

## **EMPLOYMENT AND APPOINTMENTS COMMITTEE - 17 AUGUST 2010**

### **REFERRAL TO COUNCIL**

#### **19. EARLY VOLUNTARY RETIREMENT REQUEST**

The Director of Law, HR and Asset Management submitted a report which sought the Committee's approval for the release of the Chief Executive on 30 September 2010 under the Council's Early Voluntary Retirement ('EVR') scheme. He advised Members that his report had been presented late as it had not been finalised until the day of the meeting. The Chair accepted this and agreed to its consideration by the Committee.

The Head of Human Resources and Organisational Development presented the report and indicated that the requirements for authorisation of EVR for any employee were based upon regard for all the circumstances, including the best interests of the Council and that any additional pension costs to the Council could be contained within existing budgets. She set out the staffing and financial implications set out in the report and referred also to interim management arrangements that were proposed to be put in place. She advised that if the Committee approved the EVR of the Chief Executive, then the M37 Application for Early Retirement Form would be signed by the Director of Law, HR and Asset Management, the Director of Finance and the Head of Human Resources and Organisational Development.

In response to a question from the Leader of the Council, the Director of Finance reported that he had discussed the matter with the District Auditor. The Director had confirmed that the additional pension costs would be met from savings and expressed the view that the proposal would probably meet the Audit Commission's requirements.

On a Motion by Councillor Green and seconded by Councillor Foulkes, it was unanimously –

#### **Resolved –**

**(1) That the Early Voluntary Retirement of the Chief Executive on 30 September 2010, on the terms set out in the report, be approved.**

**(2) That it be a recommendation to the Council that the Deputy Chief Executive be appointed to the position of Interim Chief Executive for up to nine months.**

**(3) That the Head of Strategic Development be appointed to the post of Interim Director of Corporate Services with effect from 10 September 2010, for up to nine months.**

**(4) That the thanks and best wishes of the Committee be accorded to Stephen Maddox in recognition of his contribution to Wirral as Chief Executive for 12 years, with 35 years continuous service in local government.**

## **EMPLOYMENT AND APPOINTMENTS COMMITTEE – 16 SEPTEMBER 2010**

### **REFERRALS TO COUNCIL**

#### **25. DELEGATION OF AUTHORITY FOR CHANGES TO STAFFING STRUCTURE (UP TO AND INCLUDING SPINAL COLUMN POINT 49)**

The Director of Law, HR and Asset Management submitted a report which sought approval to grant delegated authority to Chief Officers for any changes to the Council's staffing structure, including creation and deletion of posts involving employees up to and including Spinal Column Point (SCP) 49 (grade PO14). This would amend the current procedure whereby changes to the staffing structure, including the creation and deletion of posts at any level, were submitted to Employment and Appointments Committee for approval.

The proposed new procedure for the creation, deletion or amendment of posts, would include authorisation from:

- Chief Officer (relevant department)
- Director of Finance
- Head of HR/OD

For proposed changes to the staffing structure to be implemented, authorisation must be obtained from all three Officers. This process would provide a consistent approach and ensure that the Council's staffing structure continued to be closely managed and provide a robust process for monitoring costs which was critical in the current challenging economic environment.

It was also proposed that should this new procedure be adopted, all vacant posts currently shown on the staffing establishment would be deleted other than by exception as agreed by the relevant Director, Director of Finance and Head of HR/OD.

The Leader of the Labour Group expressed grave concerns that the proposed new procedure would exclude elected Members from some re-structuring of departments.

The Leader of the Council suggested that it would be useful to have regular monitoring reports.

It was moved by Councillor Green and seconded by Councillor Mrs L Rennie, that –

“(1) This Committee recommends Council approve the procedure to grant delegated authority to Chief Officers for any changes to the Council's staffing structure, including creation, amendment and deletion of posts involving employees up to and including Spinal Column Point (SCP) 49 and to revise the Scheme of Delegation

accordingly, with immediate effect, and that regular monitoring reports be brought to this Committee.

(2) All vacant posts currently shown on the staffing establishment would be deleted other than by exception as agreed by the relevant Director, Director of Finance and Head of HR/OD.”

It was moved as an amendment by Councillor P Davies and seconded by Councillor S Foulkes, that –

“(1) This Committee rejects the recommendation, 15.1 in the report, as it will reduce the ability of elected Members to influence decisions on staffing restructures and therefore agrees to retain the status quo.

(2) All vacant posts currently shown on the staffing establishment would be deleted other than by exception as agreed by the relevant Director, Director of Finance and Head of HR/OD.”

The amendment was put and lost (3:5).

The motion was put and carried (5:3).

**Resolved (5:3) –**

**(1) This Committee recommends Council approve the procedure to grant delegated authority to Chief Officers for any changes to the Council’s staffing structure, including creation, amendment and deletion of posts involving employees up to and including Spinal Column Point (SCP) 49 and to revise the Scheme of Delegation accordingly, with immediate effect, and that regular monitoring reports be brought to this Committee.**

**(2) All vacant posts currently shown on the staffing establishment would be deleted other than by exception as agreed by the relevant Director, Director of Finance and Head of HR/OD.**

## **28. APPEALS SUB-COMMITTEE**

Further to minute 10 (17/6/10), the Director of Law, HR and Asset Management submitted a report upon the possibility of having a pooled membership for the Appeals Sub-Committee. If the Committee were mindful to appoint a pool of Members, it would need to be politically proportionate, the current number of members and deputies, 21, would be in the ratio 8:8:5 (Conservative: Labour: Liberal Democrat). With a pooled membership there could be occasions when the Sub-Committee would not be politically proportionate, therefore the appointment of a pool would need to be approved by Council with no Members voting against.

To ensure a consistency of approach from the membership pool, it was recommended that all Members of the pool undertake training. Whilst it was recognised that some Members had considerable experience of hearing appeals, it

was timely to undertake further development to share skills and knowledge and update Members on recent employment case law.

**Resolved –**

**(1) That this Committee recommends to Council the appointment of a pool of 21 Members in the ratio 8:8:3, from which an Appeals Sub-Committee of 3 Members will be drawn as and when required, with the Chair being appointed at each meeting, for the current municipal year 2010/11.**

**(2) That training for Elected Members undertaking appeals takes place, as a matter of good practice, to support Committee's decision.**