

EMPLOYMENT AND APPOINTMENTS COMMITTEE

Tuesday, 27 June 2017

Present: Councillor AER Jones (Chair)

Councillors P Davies B Mooney
G Davies L Rennie
P Gilchrist

Deputies Councillors C Jones (In place of M McLaughlin)
C Blakeley (In place of JE Green)

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were requested to declare whether they had any disclosable pecuniary interests and/or any other relevant interest in the item on this agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

2 MINUTES

The Committee were requested to approve the accuracy of the minutes of the meeting of 24 November, 2016.

Resolved – That the minutes of the meeting of 24 November, 2016, be approved.

3 RECRUITMENT TO CHIEF OFFICER POSTS AND STRUCTURE CHANGES

The Chair advised that the Committee would be invited to consider the open part of this agenda item first prior to a proposal to move into exempt session for item 10 on the agenda, the exempt appendices to the report.

The Committee considered the report of the Chief Executive on recruitment to Chief Officer posts and structure changes following two recent resignations and a request for early retirement at Chief Officer level. He had also been notified of a planned retirement.

The requirement to recruit to a number of key posts also provided an opportunity to review how the Council was best organised at senior management level to deliver its plans at this time. The Council had made appointments to a number of senior positions since November 2016 and was continuing to improve its capacity to deliver the Wirral Plan, deliver

transformation plans and explore the best models to deliver services to residents of Wirral.

The report recommended recruiting to the vacant post of Director for Children, the forthcoming vacant post of Assistant Director: Law and Governance and a newly configured Director of Finance post (following retirement). The report also gave details of recommended salaries for these roles based on external benchmarking and advice.

In addition, the report set out some changes to reporting lines for some functions in response to the evolving nature of the operating model; to enable the Council to reorganise capacity and to meet future requirements.

Councillor Rennie, expressed support for some of the proposals within the report, including the proposals that the Director for Care and Health report directly to the Chief Executive and that the recruitment to a re-designated post of Director of Finance would not just be focussed within the local government arena but the search would also encompass potential candidates from the commercial sector. She did, however, express concern at the proposed increase in the salary for the Director for Children's post.

Councillor Phil Davies, referring to the comparator salaries for other Authorities' Director of Children's Services posts, spoke of the need to pay an appropriate salary to enable the recruitment of the highest quality candidate. He acknowledged that the Council should always be prudent in its expenditure of Council Tax payers' monies but this was the most important job for the Council to recruit to.

Councillor Gilchrist posed the question as to what had the creation of the Strategic Director posts achieved. He also referred to the fact that it was only recently that the Council had recruited a Director of Transformation, and queried why there was a need to change the role and title of this post now.

The Chief Executive stated that he would be happy to have a one to one with Councillor Gilchrist to talk him through the proposed changes to the structure. He had also spoken with the recruitment consultants, Penna, on the need to have a wider field of candidates from both the public and commercial sectors for the Director of Finance post.

The Assistant Director: Human Resources and Organisational Development confirmed that she was satisfied with the service provided by Penna who had successfully tendered twice for the position of recruitment consultants. She stated that the Council did have a challenging relationship with Penna and that they provided advice all the way through the recruitment process.

On a motion by Councillor Phil Davies, seconded by Councillor George Davies, it was –

Resolved (4:3) –

- (1) That the revised Chief Officer structure of the Council, detailed in Appendix Two (including the deletion, creation and change of roles) with the new structure effective from 1 September 2017, be approved.**
- (2) Politically proportionate Appointments Panels, be established, in accordance with the terms of reference set out in Appendix Seven of the report, for the following posts to be advertised internally and externally at the following salary:**
 - Director for Finance (S151 Officer), Director 1, £103k-115k**
 - Director for Children SD2 (new grade), £140-155k**
 - Assistant Director: Law and Governance (Monitoring Officer) AD 1/Director 2, £79-93k**
- (3) To agree that the posts specified in (2) above be advertised as soon as possible following the meeting of this Committee on 27 June 2017.**
- (4) To agree that the Assistant Director: Human Resources and Organisational Development be authorised to make and undertake all requisite arrangements necessary for the appointments to be made.**
- (5) That it be RECOMMENDED to COUNCIL that the Employment and Appointments Committee and its Appointment Panels have delegated authority to formally agree and confirm the appointment of all the posts specified in (2) above.**
- (6) That it be RECOMMENDED to COUNCIL that the Chief Officer pay scales as set out in the Council's Pay Policy be amended to incorporate proposed salary for Director for Children's Services post (appendix three to the report).**

4 EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

On a motion by the Chair, duly seconded, it was -

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 (in that it relates to an individual) of Part I of Schedule 12A (as amended) to that Act.

