

None notified.

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

None notified.

GPC/10/15 **Chairman's Announcements and Communications**

None.

GPC/10/16 **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/10/17 **Questions, Statements or 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/10/18 **Market Rate Supplement Policy**

The Committee considered a report which sought Members approval of the adoption of a Market Rate Supplement (MRS) Policy and Guidelines. A copy of the Policy and Guidelines was attached at Appendix A to the report.

The Committee noted that the purpose of an MRS was to attempt to bridge the gap between salary levels and the 'current' market pay rate. As such it represented a response to difficult market conditions and would only be used when absolutely necessary. The report stated that an MRS could be an effective tool in relation to recruitment and retention for certain posts and groups of posts and therefore reduce turnover in areas of key skills.

The Committee further noted that the proposed Policy ensured that there was a focus on the 'hard to recruit' posts and specific roles and not on individual employees.

The Acting Assistant Director - People emphasised that despite the current economic situation it was still difficult to recruit to certain posts. The adoption of an MRS would provide the Council with the necessary flexibility regarding the salary levels that could be offered.

Members sought clarification on a number of issues and also expressed concern over the possible misapplication of such supplements. In response the Acting Assistant Director – People answered the queries in full and also referred Members to the safeguards that were inbuilt within the Policy and Guidance document.

Further discussion took place during which a Member commented that should there be a need for such a Policy then Members should have greater involvement and undertake a regular a watching brief. The Committee concurred but felt that an annual report would suffice.

RESOLVED

- 1 that the Market Rate Supplement Policy and Guidelines presented to the Committee under Appendix A of the report of the Acting Assistant Director – People be adopted with immediate effect;**
- 2 that the Acting Assistant Director – People submit an information report to the next meeting of the Committee, scheduled to be held on 7 October 2010, setting out a high level summary of current market rate supplements in place i.e. those agreed by officers under those policies inherited from the legacy authorities since April 2009, pending the agreement of the policy adopted in resolution 1 above;**
- 3 that a report as outlined in resolution 2 above be submitted to the Committee on an annual basis.**

GPC/10/19 **Violence and Aggression Policy**

(Note: Councillor A Fahn declared a personal and prejudicial interest in this item. He left the meeting room and took no part in the discussion or decision.)

The Committee considered a report which sought Members' approval of the adoption of a Violence and Aggression Policy for all non schools based employees and, where applicable, to Members of the Council. A copy of the Policy was attached at Appendix A to the report.

The meeting noted that the Council had a duty of care to take reasonable action to provide protection to its employees and Members when they were carrying out their duties as employees or as Members of the Council.

The meeting further noted that although there were line management responsibilities to ensure the duty of care and protection both employees and Members were also required to take due care and follow any published good practice and guidance to minimise any possible risks and to undertake any specific training provided by the Council.

The Committee gave full consideration to how violence at work was defined before turning to examine how the terms of the Policy applied to Members in respect of any violence or aggression against themselves, their family or their property, if sustained in the course of exercising their responsibilities as a Member of the Council. The Committee was aware that these terms did not apply to Members when they were involved in political activities outside of their role as a Member of the Council.

The meeting noted that some information relating to paragraph 6 of the Policy, which dealt with risk assessment, appeared to have been omitted from the document. In response the Acting Assistant Director – People undertook to circulate this with the minutes of the meeting.

(Note: A copy of the amended Policy is attached at Appendix A and the missing text is shown underlined.)

Following a query the meeting was advised that a separate policy on lone working would be submitted to the next meeting of the Committee for consideration and approval. In response to a suggestion that a decision on the adoption of the Violence and Aggression Policy should be deferred and considered in conjunction with the Lone Working Policy because of links between the two the Head of Strategy stressed that there was an urgent need to adopt a Central Bedfordshire Council Violence and Aggression Policy and adoption should not be delayed if at all possible. She added that the unions had worked closely with HR on the content of the Violence and Aggression Policy and their suggestions had been incorporated into the document.

Lengthy discussion then followed during which the Acting Assistant Director – People undertook to seek clarification from the Head of Legal Services regarding the application of the Indemnity provided by the Council (Part 6 of the Council's Ethical Handbook refers) as it applied to Members and to circulate this information to the Committee.

RESOLVED

- 1 that the Violence and Aggression Policy for non schools based employees presented to the Committee under Appendix A of the report of the Acting Assistant Director – People be adopted with immediate effect;**
- 2 that any known claims relating to non schools based employees made since 1 April 2009 be assessed under the Policy;**
- 3 that the Committee notes that Members of the Council are also eligible to submit claims under the Policy;**

- 4 that the procedure for submission of any claims by Members under the Policy be approved;**
- 5 that the limit of £1,000 (unless there are agreed exceptional circumstances) as the maximum contribution payable to a Member under the Policy in any single instance be approved;**
- 6 that any known claims relating to Members made since 1 April 2009 be assessed under this Policy.**

(Note: At the conclusion of this item Councillor A Fahn returned to the meeting room.)

GPC/10/20 **Designation of Monitoring Officer**

Members considered a report regarding the appointment to the new post of Head of Legal and Democratic Services, and the designation of that post as Monitoring Officer to the Council. The report reminded Members that, at the Committee's meeting on 10 February 2010, consideration was given to proposals for the appointment of all posts below Director level to be the responsibility of Directors with the exception of the Section 151 Officer and the Monitoring Officer. At that point the revised senior management structures were still being finalised. Members noted that subsequently, following the decision of the Appointments Sub-Committee on 13 May 2010 not to appoint to the post of Assistant Director (Governance)/Monitoring Officer, the Director of Customer and Shared Services had carried out a further structural review.

The meeting was advised that the review had concluded that the post of Assistant Director (Governance)/Monitoring Officer should be deleted and Head of Service roles in that area be reviewed and reconfigured. Further, it was now proposed that the Monitoring Officer role be carried out at Head of Service level in the form of a new post of Head of Legal and Democratic Services which would report directly to the Director of Customer and Shared Services.

Members noted that the appointment to the post of Head of Legal and Democratic Services would be made by the Appointments Sub-Committee but the designation of the post as Monitoring Officer, as a statutory post, would need to be agreed by full Council.

In response some concern was expressed that the Monitoring Officer role might be weakened by appointing at the Head of Service level as this could fail to reflect the significant level of responsibility exercised. In addition concern was expressed that, at Head of Service level, the officer could lack authority, especially when dealing with complaints against a Director. However, the Acting Assistant Director, People explained that the importance of the post was fully recognised which was why it would report directly to the Director of Customer and Shared Services. He added that the Appointments Sub-Committee would ensure that the applicant with the necessary skills, abilities and experience was appointed.

A Member reminded the Committee of the possible abolition of the Standards regime and the resulting emphasis on the role of the Monitoring Officer.

Following a suggestion by a Member the Acting Assistant Director, People undertook to discuss the possibility of emphasising the importance of the role played by the Monitoring Officer by placing the post of Head of Legal and Democratic Services directly alongside that of the Director of Customer and Shared Services on the Directorate's organisational chart.

RECOMMENDED to Council

that the post of Head of Legal and Democratic Services be designated as Monitoring Officer and report directly to the Director of Customer and Shared Services.

NOTED

that, as set out in paragraph 8.1 of Part E2 of the Council's Constitution, the appointment to the post of Head of Legal and Democratic Services will be made by the Appointments Sub-Committee.

GPC/10/21 **Date of Next Meeting**

NOTED

that the next meeting of the Committee will be held on Thursday, 7 October 2010 at 10.00 a.m.

(Note: The meeting commenced at 10.00 a.m. and concluded at 11.35 a.m.)

Chairman

Dated