

EMPLOYMENT AND APPOINTMENTS COMMITTEE

Monday, 23 April 2012

Present:

Councillor	A Hodson (Chair)	
Councillors	AER Jones	JE Green
	G Davies	M Johnston
	P Davies	P Kearney
	S Foulkes	L Rennie

85 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were requested to declare whether they had an interest, either personal or prejudicial, in any item on the agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

86 COMPROMISE CONTRACTS

The Director of Law, HR and Asset Management submitted a report in response to a motion passed by Council on 13 February 2012. Council asked that the Employment and Appointments Committee be tasked with forming a Sub-Committee to assess and sign off any compromise deals before any such offer was made to employees.

Members were asked to consider appropriate arrangements for the authorisation of compromise contracts which included a payment or financial incentive over £50,000 for any proposed termination of employment of officers above SCP49.

Councillor Mark Johnson submitted a report detailing proposed amendments to recommendations as listed in the report submitted by the Director of Law, HR and Asset Management. The amendments were submitted with the view to reflect the will of Council in calling for Compromise Contracts to become more democratically accountable and yet retain flexibility and allow for decision making.

Members considered amendments and legal advice was given regarding the contents of the report.

Resolved (unanimously) – That,

- (1) authorised Officers are permitted to continue working within the current Scheme of Delegation to manage the process of Compromise Contracts but subject to Paragraph (4) below;**
- (2) COT3 Contract outcomes will be reported to the next available Employment and Appointments Committee;**
- (3) compromise Contracts for EVR exercises should remain within the bounds of existing delegated authority and policies. However, EVR**

should not be used to cloak individual personnel issues and, in cases of doubt, the Chair of the Employment and Appointments Committee should be approached and minuted decisions provided to the next Employment and Appointments Committee;

- (4) all Compromise Contracts except those to settle litigation and those requiring a payment of £30,000 or less will be dealt with in the following manner;

(a) The Head of Legal and Member Services, in conjunction with the Head of Human Resources and Organisational Development will put forward any proposed agreement for termination of employment of officers, with appropriate justification, to a Sub Committee of the Employment and Appointments Committee which shall have the power to approve the proposed agreement (or otherwise) and which shall be constituted in accordance with sub paragraph (b) below;

(b) A Sub Committee with proportionality of 1:1:1 shall be co-opted from the list of Members available for the Appeals Sub-Committee by the Head of Legal and Member Services, who will call a meeting of the Sub-Committee giving five clear working days notice, or sooner with the agreement of all parties; and

- (5) for the avoidance of doubt, the above procedures do not apply to Council staff employed at schools with delegated budgets and whose employment is subject to the powers of Governing Bodies under local management of schools.

87 PERFORMANCE APPRAISAL

The Director of Law, HR and Asset Management submitted a report which asked Members to consider the proposed performance appraisal framework, and the development of organisational values by a cross party working group as recommended at Cabinet on 29 March 2012, and the Improvement Board on 30 March 2012.

Councillor Phil Davies expressed the view that it was important that development was a key theme in the performance appraisal.

In response to a question from the Leader, Councillor Jeff Green, the Committee were advised that in the first instance the new performance appraisal would be paper based with the view to ensure in the future it would be online.

Resolved - That this Committee agrees:

- (i) the proposed performance appraisal framework and supporting documentation;
- (ii) the proposed approach to the development of Wirral Values and Behaviours;
- (iii) the proposed Leadership and Management Expectations Framework; and

- (iv) **the proposed roll out and training plan for performance Appraisal to be implemented at Chief Executive, Chief Officer, and Senior Manager levels in the first instance.**

88 **DEPARTMENT OF REGENERATION, HOUSING AND PLANNING: SENIOR MANAGEMENT STRUCTURE**

This item had been withdrawn.

89 **DEPARTMENT OF ADULT SOCIAL SERVICES: SENIOR MANAGEMENT STRUCTURE**

This item had been withdrawn.

90 **ANY OTHER URGENT BUSINESS - RECRUITMENT AND RETENTION OF SOCIAL WORKERS AND SOCIAL WORK MANAGERS IN CHILDREN AND YOUNG PEOPLE'S DEPARTMENT**

With the agreement of the Chair, the Committee considered the following item of urgent business, in view of the need for a decision prior to the next meeting of the Committee.

A joint report by the Director of Law, HR and Asset Management and Acting Director of Children's Services sought to inform Members of serious difficulties in the recruitment and retention of Social Work staff in the Children and Young People's Department. It also demonstrated immediate pressures affecting the Department. The report compared salaries of Social Workers with other North West Authorities.

Risks were identified to Members as set out in paragraph 3 of the report regarding recruitment issues and inevitable problems that the Social Care Branch and Council would face if the recommendations were not agreed.

The Leader, Councillor Jeff Green, stressed that as the Council's priority was to safeguard children he welcomed the recommendations as set out in the report.

Councillor Phil Davies shared his concerns as were identified in paragraph 3 of the report. He also expressed how safeguarding children was the Council's ultimate priority. He then asked the Director of Children's Services if he was confident that the recommendations would go far enough.

The Acting Director and Deputy Director of Children's Services responded to clarify that if the recommendations were to be agreed this would be a substantial gesture.

Resolved – That,

- (1) **the Employment and Appointments Committee agree the extension of the market rate supplement to the following:**

- **Social Workers - retention only (as recruitment payment is already paid)**
- **Practice /Team Managers – recruitment and retention payment**

- **Principal Team Managers - recruitment and retention payment;**
- (2) **a review of the payments once the job evaluation process is complete will be brought back to the Employment and Appointments Committee; and**
 - (3) **a further report will be brought to the Employment and Appointments Committee addressing wider workforce issues across all social care staff both in adults and children's; and**
 - (4) **members agree the implementation of the recommended short term recruitment and retention payments for CYPD. This will be funded from the £1million EIG prevention budget for CYPD.**