5 RECRUITMENT TO CHIEF OFFICER POSTS AND STRUCTURE CHANGES - EXEMPT APPENDICES

The Committee considered the exempt appendices to the report regarding a request for early retirement from the Executive Director of Strategy.

Having regards for all the circumstances including the best interests of the Council the Chief Executive proposed that the Committee agree to this request for early retirement.

This request provided an opportunity for the Council to make some changes to managerial arrangements in the strategic hub and also achieve a reduction in salary costs. It was proposed that the Executive Director role would therefore be re-designated as Director of Strategy and Partnerships at a lower level.

The Council had undertaken some benchmarking of similar roles at Director level. The Executive Recruitment Consultancy, Penna, had advised that a competitive market rate for this role would be circa £110,000. Therefore it was proposed the salary range for this post was Director 1 (£103,606-£115,117). This was at a lower level than the current post. An external recruitment process, (assuming a standard notice period of a successful candidate at this level) might take around 6 months which was a further cost saving. However, there would need to be some management arrangements in place in the hub and therefore it was proposed that there would be an opportunity for a 6 month internal acting up at Director 1 level.

There were no severance costs associated with the request for early retirement. There would be a significant difference in costs to the Council arising from release of pension if it was part of a redundancy situation. The cost to the Council of pension release with employer consent under the '85 year rule' would be £105,000, however, with the SD post being held vacant for 6 months there would be a saving of £79,389 (including oncosts), the cost of a 6 month internal acting up would be approximately £15,000 (including oncosts), so the overall cost to the Council of early release of pension would be £40,612.

Councillor Blakeley, although not disagreeing with the request for retirement, commented that he did not see a need to employ somebody else to do this job and that this should be a saving for the Council.

The Chief Executive responded that there was a need to fill this post at a Director level to provide leadership for the Council on key strategies.

On a motion by Councillor Phil Davies, seconded by Councillor Mooney, it was –

Resolved (4:3) –

- (1) That the request for Early Retirement with employer consent from the Executive Director of Strategy, be agreed.**
- (2) That it be agreed to recruit immediately to the post of Director of Strategy and Partnerships at salary D1 ((£103k-115k).**
- (3) That it be agreed that the arrangements set out in paragraphs 2.2 to 2.5 of the report are applied to this post.**

The Assistant Director: Law and Governance informed the Committee that they should now consider removing the exemption in respect of the financial information in the appendix as it was in the public interest for this to be made known where public funds were being used.

Resolved (unanimously) –

That the exemption be lifted in respect of the financial implications and costs of pension release and that this be published in the minutes of the meeting.

6 FOSTERING FRIENDLY EMPLOYER

The Senior HR Manager – Policy, Strategy and Change introduced a report which gave details of proposals for the Council to be a 'Fostering Friendly Employer' through support to Council employees who were prospective or existing foster carers.

It was proposed that the following key principles were applied as policy:

- Up to 5 days paid additional leave for employees who are going through the application process to become a foster carer, as part of the fostering assessment process.
- Up to 5 days paid additional leave each year for employees who are foster carers in order to attend training related to their position as foster carers and/or to attend meetings, panels, hearings or any other key events or activities in support of foster children and young people in their care.
- The Council adopts a flexible and accommodating approach to requests for time off, leave and flexible working arrangements from foster carers and prospective foster carers in relation to their care of a looked after child or during their journey through the process to become foster carers.
- Further support to cover any extra training which may be needed or to cover unforeseen emergencies related to their fostering role remains at their line manager's discretion.
- As a 'Fostering Friendly' Council, the Council will commit to supporting the annual fostering awareness campaign, Foster Care Fortnight.

These principles were in accordance with best practice for employers run by the charity the Fostering Network. The Council was the first Local Authority on Merseyside to formally sign up to be a fostering friendly employer.

All Members welcomed the proposal and Councillor Phil Davies spoke of the need to encourage more people to take up the role of foster carer and publicise the need for more foster carers.

Resolved – That this Committee approves the Council’s policy to support employees who are prospective or existing foster carers.

