

# EMPLOYMENT AND APPOINTMENTS COMMITTEE

Thursday, 14 February 2013

Present: Councillor P Doughty (Chair)

Councillors G Davies P Kearney  
P Davies AR McLachlan  
M Johnston L Rennie  
AER Jones

Deputies Councillors A Hodson (In place of JE Green)

## 62 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary or non pecuniary interests in connection with any items on this agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

## 63 MINUTES

The Committee was requested to receive the minutes of the meeting held on 24 January, 2013.

In respect of minute 57 (24/1/13) (The Employment Contract of the Chief Executive and Head of Paid Service) Councillor Rennie suggested an amendment to the paragraph in the preamble beginning, 'The Leader of the Conservative Group expressed.....' and that it should read:

'The Leader of the Conservative Group expressed his view that although the Chief Executive had performed well since his appointment and that significant progress had been made against the Improvement Plan, the Performance Appraisal process had just started with objectives being set, but no assessment as yet of progress. Given that, there was no need to deal with the matter at the present time, given there was certainty in relation to his employment contract, which was not due to expire until 2014.'

## 64 OCCUPATIONAL HEALTH CONTRACT 2013-2015

The Acting Director of Law, HR and Asset Management submitted a report which informed the Committee of the new provider of the Occupational Health Services contract to the Council. The Committee had agreed on 12 July, 2012 (minute 19 refers) to creating a mixed service delivery model for its Occupational Health Service including the transfer of the on site Nurse and

administration team to the Council under TUPE regulations and other associated medical services being tendered under 4 separate lots:

- Lot 1 Occupational Health Physician
- Lot 2 Employee Assistance Programme (EAP)
- Lot 3 Counselling
- Lot 4 Physiotherapy

The Occupational Nurse and the 2 administrators transferred into the Council in December 2012 under TUPE and were line managed under the Health, Safety and Resilience Operations Manager.

The procurement exercise for the associated medical professionals had also now been completed, with the successful provider for lots 1-3 being awarded to People Asset Management (PAM) on 1 February 2013 under delegated authority. PAM was a nationally recognised occupational health provider with headquarters based in the North West at Warrington. They currently provided services to over 50,000 public sector workers, including a number of local authorities.

The contract was awarded on a 70/30 price/quality basis and not only was PAM the lowest priced tender but they also demonstrated an exceptional quality submission. The 4th lot for Physiotherapy Services would also be awarded to PAM, although they were the second placed tender. The lowest priced tender for this Lot did not fulfil the requirements of the tender exercise and the evaluation team had serious concerns about their resources to deliver the contract. Due to the 10-day Standstill Period, this element of the contract would begin on 18 February 2013.

**Resolved – That this Committee notes the report and supports the decision to award the occupational health contract to People Asset Management for a period of 2 years with an option to extend for a further year.**

## 65 GIFTS AND HOSPITALITY AND CONFLICT OF INTEREST POLICIES

The Acting Director of Law, HR and Asset Management submitted a report on the proposed revisions to the Council's Gifts and Hospitality and Conflict of Interest policies and procedures. The revisions had arisen following a report to the Audit and Risk Management Committee on 19 September 2012 (minute 30 refers) by the District Auditor on Gifts and Hospitality and Conflict of Interests.

The key issues arising from the District Auditor's report were generally ones of compliance, rather than concerns about the adequacy of the policies or procedures themselves. The Acting Director's report gave details of the key proposed changes and informed the Committee that both revised policy

documents reflected the Council's commitment to ensuring greater awareness of officers at all levels as to their responsibilities in declaring any offers of gifts and hospitality and similarly if they had a conflict of interest.

In respect of the Gifts and Hospitality policy, Members queried the use of the phrase 'small / low value gift' and suggested that a figure should be given for the avoidance of any doubt. Tony Williams, Human Resources Manager, suggested in response that neighbouring authorities had a range of figures from between £10 to £50 in their policies. It was suggested that the same figure for declaration of gifts by Members could be used for officers, that of £25.

**Resolved – That the revised policies and procedures for Gifts and Hospitality and Conflict of Interests be approved, with an amendment to the Gifts and Hospitality policy to clarify that 'small / low value gifts' are those up to a value of £25.**

## 66 PAY POLICY STATEMENT 2013/14

The Acting Director of Law, HR and Asset Management submitted a report, in accordance with The Localism Act 2011, which required Councils to determine and publish annual pay policy statements.

The requirements of the Act included:

- The Pay Policy statement to be approved by The Full Council, in advance of the financial year to which it relates.
- The Pay Policy Statement to be published on the Council website.

The Pay Policy Statement was required to set out the Council's policies relating to the following:

- Chief Officer remuneration, including salary, allowances, and enhancements at termination.
- Remuneration of its lowest paid employees.
- The relationship between Chief Officer remuneration and that of other employees.

The proposed Pay Policy Statement 2013/14 included a revised pay structure to take account of the Living Wage increase (November 2012). The revised pay structure would ensure that all Council employees were paid at a rate equal to or higher than the Living Wage hourly rate of £7.45.

With regard to the Living Wage, the Leader of the Council, encouraged the Head of HR and Organisational Development to seek formal accreditation from the Living Wage Foundation for the Council to become a 'Living Wage Employer'.

**Resolved - That this Committee:**

- (1) Recommends to Council, for approval, the Council's Pay Policy Statement 2013/14;**
- (2) Notes the increase of the Living Wage, effective from 1 November 2012.**
- (3) Notes the responsibility of the Employment and Appointments Committee to ensure the provisions set out in the Pay Policy are applied consistently throughout the Council, and recommend any amendments to the Council.**

**67 EMPLOYMENT AND APPOINTMENTS SUB-COMMITTEE MINUTES**

The minutes of the Employment and Appointments Sub-Committee meetings held on 15 and 16 January, 2013, were submitted for information.

**Resolved – That the minutes be noted.**

**68 EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

**Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.**

**69 ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)**

The Chair agreed to consideration of an item of urgent business in view of the topicality of the issue to be raised.

The Head of HR and Organisational Development, in response to Councillor Johnston's comments, informed the Committee of the situation regarding the appointment to the post of Strategic Director: Regeneration and Environment which was shortly to be advertised and the reasoning behind the change to the recruitment process.