7 EMPLOYEE VOLUNTEERING

The Senior HR Manager – Policy, Strategy and Change introduced a report which gave details of proposals for the Council to support employees who wished to volunteer their help and support to the local community.

It was proposed that the following key principles were applied as policy:

- The volunteering activity will:
 - Support the learning and development needs of the employee;
 - Support the sharing of skills, talents and creativity; and/or
 - Support the Council’s corporate objectives.
- The volunteering activity will add value/benefit the local community.
- The volunteering activity will be with a registered charity, recognised voluntary organisation, or will be in response to a local crisis or need for local emergency aid. Employees are encouraged to use the Community Action Wirral Volunteer Centre Website which carries the unique Volunteer Centre Quality Accreditation.
- Employees who commit to volunteering in the community may be supported up to a maximum of 2 days per 12 month period (14.4 hours). This may increase to up to a maximum of 5 days (36 hours) in the 12 month period before retirement.

The report also outlined the support, resources and opportunities employee volunteers would receive to ensure volunteering was a positive experience.

All Members welcomed the report and it was suggested that policy be monitored during the year with a report back to the committee in 12 months time.

Resolved – That this Committee:

- (1) approves the proposed approach to support employee volunteering outlined in the report;**
- (2) approves the Volunteering Policy at Appendix 1 to the report;**
- (3) delegates authority to the Assistant Director: Human Resources and Organisational Development to develop, approve and implement associated protocols considered necessary to give effect to the Volunteering Policy (including the spirit of the Policy).**

8 WORKFORCE EQUALITY REPORT 2016/17

The Senior HR Manager – Policy, Strategy and Change introduced a report which provided the Committee with an annual Workforce Equality Report for 2016/17.

The Equality Act 2010 came into force in October 2010, the general duty of which had 3 goals:

- To eliminate any unlawful discrimination, harassment and victimisation
- To advance equality of opportunity
- To foster good relations between different groups of people

In April 2011, the Public Sector Equality Duty (PSED) was introduced and placed a duty on public authorities to apply the specific duty with the following 4 aims:

1. Give due regard to the impact of the Council's policies and decisions on people who share protected characteristics: Race, gender, disability, sexual orientation, age, religion / belief, gender re-assignment, marriage / civil partnership, pregnancy / maternity
2. Publish information relating to employees who share protected characteristics: Workforce profile, pay gaps, job application success rates, take up rates of training, promotion success rates, return to work rates after maternity leave, reasons for termination of employment, length of service, time on pay grade.
3. Publish information relating to people who are affected by the Council's policies and practices who share protected characteristics, i.e. customers: Who accesses our services? Do they need reasonable adjustments? How satisfied are they? What feedback do they give us? What is the number / type of complaints we receive? Do we have different service outcomes for different people?

4. Set and publish measurable equality objectives, at least every 4 years: What are Wirral's biggest equality challenges? What evidence base do we have? Where is equality performance poor? Do we benchmark ourselves against others? How will progress be measured?

The Council had previously met its obligations and published workforce equality data. However, the Council had reviewed its approach and best practice and this was a significantly more comprehensive report.

Members welcomed the report, although some concerns were expressed at the discrepancy between the lower numbers of the workforce from a black and minority ethnic (BME) background compared with the BME numbers in the Wirral population. A high percentage of the workforce also appeared to be approaching retirement age and there were a large number of 'prefer not to say' in some of the statistics.

The Senior HR Manager, in response stated that figures for BME employees were on the low side, though recruitment had been fairly limited for a number of years. It was hoped that this could be addressed some way with the recruitment of apprentices. He was aware that a large percentage of the workforce were approaching retirement age and of some areas where there were recruitment and retention issues. Work was being undertaken with individual service areas to help with succession planning. He also acknowledged the large number of 'unknowns' and that there was a need to give employees confidence as to what the information was used for. There would be a planned communications campaign around this in the autumn.

Resolved – That the publication of the annual Workforce Equality report, to meet the Council's legal requirements under the Public Sector Equality Duty (PSED) 2011, be approved.

9 EMPLOYMENT AND APPOINTMENTS PANEL

The minutes of the Employment and Appointments Panel meetings for the post of Deputy Director: Children's Care Services, held on 14 and 20 December, 2016 and 18 January, 2017, were submitted for information.

Resolved – That the minutes be noted.